

The Cabinet

28th June, 2017 at 3.30 pm
at the Sandwell Council House, Oldbury

- Present:** Councillor Eling (Chair);
Councillors Carmichael, Costigan, Hackett,
D Hosell, Khatun, Marshall and Moore.
- Apologies:** Councillors Shackleton, Trow and E M Giles.
- In attendance:** Councillors Edis, Hickey, P Hughes and Underhill.

Strategic Items

113/17

Local Area Special Educational Needs and Disabilities Review **– Statement of actions (Key Decision Ref. No. SMBC16145)**

The Cabinet Member for Children's Services reported on actions that had been taken to address the key improvement issues in response to The Office for Standards in Education (Ofsted) and Care Quality Commission (CQC) inspection of the local area's arrangements for the provision of Special Educational Needs and Disabilities (SEND). The Local Area Clinical Commissioning Group included Children's Mental Health Service; Paediatricians, Speech and Language Therapies, including the Council Services: SEND; Public Health, Children's and Adults' Social Care.

The inspection had raised a number of significant concerns specifically highlighting failures of partner organisations to deliver adequate support and services to children with SEND. In particular, services external to the Council delivered through the Clinical Commissioning Group (CCG) and the Children's Mental Health Service (CAMHS) were detailed for improvement.

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The lead inspector was of the view that the written report would assist Council-run SEND services in improving the engagement and quality of contributions of all partners for the services and support they delivered. Implications for ways in which Children's Social Care and schools practice could be improved to deliver the SEND reforms were also detailed.

Consideration was now given to the statement of action which had been written by a sub-group of the SEND Partnership Board.

The principal requirement at this stage was to ensure that all partner agencies took full responsibility for current performance and demonstrated full commitment to engaging and contributing to SEND work, delivering improved outcomes for children.

In order to improve the joint working and speed of implementation of the SEND Reforms (2014 – 2018), a number of areas formed the basis of a development plan which included establishing an overarching local area leadership group, implementing stronger monitoring systems to track the time it took to complete statutory assessments and report on performance, etc.

The action plan and statement of action would be submitted to Ofsted and Care Quality Commission within the 70 day deadline of 3rd July 2017.

An equality impact assessment was not required for this proposal.

In response to a number of questions raised by the Chair of the Children's Services and Education Scrutiny Board and the Chair of the Budget and Corporate Scrutiny Management Board, the Cabinet Member for Children's Services confirmed that:-

- a quality assurance programme was run by Education Special Educational Needs (SEN)
- services to quality assure all input from partners in to the education health and care plans. To improve capacity for this, a new team of plan writers and additional staff from the CCG and social workers would be appointed specifically to quality assure input from those agencies;
- the Council had been working to meet the 20-week deadline. The Question Answer process put in place would manage this quality issue;

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- Special Educational Needs Coordinator (SENCO) required the national SENCO training qualification which was a one year course. The SEN department supported staff with a range of in-house forums and training across the year;
- all transition plans were issued for young people as they transferred to adult services for support. There was a programme for supported apprenticeships and an emerging programme for supported internships for those young people who could access this. The Council was looking to enhance the supported internship programme running in schools to improve readiness for apprenticeships;
- there were still delays in the system for young people seeing CAMHS specialists. CCG directors and CAMHS senior managers were fully aware of this and part of their work was to ensure there was enough capacity in the system to meet demand;
- the Local Area Review highlighted the need for an accountability board which had the ability to hold outside agency partner work to account. The Cabinet Member would welcome scrutiny's involvement in reviewing the work of Council services and a request had been made by the Director to include SEND on the scrutiny schedule over the coming year.

Resolved:-

- (1) that the progress to date and the draft action plan in response to Ofsted and the Care Quality Commission's inspection of Sandwell's arrangements for children and young people with Special Educational Needs and Disabilities be approved;
- (2) that the action plan and statement of action be submitted to Ofsted and the Care Quality Commission within the 70 day deadline of 3rd July 2017.

114/17

Black Country Core Strategy Review Issues and Options Consultation (Key Decision Ref. No. SMBC1617)

The Cabinet Member for Regeneration and Economic Investment reported that the Black Country Local Planning Authorities adopted a joint Core Strategy in 2011 which was an over-arching planning and regeneration document setting out the development priorities for the Black Country area for the period 2006-2026.

Whilst this strategy had served the area well - facilitating new development and significant investment into the area, there was a clear commitment to review it after five years to ensure that the spatial objectives and strategy were up to date, to ensure that the emerging plan reflected up to date planning guidance and, as far as possible, local changes including the aspirations of the West Midlands Combined Authority (WMCA) and the Local Enterprise Partnerships (LEP).

The review of the Black Country Core strategy would be undertaken in key stages. Approval was now sought to the Issues and Options consultation phase which would focus on seeking feedback on nine key areas set out in the document as follows:-

- meeting housing needs
- supporting the economy
- supporting our centres
- protecting the environment
- reviewing the greenbelt
- keeping the Black Country connected
- providing infrastructure to support growth
- working with our neighbours
- delivering regeneration across the Black Country

The consultation responses would be reviewed in detail and used to inform the next stage of the plan.

The Issues and Options consultation would commence the review of the Core Strategy by detailing the amount of new development needed, for example for housing and jobs. It did not look to allocate development sites. This would be done at a later stage of the plan preparation. This consultation was key for residents and businesses across the Black Country as it provided an opportunity to engage in the process and help inform the next stage of the plan.

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A key part of this consultation included a 'call for sites'. This was asking for potential developers/land owners to suggest development sites to the Council as part of the review. It would also be necessary for the Council and other public bodies to review their land assets to see if any contribution to this strategy could be made through release of sites/assets.

Consultation would take place between 3rd July and 8th September 2017.

In response to questions raised by the Chair of the Economy, Skills, Transport and Economy Scrutiny Board and the Chair of the Budget and Corporate Scrutiny Management Board, the Cabinet Member for Regeneration and Economic Investment confirmed that:-

- the Black Country LEP secured an initial allocation of £53m from the WMCA Land Remediation Fund available from 2017/18. A future proposal for a programme of a minimum £150m would be developed subject to the success of the initial tranche;
- the WMCA and the West Midlands Mayor would all be consulted in writing. The recommendations of the Land Commission would form an important part of the evidence base that supported the Black Country Core Strategy review;
- consultants had been commissioned in 2016 to carry out a Strategic Growth Study for the Greater Birmingham Housing Market Area which included a high level strategic review of the Green Belt. The study was due to be reported back in the Autumn;
- whilst the strategy remained 'brownfield land first' it would need to consider appropriate development with the Green Belt. A more detailed review of the Black Country Green Belt would be undertaken as part of the overall review process;
- consultation would be undertaken in Wednesbury and Tipton and the Cabinet Member welcomed suggestions on promoting these events.

Resolved:-

- (1) that the Core Strategy Issues and Options Report be approved as the basis for public consultation;

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- (2) that in connection with Resolution (1) above, the Director - Regeneration and Planning, in consultation with the Cabinet Member for Regeneration and Economic Investment, be authorised to make minor changes to the Issues and Options Report that may be required prior to making it available to the public.

115/17

Approval of the 2017 Parking and Traffic Enforcement Policy (Key Decision Ref. No. SMBC16155)

The Cabinet Member for Highways and Environment sought approval to the 2017 Parking and Traffic Enforcement Policy which now provided clarity on:-

- the scope of Red Routes enforcement;
- parking across dropped crossings;
- the CCTV enforcement of West Bromwich Bus Lane;
- the provision of H Bar and disabled markings.

The Cabinet Member for Highways and Environment now reported that a change was required within the policy at 5.10.5 to read “an application is made for weeks in advance with exceptions available in emergency circumstance”.

A six week public consultation would be undertaken on the proposed policy with a number of key stakeholders.

Any unresolved objections arising from the public consultation would be reported back to the Cabinet Member for Highways and Environment

In response to questions raised by the Chair of the Economy, Skills, Transport and Environment Scrutiny Board, the Cabinet Member for Highways and Environment confirmed that:-

- the cost of Civil Enforcement Officer and CCTV resources were generally balanced by the income on the parking account. This ensured that parking services were self-financing. The service regularly monitored the frequency of enforceable contraventions at different locations which enabled the service to adjust the deployment of resources for the most effective enforcement using a level of resources that could be afforded from parking income;

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- the stakeholder groups listed were statutory consultees. The Cabinet report the policy, press releases, adverts and the Council web site would make the information available to all road users for the purposes of public consultation.

Resolved:-

- (1) that a six week public consultation be undertaken on the 2017 Parking and Traffic Enforcement Policy, as now submitted;
- (2) that subject to no unresolved objections following public consultation referred to in Resolution (1) above, the revised 2017 Parking and Traffic Enforcement Policy be approved and implemented;
- (3) that the Director – Regeneration and Planning submits a further report to the Cabinet Member for Highways and Environment for a decision on any unresolved objections arising from the consultation processes referred to in Resolution (1) above.

116/17

Provision of Supply and Fit PVCu Doors and Windows **(Key Decision Ref. No. SMBC1664)**

The Cabinet Member for Housing sought approval to award a contract for the provision of supply and fit PVCu doors and windows, for a contract period of two years, from 1st July 2017 to 30th June 2019.

Whilst this was previously awarded by the Cabinet on 19th April 2017 to A & B Glass, A & B Glass had now withdrawn from the contract. Approval was therefore sought to award the contract to the second place supplier; Select Windows Ltd.

The anticipated value of the supply and fit PVCu doors and windows contract was £400,000 (£200,000 per annum) for a period of two years.

An equality impact assessment was not required for this proposal.

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In response to a number of questions raised by the Chair of the Safer Neighbourhoods and Active Communities Scrutiny Board and the Chair of the Budget and Corporate Scrutiny Management Board, the Cabinet Member for Housing confirmed that:-

- the Council was concluding a programme of replacing the single glazed uPVC windows, however, 11 properties were still outstanding due to the Council being unable to access them. There was on-going communication with tenants to get access to carry out these works. This contract was a responsive repairs maintenance contract to pick up and deal with the replacement of existing uPVC doors and windows that were either damaged or past their life span;
- the original appointed contractor had made a mistake when pricing up the door codes on the tender and when this was pointed out to them, they said they could not honour the prices quoted so withdrew from the contract.

Resolved:-

- (1) that Minute No. 85/17 taken by the Cabinet on 19th April 2017 relating to awarding the contract for the supply and fit PVCu doors and windows to A & B Glass be no longer proceeded with;
- (2) that the Interim Director - Neighbourhoods award the contract for the supply and fit PVCu doors and windows in the sum of £400,000 (£200,000 per annum) for the period 1st July 2017 to 30th June 2019 to Select Windows Ltd;
- (3) that in connection with Resolution (2) above, the Director – Monitoring Officer be authorised to enter into an appropriate contract and any other related or ancillary document to give effect to the contract with Select Windows Ltd.

117/17

Award of Framework Agreements for Superimposed Road Markings, Specialist Surfacing and Studs and United Kingdom Pavement Management Systems Visual Condition Surveys for the West Midlands (Key Decision Ref. No. SMBC1660)

The Cabinet Member for Highways and Environment sought approval to award two framework agreement as follows:-

- for superimposed road markings, specialist surfacing and studs to DeAngelo Brothers UK Limited (trading as DBi Services) for the period 1st August 2017 to 31st July 2021. The Council was the lead authority for this agreement on behalf of Dudley MBC and Wolverhampton City Council (CC). The total cost of services procured over the life of the agreement by all participating authorities was approximately £2.7m of which £18m was Sandwell MBC's contribution;
- for United Kingdom Pavement Management Systems (UKPMS) Visual Condition Surveys for the West Midlands to AECOM Infrastructure & Environment UK Ltd for the period 1st August 2017 to 31st July 2021. The Council was the lead authority for this agreement on behalf of Dudley MBC, Coventry CC, Solihull MBC, Walsall MBC and Wolverhampton CC. The total cost of services procured over the life of the framework agreement by all participating authorities was approximately £500,000 of which approximately £64,000 was Sandwell's contribution.

Both framework agreements sought to deliver value and efficiency by using shared resources, best practice procurement and project management principles and had been procured in accordance with the Public Contracts Regulations 2015 following the open tendering procedure.

In response to a question raised by the Chair of Economy, Skills, Transport and Environment Scrutiny Board, the Cabinet Member for Highways and Environment confirmed that the estimated Sandwell costs for the framework contract relating to superimposed road markings and specialist surfacing were based on historic costs and the current work programme. This type of work provided for high friction surfaces and new road markings.

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Sandwell was prioritising 20mph zones in residential estates and safety schemes around schools which resulted in higher expenditure and increased contribution within the agreement. Other authorities had different priorities and programmes of work.

Resolved:-

- (1) that the framework agreement for superimposed road markings, specialist surfacing and studs for the period 1st August 2017 to 31st July 2021 be awarded to DeAngelo Brothers UK Limited trading as DBi Services;
- (2) that the framework agreement for United Kingdom Pavement Management Systems Visual Condition Surveys for the West Midlands for the period 1st August 2017 to 31st July 2021 be awarded to AECOM Infrastructure & Environment UK Ltd;
- (3) that the Director – Monitoring Officer execute any documents necessary to give effect to Resolution (1) and (2) above.

118/17

Framework Agreement for the Supply of Vehicle and Grounds Maintenance Equipment Spare Parts and Workshop Consumables (Key Decision Ref. No. SMBC16135)

The Cabinet Member for Highways and Environment sought approval to award a framework agreement for the supply of vehicle and grounds maintenance equipment spare parts and workshop consumables.

The Council had a requirement for various spare parts and consumables at its Waterfall Lane Depot to manage and maintain the Council's fleet of vehicles and mowers.

In accordance with the Council's Procurement and Contract Procedure Rules, a number of suppliers were identified for inclusion within the framework agreement for the period 1st July 2017 to 30th June 2021.

The estimated total value of expenditure for the entire duration of the framework agreement (4 years) was £985,000.

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In response to a question raised by the Chair of the Economy, Skills, Transport and Environment Scrutiny Board, the Cabinet Member for Highways and Environment confirmed that should a part for any vehicle or piece of plant/machinery not be available from any approved contractor on the framework agreement, a part would be sourced from the open market place. Whilst it was always the preferred option to use a registered contractor within the proposed framework agreement, there were occasions when a part was either not available, or the delivery time for Fleet to receive the part was unacceptable and would result in vehicle/plant being unavailable for customers use for an unacceptable period. In cases such as these, the flexibility of securing parts from the open market place was essential. All such purchases were made in accordance with the Council's financial regulations policy.

Resolved:-

- (1) that a framework agreement for the supply of vehicle and grounds maintenance equipment spare parts and workshop consumables be established for the period 1st July 2017 to 30th June 2021 and be awarded to the following suppliers:-
 - Andrew Page 1917 Limited
 - Euro Car Parts Ltd
 - Europart UK
 - Glaze Auto Parts Ltd
 - Hayley Group plc
 - Nutexa Frictions Ltd
 - Oakley's Ltd
 - Rock Batteries
 - T H White
 - Tel Services
 - Truck & Trailer equipment
- (2) that the Director – Monitoring Officer execute any documents necessary to give effect to Resolution (1) above.

119/17

To Establish a Dynamic Purchasing System for the Provision of Passenger Transport (Key Decision Ref No SMBC16134)

The Cabinet Member for Children's Services sought approval to establish a Dynamic Purchasing System (DPS) for the provision of passenger transport services within the borough of Sandwell for adults and children and those with an identified requirement. The DPS would consist of a list of suppliers who could be approached as and when transport needs were required. Only suppliers awarded a place on the DPS would be considered to provide transport.

A procurement exercise had been carried out to ensure that the Council continued to achieve best value for money for the services being provided. A total of 24 compliant tenders were returned.

Any transport providers wishing to undertake Sandwell contracted transport work under the current transport framework arrangements or the new dynamic purchasing system could only do so if they had the necessary number of drivers and escorts who had applied for and received a Sandwell Passenger Transport Unit (PTU) badge.

The PTU badges were only awarded to drivers and escorts who had passed the rigorous testing requirements that entailed attending Child Sexual Exploitation (CSE) Awareness and Safeguarding Training provided by the Council. UK residency was required and an enhanced DBS was undertaken covering this period, as a further security enhancement. With the introduction of the dynamic purchasing system, new applicants for the PTU badge would be required to join the DBS update service and existing badge holders would be required to switch to the update service on application for renewal. All PTU badge holders registered with the update service would have their criminal records checked at least every four months.

No contracts were being awarded at this stage. An electronic auction would be carried out to select the most economically advantageous suppliers for the award of the contracts.

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Resolved:-

- (1) that a Dynamic Purchasing System be established for the provision of passenger transport services for the period 1st April 2017 to 31st July 2021 and, subject to notification via the Official Journal of the European Union, the period of validity of the Dynamic Purchasing System may be amended;
- (2) that subject to Resolution (1) above, the Director – Monitoring Officer enter into an appropriate contract with the successful tenderers.

120/17

Schools Capital Programme 2017/18-19/20 (Key Decision Ref. No. SMBC1698)

The Leader of the Council sought approval to the next phase of the Schools Capital Programme 2017/18-19/20 to fund new school places.

In April 2017, the Department for Education/Education and Skills Funding Agency (DfE/ESFA) announced that the Council's Basic Need capital allowance for 2019/20 was £13,478,717.

It was currently projected that an additional 3,845 places would be required in secondary schools by September 2025. To support this next phase of the programme the Council's in-house architectural team had completed a number of feasibility studies on the majority of remaining secondary schools to determine options for expansion to meet the projected demand for new places from September 2019 onwards.

The following projects had been identified to ensure the continued supply of sufficient secondary school places:

George Salter Academy (250 places)
Shireland Collegiate Academy (275 places)
Kelvin Way, West Bromwich (750 places)
Wood Green Academy (220 places)
RSA Academy (minor refurbishment works)

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Whilst the unprecedented growth in the birth rate experienced over recent years had started to ease, the Borough continued to receive a high demand for school places, primarily due to increased migration and retention rates. In particular, Smethwick remained an area where this demand was high. A number of primary schools in Smethwick had already been expanded to meet demand and pressure for places in the secondary sector was similarly being experienced. In response, there was a need to provide additional places in the Oldbury, Smethwick and West Bromwich areas.

The programme also included a project for Yew Tree Primary School which had been successful for inclusion within the ESFA's national Priority Schools Building Programme (PSBP). The programme was to fund the comprehensive refurbishment or rebuild of the worst condition school buildings nationally. The Council's decision to expand the school to three forms of entry to provide sufficient school places was made on the basis that the ESFA had agreed to include the school in the PSBP. A total contribution of £1.04m was now required to fund the additional half form of entry. Approval was therefore sought to allocate an additional £0.58m Basic Need funding to meet the total cost of the contribution.

In addition, the Secretary of State for Vulnerable Children and Families had announced national funding of £1,564,386 over the period 2018/19-2020/21 (£521,462 per annum) to create new school places and improve existing facilities for children. In line with the expansion being experienced through the mainstream sectors, Special Schools were experiencing a proportionate increase in the demand for school places. Approval was therefore sought to utilise £150,000 from the 2018/19 allocation towards urgent works to provide a new classroom block at Shenstone Lodge School (Residential). New places would support the Authority's pupil place planning strategy for Key Stages 2 and 3.

It was proposed to meet the estimated capital cost of £13,868,000 from the total available resources of £24,715,816.

A full appraisal had been undertaken by Strategic Finance and a number of action had been recommended to mitigate those identified risks.

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With respect to the proposed new school at Kelvin Way, West Bromwich, any new school had to be considered under the Department for Education (“DfE”) “presumption” process, that the Council would seek proposals to establish an academy or free school. Only if this process was unsuccessful could the Council, with the agreement of the Secretary of State, consider establishing a maintained school through a competition. Before deciding whether to enter into a funding agreement with any proposer, the Secretary of State would need to be satisfied about their suitability to set up and run an academy/free school.

An equality impact assessment was not required for this proposal.

In response to a number of questions raised by the Chair of the Budget and Corporate Scrutiny Management Board, the Leader of the Council reported that Wood Green, as an independent Academy, had supported the Council expansion programme by agreeing to develop the site for more pupil places. The Council would continue to consult with local ward members to keep them fully informed of the process and plans for development.

Resolved:-

- (1) that funding for the following proposed projects be approved as part of the Schools Capital Programme 2017/18-2019/20:-

George Salter Academy, Davey Road, West Bromwich, B70 9UW;

Shireland Collegiate Academy, Waterloo Road, Smethwick B66 4ND;

Kelvin Way, West Bromwich (secondary);

Wood Green Academy, Wood Green Road, Wednesbury, WS10 9QU;

RSA Academy, Bilston Road, Gospel Oak, Tipton, DY4 0BZ;

Yew Tree Primary School, Birchfield Way, Yew Tree Estate, Walsall, WS5 4DX;

- (2) that in connection with Resolution (1) above, the remaining £10,847,816 funding be retained until feasibility has been undertaken on proposed schemes for 2018-2021, which will be subject to a further report submitted to Cabinet;

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- (3) that in connection with Resolution (1), (2) and (5), the Director – Education, Skills and Employment be authorised to award a contract, either:-
- (i) through the New Project Development procedure as established under the Strategic Partnering Agreement with Sandwell Futures Limited; or
 - (ii) following a compliant procurement exercise, in conjunction with the Section 151 Officer, and in consultation with the Cabinet Member for Children’s Services;
 - (iii) in the event that the outcome of the procurement exercise identifies that the value of the contract is more than that approved, or the Council has not received the minimum number of tenders required, a further report be submitted to Cabinet to award the contract;
- (4) that in connection with Resolution (1), (2), (3) and (5), the Director – Monitoring Officer enter into any legal agreements on terms agreed by the Director – Education, Skills and Employment, as required, to allow building works to be completed on all proposed sites;
- (5) that in connection with Resolution (1) and (3) above, the following action points identified within the appraisal report be implemented to reduce any risk to the Council:-
- produce project programmes for each scheme within the Schools Capital Programme to ensure that effective project monitoring can be undertaken to aid the timely delivery of each project;
 - review Risk Registers for each project to ensure all risks are identified and can be mitigated adequately;
 - ensure that a financial appraisal of the proposal for a new school in West Bromwich is undertaken by Strategic Finance and reported to Cabinet for approval;
 - regular financial monitoring updates on individual projects should be provided to the Leader of the Council, highlighting variations of spend against original estimated costs. Remaining funds should

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- be returned to the unallocated Schools Capital Programme;
- that the Council enters into such form of legal agreements as required to allow extension works on all proposed sites; and
 - post project evaluation should include specific outcomes, along with benchmarking of final costs to ensure value for money is achieved;
- (6) that in connection with Resolution (5) above, a sum of £150,000 be allocated from the Special Educational Needs and Disabilities 2018/19 capital funding to provide a new classroom block at Shenstone Lodge School (Residential), Birmingham Road, Shenstone, Lichfield WS14 0LB;
- (7) that in connection with Resolution (1) above, approval be given to proceed with the “academy/free school presumption” process to establish secondary provision on land at Kelvin Way, West Bromwich;
- (8) that a further report be submitted to the Cabinet on the Council’s preferred sponsor for an academy/free school subject to approval by the Secretary of State.

121/17

Exemption to the Procurement and Contract Procedure Rules 2016-2017 to allow the award of contracts for the Housing Related Support and Management Services for Pregnant Teenagers/Teenage Parents (Key Decision Ref. No. SMBC1655)

The Cabinet Member for Social Care reported that on 11th January 2017, Cabinet approved the procurement of housing related support services for pregnant teenagers/teenage parents and the award of contracts for a period of two years (see Minute No. 5/17).

However, in accordance with the Council’s Procurement and Contract Procedure Rules, during the tendering process, the required number of bids were not received. An exemption to the Council’s Procurement and Contract Procedure Rules was therefore required or the service would cease on 31st July 2017.

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In response to a question raised by the Chair of the Budget and Corporate Scrutiny Management Board, the Leader of the Council clarified that in terms of delivering the care in partnership with Bromford for Lot 2, SHARP, the current contractor, had declined to bid for this work. Due to procurement rules, the Council was not able to consider suitability for this work at this point in the process. Discussions with the market would continue to help shape a new service offer and stimulate interests to bid from a wider provider pool.

Resolved that in connection with the provision of housing related support services for pregnant teenagers/teenage parents:-

- (1) any necessary exemption be made to the Council's Procurement and Contract Procedure Rules to enable the contract for the Lot 1 service to be awarded to Sandwell Homeless and Resettlement Project Ltd (SHARP) for two years;
- (2) any necessary exemption be made to the Council's Procurement and Contract Procedure Rules to enable the existing contract for the Lot 2 service with Bromford Group Limited to be extended by up to two years on the current terms.

122/17

Council policy on recoupment of costs associated with the process academy conversion (Key Decision Ref. No. SMBC16148)

The Cabinet Member for Children's Services reported that whilst there had been a reducing number of conversions to academy status in Sandwell in the last two years, there was still a need for the Council to proactively manage and influence the process within the current statutory framework in order to shape the future of education in Sandwell and manage any reputational, education and financial risks.

Funding to assist the Council in completing the process of academy conversion had previously been available through the Education Service Grant. However, from September 2017, this grant would cease and the Council would need to recoup the costs of conversion through other means.

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The principle issues in relation to conversion were:

- the transfer of staff;
- transfer of land;
- transfer of assets and contracts.

These matters were dealt with in two main documents, a Commercial Transfer Agreement (CTA) and Lease Agreement together with supporting ancillary documentation.

By completing these agreements, the Council could be protected as much as possible. If a lease agreement was not concluded, the Secretary of State may direct a form of disposal of the land under powers defined under the Act. This could result in terms which were less favorable to the Council than those contained within the Lease Agreement.

The CTA contained indemnities and warranties that protected the Council against certain future liabilities. The agreements provided clarity and certainty with regard to the obligations between the parties.

The suggested policy on Academy Conversion was clear that these agreements must be in place and agreed by the Council before any conversion could take place.

As part of the policy, the Council would charge schools converting to academies to recover the considerable amount of officer time required. The Council did not receive a direct source of funding to cover the costs linked to academy conversions. A proposed basic charge of £6,000, based on the current market average in other local authorities, was regarded as a reasonable rate to cover the above activities.

Each school was given a £25,000 Government grant to cover the costs in transferring a school to an academy trust. The workload associated with each conversion would vary according to the complexity of the process in each individual conversion. Where necessary, the Director - Education, Skills and Employment and Director – Monitoring Officer would agree any adjustment to the charge.

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It was proposed that the charge was made at the start of the conversion process, after the Academy Order had been received, the process of conversion had commenced and the school had received their grant funding. Converting schools would be required to ensure that they made sufficient provision from the £25,000 Government grant to meet these costs.

The charge would be implemented for any school converting or in the process of converting to academy status with immediate effect.

An equality impact assessment was not required for this proposal.

Resolved:-

- (1) that the Policy on Academy Conversions 2017, as now submitted, be approved for distribution to all maintained schools within the borough and the Director - Education, Skills and Employment approve any changes to the policy resulting from changes to legislation;
- (2) that in connection with Resolution (1) above, the Director – Monitoring Officer, Director - Education, Skills and Employment and Director - Regeneration and Planning grant a lease and agree a commercial transfer agreement as included in the proposed policy when a school converts to Academy Status as per the statutory obligations placed on the Authority by the Academies Act 2010.

123/17

Office Accommodation Implementation Plan Phase Three (Key Decision Ref. No. SMBC1679)

The Leader of the Council, in the absence of the Cabinet Member for Core Council Services, sought approval to commence phase three of the Council office accommodation implementation plan which aimed to improve and maintain the asset base at a sustainable level of condition which in turn would help support income generation through letting of space, providing greater utilisation of the assets helping to generate current market value receipts upon disposal thus helping to reduce overall costs longer term.

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The current plan provided for a rolling programme of proposed refurbishment across Sandwell Council House which would be replicated across the rest of the office accommodation portfolio. Investment would be prioritised based on future asset requirements and retention.

Approval was also sought for longer term capital investment of £1million per annum expenditure into the Council office accommodation portfolio in the form of refurbishment works, in addition to the day to day repairs and maintenance of the asset, to ensure the asset base was fit for purpose long term.

An equality impact assessment had been completed for this proposal and no adverse issues had been identified.

In response to a question raised by the Chair of the Budget and Corporate Scrutiny Management Board, the Leader of the Council confirmed that both the Wellman and Metsec buildings had been identified as surplus to Council accommodation needs. The Council had intended to either generate a capital receipt or market the properties for lease.

Resolved:-

- (1) that commencement of phase three of the Council's Office Accommodation Implementation Plan be approved;
- (2) that capital funding of £1million per annum be allocated into the Council office accommodation portfolio in the form of a rolling programme of improvement and refurbishment works;
- (3) that the Director - Regeneration and Planning provide regular updates to Cabinet outlining progress in meeting the aims of the Office Accommodation Implementation Plan along with updates around significant milestones as part of the programme.

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124/17

Award of Contract - Children's Services Trust Accommodation (Key Decision Ref. No. SMBC16164)

The Cabinet considered options to establish a Headquarters (HQ) for the Children's Trust by looking at its accommodation portfolio.

Of the various options considered, it was proposed to provide accommodation within Oldbury in support of a HQ, separate conferencing facility whilst retaining their Single Point of Contact (SPoC) services within Sandwell Council House (Multi Agency Safeguarding Hub (MASH) SPoC). Family Contact, Youth Offending Teams and Community Operational Groups (COGs) would remain unchanged at present.

For a number of years, Corporate Landlord had engaged in a programme to rationalise the office accommodation estate which had resulted in the Council exiting a number of leased and Council owned buildings, with more rationalisation planned between now and the mid 2020's.

As part of this ongoing programme, Corporate Landlord had targeted Facing the Future savings by 1st April 2017 to include the Wellman Building (Oldbury). In addition, the Metsec Building (Oldbury) was identified for further revenue savings through disposal or potential investment opportunities at a later date.

In order to support the Trust moving forward, investment in to the new HQ at Wellman Building and conferencing/training suite at Metsec Building had been estimated to be in the region of £998k, to include building refurbishment works, new furniture and hard-wired ICT equipment.

The funding to undertake these works would form part of the Council's business case to the Department for Education (DfE). However, there could be serious implications for the accommodation proposals subject to funding not being approved by the DfE.

The revenue savings combined was approximately £225k per annum for both Wellman and Metsec which created a budget pressure for Regeneration and Planning. This sum would form part of the Council's business case to the Department for Education (DfE).

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As part of the overall accommodation strategy, an investment programme had been identified for the Council's office accommodation to include Sandwell Council House which would not only continue to support all other Council services but also the Trust and its Oldbury campus approach.

Resolved:-

- (1) that the use of the following Council assets be approved in order to support the proposed Children's Services Trust Head Quarters and Training and Conference suite, namely;

Wellman Building (Trust Head Quarters) and,
Metsec Building (Trust Conferencing/Training Suite)

for a period, coterminous to the Council's agreement with the provision of services from the Trust;

- (2) that in connection with Resolution (1) above, the refurbishment spend commitment of £998k be identified to refurbish Wellman and Metsec buildings, subject to formal notification of funding from the Department for Education;
- (3) that in connection with Resolution (1) above, the Director - Regeneration and Planning and the Executive Director - Resources award contracts over £250k, in conjunction with the proposed refurbishment works;
- (4) that in connection with Resolution (1) above, the Executive Director - Resources enter in to a formal contract for the works on terms and conditions set out by the Director - Regeneration and Planning;
- (5) that the Executive Director - Resources enter in to the appropriate lease/license arrangements to regularise the Trust's occupation of Council accommodation, on terms and conditions set out by Director - Regeneration and Planning, to the following sites;

Wellman Building (Trust Head Quarters) and,
Metsec Building (Trust Conferencing/Training Suite)
Sandwell Council House – Single Point Of
Contact/Mash/Assessment

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The Hollies – Family Contact
Unity Walk – Tipton – Youth Offending Team
Community Operational Groups – various locations;
Smethwick Council House, Princes End Neighbourhood
Office, Sandwell Council House, Wednesbury Town
Hall, Blackheath Neighbourhood Office, Court House -
West Bromwich.

125/17

A new long term vision for Sandwell

The Leader of the Council reported that following the findings of consultation and engagement that was considered by the Cabinet on 19th April 2017 on the new vision for Sandwell based on ten ambitions that focused on creating a resilient borough in terms of both Sandwell's people and the place, consideration was now given to additional work that had been undertaken to refine the vision. The Council were now recommended to approve the Vision and to agree proposals for a borough wide launch.

Resolved:-

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| (1) that the Council be recommended to approve the Vision for Sandwell, as now submitted; |
|---|
- (2) that the proposals outlined in Appendix A be approved for the launch of the Vision.

126/17

Select Committee for Leisure Provision – Progress Report

The Cabinet Member for Leisure reported that in 2009, the Council had delivered a capital programme for the replacement of aged facilities in Tipton, Oldbury, and Wednesbury along with a new facility in West Bromwich.

To assess the need to continue this programme, at the meeting of Council on 19th July 2016, a Select Committee was established to review leisure provision, with a primary focus on the older facilities in Sandwell.

The Select Committee began this process by auditing the condition of/investment required for the facilities that were currently provided for sport and leisure purposes in Sandwell.

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This audit found that five out of the eleven leisure facilities in the borough were in poor condition and required significant investment to ensure that they stayed open to members of the public.

The Select Committee also found that whilst there was a good geographical spread of leisure facilities across Sandwell, at peak times, these facilities were full and lacking in capacity. The Select Committee also found that there was a lack of competitive swimming facilities in the borough to support the development of water based sports.

The Select Committee engaged with Sport England to support the review of leisure facilities and a Facility Planning Model had been completed for the provision of swimming pools and sports halls in the borough. The headlines from the swimming report, working on population projections to 2031, was that the older swimming facilities would have an average age of 91 years, that they would struggle to meet residents demands, and would fall short of 347m² of swimming pool space.

To enable the Select Committee to understand the views of Sandwell residents, a community consultation was undertaken. This consultation took the form of an online survey for residents to complete, which attracted 793 responses and face to face/telephone consultation with local community groups, schools and sports clubs.

The community consultation focused on residents' views on whether the existing older leisure facilities were in a good condition, meet their needs, and what further activities they would wish to participate in should facilities be remodelled or replaced with new provision.

The Select Committee also consulted with National Governing Bodies for Sport to understand what their priorities were for Sandwell and the facilities that would be required to meet their needs.

Whilst the Select Committee had been undertaking this work, plans had been developed by Birmingham City Council to submit a proposal for the 2022 Commonwealth Games. The review of leisure facilities in Sandwell was an opportunity to support Birmingham City Council's bid and enable Sandwell to host an element of these Commonwealth Games.

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It was recommended that, based upon the outcomes of community consultation, the modelling work completed by Sport England on behalf of the Council, the priorities of the National Governing Bodies for Sport, and the opportunity to support the 2022 Commonwealth Games, a Built Facilities Strategy for Leisure was developed. This Strategy and associated action plan would form the basis for any future improvements to sport and leisure facilities in Sandwell.

In response to a question raised by the Chair of the Budget and Corporate Scrutiny Management Board, the Cabinet Member for Leisure confirmed that Sandwell Valley had the potential to be a fabulous leisure and recreational facility and visitor centre of regional and national significance, however, to fully understand its full potential, the Council had commissioned reports and feasibility work to determine the opportunities. With regard to the provision of facilities for the Commonwealth Games, the Council was working with the games organisers to identify a location in Sandwell that would meet requirements.

Resolved:-

- (1) that the work completed by the Select Committee for Leisure Provision to date be noted;
- (2) that a further report be presented to Cabinet for consideration recommending the approval of a new Built Facilities Strategy for Leisure;
- (3) that it be noted that the Select Committee for Leisure Provision welcomes the opportunity to support 2022 Commonwealth Games should the Birmingham City Council bid be successful.

(Meeting ended at 4.32 pm)

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Framework for launch of Vision 2030

- Series of launch events to be held around the borough, hosted by different partner organisations (Autumn 2017)
- Create a video where residents/young people/businesses speak about where they will be in 13 years and how Vision 2030 will impact their lives. The video can be played at the start of the launch events
- Media to be invited to launch
- A broad range of stakeholders to be invited, particularly business, voluntary, public sector, schools and community leaders
- Leader to open events
- The overriding message of Vision 2030 is closer partnership working between all sectors in Sandwell and beyond
- Stakeholders to be invited to speak at the launch event about the positive impact/working towards achieving Vision 2030 will have on their business/areas of work
- After the launch use the events as networking opportunities for business, voluntary, private sector, education and community leaders
- Set up a mini market place for networking opportunity with stakeholders after the official launch
- Ask all stakeholders who work with the council towards Vision 2030 to add the Vision 2030 logo to their websites
www.sandwell.gov.uk/vision2030

Brand guidelines – Vision 2030:

- Internally – brand guidelines will be written for Vision 2030 which will set out how the logo can be used
- The 10 icons will be used across the council and will form part of visual material, the icons will be used by all service areas as part of their planning processes and discussions with their teams
- Managers will receive Vision 2030 crib sheets to update staff in team meetings
- Create an Internal launch of Vision 2030 for staff this can be in the form of drop-in sessions across various council sites/lunch time sessions etc.
- Use staff news to profile each of the ambitions
- There needs to be an end point in place that shows the shift from the scorecard to Vision 2030

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