

The Cabinet

**18th October, 2017 at 3.30 pm
at the Sandwell Council House, Oldbury**

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

Apology: Councillor Underhill.

In attendance: Councillors Edis, Gavan, E M Giles, Hickey and
P Hughes.

163/17 Declarations of Interest

Councillor Hackett and the Chief Executive (Jan Britton) declared a pecuniary interest in Minute No. 180/17 (Approval to provide a loan to the 6Towns Credit Union) on the basis that they were both members of the 6Towns Credit Union.

164/17 Minutes

Resolved that the minutes of the meeting held on 20th September, 2017 be confirmed as a correct record.

Strategic Items

165/17 Affordable Warmth Programme 2017/18 (Key Decision Ref. No. SMBC16177)

The Cabinet Member for Public Health and Protection reported that Warm Zone had offered the Council a sum of £100,000 funding from its national Warm Zone Fund to deliver non-repayable grants for energy assessments, advice, heating upgrades and new heating systems. This proposal was dependent upon £100,000 of match funding from the Public Health grant which was currently ring fenced. This would be paid to Warm Zone to utilise alongside the Warm Zone Fund.

During 2016/17, Warm Zone received a sum of £245,000 of grants from the Council. Approval was therefore sought to a further grant as this would exceed the Executive Director - Resources delegated authority.

The national Warm Zone Fund comprised of £10,000,000 of funding for measures and services to homes in selected areas across the country designated as Carbon Saving Community Obligation Areas (CSCO areas).

Based upon previous programmes, this initiative would enable households to receive energy advice and, where required and eligible, new energy efficient programmable central heating systems, insulation measures or repairs.

Although eligibility for Warm Zone funding was restricted to properties within CSCO areas, funding from the Council would ensure that the programme was boroughwide and available to owner occupiers where a family member living in the house was suffering from one or more cold related illness.

In response to a question raised by the Chair of the Health and Adult Social Care Scrutiny Board, the Cabinet Member for Public Health and Protection confirmed that there were a number of external factors which affected fuel poverty and although this proposal would not remove households from fuel poverty, it would enable people, who were most vulnerable to the cold, to heat their home more efficiently. Each recipient would receive energy advice which could reduce overall energy costs and therefore alleviate some of the financial difficulties that they were currently experiencing.

The Cabinet – 18th October 2017

Resolved that the grant to Warmzone Community Interest Company to deliver non-repayable grants for energy assessments, advice, heating upgrades and new heating systems be approved pursuant to the appropriate framework and guidelines.

166/17 Air Quality Action Plan 2018 - 2023 (Key Decision Ref. No. SMBC16124)

The Cabinet Member for Public Health and Protection reported that all local authorities were required to regularly review and assess air quality within their boundaries.

Where pollutant concentrations exceeded national objectives, the local authority must declare an Air Quality Management Area (AQMA) and produce an action plan detailing how they intended to improve air quality within these areas.

Following a challenge in the High Court, the government recently published a new UK plan for tackling roadside nitrogen dioxide. Whilst Sandwell was not identified as an area in which a mandatory Clean Air Zone was required, it was appropriate to update the 2009 Air Quality Action Plan (AQAP) for Sandwell to ensure it was aligned with current policies.

Approval was now sought to carry out a public consultation on the revised action plan to be delivered between 2018 and 2023 in order to reduce population exposure to air pollution and improve the health and quality of life for residents and visitors to the borough.

A further report on the outcome of the consultation would be submitted to the Cabinet.

In response to a question raised by the Chair of the Budget and Corporate Scrutiny Management Board, the Cabinet Member for Public Health and Protection confirmed that the monitoring point closest to Junction 9 of the M6 was at the intersection of Wood Green Road with Myrod Road and Woden Road East. The average concentration of nitrogen dioxide at each of these three points was below the national objective value, which was why the site did not fall within the selected hotspots for consideration.

The Cabinet – 18th October 2017

However, officers would consider whether there was a case for placing additional monitors further along Wood Green Road close to the motorway junction.

Resolved:-

- (1) that the measures to reduce air pollution in Sandwell as described in the draft Air Quality Action Plan 2018 – 2023 be noted;
- (2) that in connection with Resolution (1) above, a public consultation exercise be conducted to receive the views of statutory and non-statutory consultees;
- (3) that in connection with Resolution (2) above, the responses received through the consultation process be taken into consideration before the Air Quality Action Plan 2018 – 2023 is finalised;
- (4) that the final version of the Air Quality Action Plan 2018 – 2023 be presented to Cabinet and Council for approval.

167/17

Housing Revenue Account Funded Housing Investment Programme (Key Decision Ref. No. SMBC02/09/2017)

The Cabinet Member for Housing sought approval to the ten year Housing Revenue Account (HRA) investment plan to enable the delivery of new build projects and the continuation of investment into existing stock and communal spaces in our neighbourhoods.

A review of the HRA every three to five years would ensure that the Council continued to deliver its aims and objectives in the short term, make recommendations for adjustment to address new and emerging priorities and ensure that the HRA remained affordable for the duration of the plan.

The Council had made a commitment to the provision of new housing to replace stock lost largely as a result of the Right To Buy Activity. New stock was now being delivered and approximately £100million worth of new housing would be delivered over the next four years.

The Cabinet – 18th October 2017

This new stock was mainly focussed on the Council's own development projects and supplemented by off plan purchases, repurchasing former right to buy properties and remodelling redundant spaces to create new accommodation inside the confines of existing buildings.

This was a long-term programme and further Council sites that offered viable development opportunities had been identified. The properties would provide a range of property styles to meet the demands from current and future tenants. The Council was designing properties for families, including properties to support foster carers, so that all children had an opportunity to live in a safe and caring family environment.

The Council was also providing properties to help modernise sheltered accommodation for families and individuals who required additional support. Some properties would help those looking to move to independent living for the first time and to meet the needs of those choosing to downsize from properties they were now under-occupying.

The Council had delivered the first batch of new stock and had identified a number of sites for the next phase of the development programme.

The high-rise refurbishment projects had been a highly visible sign of the significant investment Sandwell had made in its stock and had proved popular with residents and visitors alike. There were thirteen blocks managed by the Council which had yet to be improved externally.

In relation to low-rise accommodation, improvements would be made to the energy efficiency, external appearance and communal spaces within these blocks.

In response to 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 Cabinet – 18th October 2017

- plans included building new homes to meet the needs of all groups in Sandwell, as well as making best use of the existing stock. The Housing Allocations Policy was also being revised to take account of the roll out of Universal Credit to ensure that the Council had a policy that was reflective of the changing policy agenda and provided options for under 35s;
- for many years, the Council had adopted robust management and maintenance of its high-rise blocks to ensure that they conformed to current fire safety, building control and health and safety standards. The Council had responded to the issues arising out of the Grenfell Tower fire with four blocks identified as having aluminium composite panels; but only around balconies. These had now been removed and work would commence on 23rd October to fit new solid aluminium panels for completion by Christmas;
- refurbishment of the block required an extra stairwell to be constructed, due to the travel distance from the middle block for means of escape. This would require 10 x 3 bedroom flats being remodelled to 1 bedroom flats to accommodate the new stairwell. There were another 47 x 3 bedroom flats where two of the bedrooms were very small and required a wall to be removed to make a medium size bedroom, turning these into 2 bedroom flats;
- by June 2018, all the properties would have been visited and works carried out internally except for a small number of refusals. As part of future programmes, investment would be made to the external of the properties i.e. roofs, doors, external painting etc and carrying out environment improvements. A programme would be developed to replace the wooden doors for the next three years for composite doors which would have a benefit in the thermal comfort for the tenants.

Resolved:-

- (1) that the revised Housing Revenue Account Investment Programme be approved;
- (2) that a design of external improvement to the 13 high rise blocks as listed at Appendix 1 be approved;

The Cabinet – 18th October 2017

- (3) that the procurement of new arrangements for the refurbishment of lifts to Mountford House, West Bromwich be approved using the Efficiency East Midlands framework;
- (4) that the contents and publication of the Asset Management Strategy 2017 - 2020, be approved.

168/17 Amendments to the 2017/2018 Council Tax Discretionary Relief for Care Leavers (Key Decision Ref. No. SMBC09/10/2017)

The Leader of the Council sought approval to amend the Council Tax Discretionary Relief Policy for 2017/18 to allow support for care leavers.

In June 2016, the Children's Society produced a paper entitled 'The cost of being free'. The document discussed the impact of poor financial education and the removal of support on care leavers. Cared for children and care leavers were seen as one of the most vulnerable groups in society. The majority of these young people had suffered abuse or neglect.

Research had revealed that care leavers showed significantly lower academic achievement, were more likely to be unemployed, to have mental health needs, be homeless and be disproportionately represented in prison.

These young people would tend to leave home at a younger age and have more abrupt transitions to adulthood than their peers. Unlike their peers who normally remained in the family home, care leavers would often be living independently at age 18.

It was now proposed to use existing powers provided for in Council Tax Section 13A legislation to award discretionary relief to care leavers.

Resolved that the amended Council Tax Discretionary Relief Policy for 2017/18 be approved.

169/17

**New Care Charges within the Council's Extra Care Schemes
(Key Decision Ref. No. SMBC1658)**

The Cabinet Member for Social Care sought approval to commence consultation with stakeholders in relation to the Council's charging policy for Council provided extra care housing schemes.

Most non-residential charges were based upon a financial assessment which considered the cost of providing the support and the person's ability to pay. An exception to this approach was the care and support to people living in the Council's extra care housing schemes; Holly Grange, Manifoldia Grange and Walker Grange who were charged a flat rate of 80% of their attendance allowance.

It was proposed that consultation considered that the flat rate charges for the Council's extra care housing were replaced with the approach used for other non-residential charges for example, domiciliary care and that the individual's charge was based upon the outcome of a financial assessment.

In addition to the non-residential care charge, it was proposed to consult on a wellbeing charge of £37.14 per week being applied to each flat. This approach was consistent with other providers of extra care housing and the charge was also comparable.

The proposed wellbeing charge contributed to the cost of providing 24-hour onsite support within the scheme, emergency personal care and support in the communal areas and during activities.

Resolved:-

- (1) that the Executive Director - Adult Social Care, Health and Wellbeing commence the consultation process with all relevant stakeholders in relation the Council's charging policy for Council provided extra care housing schemes;
- (2) that in connection with Resolution (1) above, the consultation includes the following:-

The Cabinet – 18th October 2017

- the flat rate charges for the Council's extra care housing schemes are replaced with the approach used for other non-residential charges and that the individual's charge is based upon the cost of provision and their ability to pay;
- in addition to the non-residential care charge, a well-being charge of £37.14 is applied within the Council's three extra care schemes;
- that following the completion of the consultation, the Executive Director - Adult Social Care, Health and Wellbeing, in consultation with the Cabinet Member for Social Care, be authorised to consider consultation responses, agree the proposed course of action and introduce any resulting changes in charging from the 1st April 2018.

170/17

Supported Living and Day Service (Key Decision Ref. No. SMBC07/10/2017)

The Cabinet Member for Social Care sought approval for the Council to consult with care and support providers on establishing a single rate for the provision of supported living and a schedule of rates for day services that was sustainable for both the Council and providers.

The consultation would also engage providers on the approach of moving from existing costings to a new rate. Subject to Cabinet approval, these new rates would be able to ensure both value for money and the sustainability of providers in relation to existing and future living wage requirements.

The annual expenditure on supported living was £11.521million and supported living hourly rates varied considerably; ranging from £9.28 to £19.50. The average cost of support to a person in supported living was £52,131 per annum.

Day services were community-based centres that provided care and support to people either in the centre or in the community. Day services offered a variety of activities such as support with daily living skills, leisure and recreational activities. Day services were not regulated by the Care Quality Commission.

The Cabinet – 18th October 2017

There were 19 providers delivering day services to 588 Sandwell residents. The annual expenditure on day services was £5.790million.

Both supported living and day service provision had seen implications as a result of the introduction of the National Living Wage. From 1st April 2016, the government introduced a new mandatory wage (NLW) for workers aged 25 and above, initially set at £7.20 - a rise of 50p relative to the National Minimum Wage (NMW) rate of £6.70 per hour. The NLW was introduced through amendment to the NMW Regulations 2015, to ensure the rules that applied to the NMW rates for workers aged under 25 also applied to workers entitled to the NLW.

Resolved that the Executive Director – Adult Social Care, Health and Wellbeing be authorised to undertake consultation with care and support providers on:-

- a single hourly rate for the provision of support living that is sustainable for both the Council and providers;
- a schedule of rates for the provision of day care that is sustainable for both the Council and providers;
- the approach to moving from existing costing to the new rates;
- a report being submitted to Cabinet in February 2018 detailing the findings of the consultation in connection with Resolution (1) above and recommendations for the implementation of new rates for the provision of supported living and day services.

171/17

Specialist Domestic Violence and Abuse Services for April 2018 onwards (Key Decision Ref. No. SMBC16156)

The Cabinet Member for Public Health and Protection sought approval to enter into a procurement process for a Domestic Abuse supported housing and floating support service and for the Executive Director - Adult Social Care, Health and Wellbeing to award the contract to the successful bidder, following the procurement exercise, for a period of three years, with an option to extend for a further one year.

The Cabinet – 18th October 2017

Tackling Domestic Abuse was a key priority for the Council and its partners. The Sandwell Domestic Abuse Strategic Partnership led a co-ordinated approach to prevent victimisation and repeat victimisation, provide high quality support to victims and their families as well as dealing effectively with perpetrators.

Operating from April 2018 and central to the model would be:

- a remodelled accommodation and floating support element to focus on high and medium-risk cases;
- capacity to meet the needs of Sandwell citizens who were at high and medium risk;
- increased focus on outcome delivery and development of resilience through performance monitoring;
- capacity for refuge places compliant with Government guidelines;
- continuation of advocacy interventions;
- delivery against the Sandwell Domestic Abuse and Violence Strategy.

Resolved:-

- (1) that a procurement exercise for a Domestic Abuse supported housing and floating support service be commenced;
- (2) that in connection with Resolution (1) above, the Executive Director - Adult Social Care, Health and Wellbeing enter into a contract with the successful tenderer for three years with an option to extend for a further year on terms to be agreed by the Executive Director – Adult Social Care, Health and Wellbeing;
- (3) that any necessary exemption be made to the Council's Procurement and Contract Procedure Rules to enable the course of action referred to in Resolution (1) and (2) above to proceed.

The Cabinet – 18th October 2017

172/17 Sleep-ins and the National Living Wage (Key Decision Ref. No. SMBC06/10/2017)

The Cabinet Member for Social Care sought approval to authorise the Executive Director - Adult Social Care, Health and Wellbeing to make payments to care and support providers for “sleep-in” cover in accordance with the National Living Wage (NLW) from 2nd October 2017.

In 2014, the Employment Appeal Tribunal established case law in relation to “sleep- in” allowances, in that “sleep-ins” were covered by the NLW regulations. This meant employees who were required as part of their duties to sleep in were able to claim, from 2nd October 2017, for the period of the sleep-in as working hours.

Under the Working Time Regulations, an employee would need to consent to working longer than 48 hours per week and the hours worked by the employee would be subject to the NLW relevant at the material time. Support providers were therefore required to pay their staff for the duration of a sleep-in. It was estimated that the impact of the NLW would increase the cost of a sleep-in from £35 per night to £86 per night.

Resolved that the Executive Director – Adult Social Care, Health and Wellbeing make payments to care and support providers for “sleep-in” cover that is compliant with the National Living Wage from 2nd October 2017.

173/17 Award of Contract for the Hire of Scaffolding and Towers (Key Decision Ref. No. SMBC16186)

The Cabinet Member for Housing sought approval to award the contract for the hire of scaffolding and towers, to allow access and provide a working platform for repairs to be undertaken, to Independent Scaffolding Services Ltd. The contract period was for three years, from 1st December 2017 to 30th November 2020.

The anticipated value of the contract was £768,000 (£256,000 per annum) for a period of three years.

The Cabinet – 18th October 2017

Resolved:-

- (1) that the Director – Housing and Communities and the Director – Monitoring Officer award and enter into a contract with Independent Scaffolding Services Ltd for the hire of scaffolding and towers for the period of 1st December 2017 to 30th November 2020;
- (2) that any necessary exemptions to the Council's Procurement and Contract Procedure Rules be made to enable the course of action referred to in Resolution (1) above to proceed.

174/17 Supply and Installation of Glazing to Council Properties (Key Decision Ref. No. SMBC16187)

The Cabinet Member for Housing sought approval to award the contract to supply and fit of glazing to Council properties to Harris Glass Ltd for a contract period of two and half years, from 15th December 2017 to 30th June 2020.

The anticipated value of the contract was £390,000 (£156,000 per annum) for a period of two and half years.

Resolved that the Director – Housing and Communities award the contract for the supply and supply and fit of glazing to Council properties to Harris Glass Ltd for the period 15th December 2017 to 30th June 2020.

175/17 Contract for the Supply, Installation and Maintenance of Traffic Signals and Associated Equipment (Key Decision Ref. No. SMBC03/10/2017)

The Cabinet Member for Highways and Environment sought approval for the continued use of the current contractor telent Technology Services Ltd for the supply, installation and maintenance of traffic signals and associated equipment at an estimated cost of £235,000, until 31st March 2018.

During this time, the Council would procure a Sandwell specific contract for commencement from 1st April 2018 until 31st March 2022.

The Cabinet – 18th October 2017

Resolved:-

- (1) that the continued use of the current contractor telent Technology Services Ltd for the supply, installation and maintenance of traffic signals and associated equipment be approved, until 31st March 2018, at an estimated cost of £235,000;
- (2) that the Executive Director – Neighbourhoods award the contract for the supply, installation and maintenance of traffic signals and associated equipment for commencement from 1st April 2018 until 31st March 2022 at an estimated cost of £1,650,000;
- (3) that any necessary exemptions be made to the Council's Procurement and Contract Procedure Rules to enable the course of action referred to in Resolution (1) and (2) above to proceed.

176/17

University Hospital Birmingham GUM (Genito-Urinary Medicine) and CASH (Contraception and Sexual Health) payments (Key Decision Ref. No. SMBC04/10/2017)

The Cabinet Member for Public Health and Protection sought approval for an exemption to the Council's Procurement and Contract Procedure Rules in relation to University Hospitals Birmingham NHS Foundation Trust (UHB) and the provision of Genito-Urinary Medicine (GUM) and Contraceptive and Sexual Health (CaSH) services, removing the requirement to aim to enter into a contract with the organisation.

Approval was also sought for the Executive Director - Adult Social Care, Health and Wellbeing to process payments for any validated GUM and CaSH services delivered by UHB, without a contract.

GUM and CaSH services were open access services in any part of the country, the cost of which would be met by the Public Health budget of the Council. UHB was Sandwell's second largest provider of these services.

The Cabinet – 18th October 2017

GUM and CaSH services received from this provider was in excess of £100,000 per annum and therefore under the Council's Procurement and Contract Procedures Rules, required the Council to enter into a contract.

Resolved:-

- (1) that an exemption to the Council's Procurement and Contract Procedure Rules be made in relation to University Hospitals Birmingham NHS Foundation Trust and the provision of Genito-Urinary Medicine and Contraceptive and Sexual Health services, removing the requirement to aim to enter into a contract with the organisation;
- (2) that the Executive Director - Adult Social Care, Health and Wellbeing process payments for any validated Genito-Urinary Medicine and Contraceptive and Sexual Health services delivered by University Hospitals Birmingham NHS Foundation Trust, without a contract.

177/17

Introducing the Living Wage SMBC12/10/2017 (Key Decision Ref. No. SMBC12/10/2017)

The Cabinet Member for Core Council Services sought approval for the Council to start paying the hourly rate set by the Living Wage Foundation, as a minimum, to all employees from 1st April 2018 and to review this decision annually thereafter. Currently, it was anticipated that by introducing the Living Wage on 1st April 2018, this would have a significant and immediate impact on the Council's pay and grading structure by increasing the pay of all employees in Pay Band A and almost half of employees in Pay Band B to the Living Wage rate. This, in turn, would mean that all affected employees would receive the same hourly rate of pay.

The Cabinet – 18th October 2017

It was anticipated that more and more spinal column points on the pay grading structure would need be increased to achieve the Living Wage rate. Based on a variety of current assumptions, it was estimated that, by April 2020, all points in Band B would need to be increased.

Alongside this, the Council would continue to input to the National Joint Council (NJC) for Local Government Services pay and grading negotiation machinery. Currently, for a number of reasons, the NJC was considering changes to the national pay spine and the extent of future pay awards.

In response to a question raised by the Chair of the Health and Adult Social Care Scrutiny Board, the Cabinet Member for Core Council Services confirmed that consultation with employees had been undertaken and there had been overwhelming support to the proposal from community schools.

The Leader of the Council clarified that whilst voluntary aided schools did not have to comply, they had also indicated support to the proposal. The introduction of the living wage to all employees demonstrated the Council's commitment to safeguarding people's jobs and pay through a period of unprecedented cuts in budgets.

Resolved:-

- (1) that subject to further consultation with the recognised Trade Unions and the Joint Consultative Panel on 23rd October 2017, the Council undertake to pay the hourly rate set by the Living Wage Foundation, as a minimum, to all employees from 1st April 2018;
- (2) that subject to Resolution (1) above, the Council review the decision to pay the Living Wage, on a date after 1st November 2018, and annually thereafter;

The Cabinet – 18th October 2017

- (3) that in the event that any recommendations are made by the Joint Consultative Panel, the Executive Director – Resources, in consultation with the Cabinet Member for Core Council Services, be authorised to make any amendments to the Introduction of the Living Wage.

178/17 Cycle Infrastructure Programme 2017/18 and 2018/19 (Key Decision Ref. No. SMBC16160)

The Cabinet Member for Highways and Environment and the Cabinet Member for Regeneration and Economic Investment sought approval to the 2017/18 and 2018/19 Cycle Infrastructure programme.

The Government's Cycling and Walking Investment Strategy was published in April 2017 with the aim of making cycling and walking the natural choices for shorter journeys, or as part of a longer journey. The strategy sought to double the 2013 number of journeys, or part journeys, made by cycle by 2025. Within Sandwell, the Black Country and the wider West Midlands, a great deal of work had taken place that supported and would continue to support the national strategy.

The West Midlands Cycling Charter was adopted in September 2015 to outline key principles among partners to deliver a required step change in cycling across the West Midlands.

The Cycling Charter was based on the following four principles:

- Leadership and Profile
- Cycling Network
- Promoting and Encouraging Cycling
- Funding

The Strategic Cycle Network was included in the West Midlands Strategic Transport Plan – Movement for Growth. This was adopted by the West Midlands Combined Authority in July 2016. Sandwell's own Cycling Strategy was adopted over a decade ago. Whilst the overall strategy of 'islands of safe cycling' linked by signed routes, and the network that supported it remained relevant, it was intended to refresh the strategy during 2018 to reflect the national and West Midlands strategies adopted in the intervening years.

The Cabinet – 18th October 2017

The Economy, Skills, Transport and Environment Scrutiny Board considered the proposals on 14th September 2017, following a referral by the Cabinet at their meeting on 26th July 2017 and had recommended the proposals for approval. The Chair of the Board did request that the forthcoming review of the cycle strategy be brought back to the Scrutiny Board for consideration.

Resolved:-

- (1) that the progress made on delivering cycle infrastructure to support the West Midlands Strategic Transport Plan-Movement for Growth during 2016/17 be noted;
- (2) that the programme of cycle infrastructure works for 2017/18 be approved subject to consultation with those individuals and bodies identified in Appendix 2 and to the approval of detailed proposals by the Cabinet Member for Highways and Environment.

179/17

Winter Pressures – Procurement 2017-18 (Key Decision Ref. No. SMBC08/10/2017)

The Cabinet Member for Social Care sought approval to award a block contract for Early Supported Discharge to provide additional resource to support a timely hospital discharge of residents requiring care and assistance in their own homes.

The proposed contract was for two providers to provide a guaranteed availability of service to cover the winter period.

Approval was also sought to procure a block contract for the provision of four complex Dementia Nursing beds.

Funding for these contracts would be through the Improved Better Care Fund.

Resolved:-

- (1) that the Executive Director – Adult Social Care, Health and Wellbeing award a block contract for Early Supported Discharge and the provision of four complex Dementia Nursing beds;

The Cabinet – 18th October 2017

- (2) that any necessary exemptions be made to the Council's Procurement and Contract Procedure Rules to enable the course of action referred to in Resolution (1) above to proceed to allow the Early Supported Discharge procurement to only be advertised to the existing six framework providers of domiciliary care;
- (3) that in connection with Resolution (1) above, the Director – Monitoring Officer enter into a form of agreement on terms to be agreed by the Executive Director - Adult Social Care, Health and Wellbeing so as to allow the Council to procure the required services.

180/17 Approval to provide a loan to the 6Towns Credit Union (Key Decision Ref. No. SMBC15/10/2017)

The Leader of the Council sought approval to support the continued delivery of responsible financial services through a loan arrangement with the 6Towns Credit Union.

Membership of 6Towns Credit Union was open to anyone who lived or worked in Sandwell. It was regulated by the Financial Services Authority and the Prudential Regulation Authority and savings were protected by the Financial Services Compensation Scheme. It was owned by its members and a Board of Directors was elected from within the membership. Profits could be returned to members by way of a dividend on savings and used to enable the organisation to operate.

6Towns Credit Union had 9,200 members, of which 80% were female and many were single parents living on benefits and low incomes. Without access to the Credit Union, the alternative source of lending for this group of citizens would be 'high interest' doorstep lenders, illegal money lenders and the 'Rent to Buy' schemes offered by High Street companies.

These High Street providers could charge up to 1557.7%. The loan services offered by the 6Towns Credit Union were a cheaper and safer alternative to these lenders.

6Towns worked with many community organisations across Sandwell such as Big Local Trusts, SCIPS, Illegal Money Lending Team and Primary Schools.

The Cabinet – 18th October 2017

The Credit Union had a 'grass root' approach within local communities such as Friar Park, Grace Mary, Lion Farm Yew Tree and Tipton. 6Towns encouraged people to become volunteers in their local community and to run Collection Points, where people could save a small amount of money for Christmas or School holidays. All volunteers were trained and received budget training so that they could give budgeting advice to others on a one-to-one basis. Many of these volunteers had used the experience to gain full or part time employment.

In response to a comment made by the Chair of the Budget and Corporate Scrutiny Board relating to publicising the 6Towns Credit Unions to raise awareness within each town, the Leader of the Council requested ward members to write to the 6Towns Credit Union through their town partnerships in order to publicise the work of the union to ensure they remained effective.

Resolved that a loan in the sum of £250,000 to the 6Towns Credit Union be approved.

(Councillor Hackett and the Chief Executive left the room during consideration of this item and did not take part in any discussion)

181/17 Revised Anti-Social Behaviour Policy (Key Decision Ref. No. SMBC11/10/2017)

The Cabinet Member for Public Health and Protection sought approval of the revised Anti Social Behaviour Policy. The Anti-Social Behaviour Policy and procedures had to ensure compliance with the Anti-Social Behaviour, Crime and Policing Act 2014. The Act updated and introduced several new tools for tackling antisocial behaviour, as well as deleting some tools, such as Anti-Social Behaviour Orders (ASBOs), that were no longer deemed to be effective.

The refreshed Statement of Policy and procedures were compatible with the Black Country Tenancy Strategy, the Council's Housing Allocations Policy, Domestic Abuse Policy, Crime and Disorder Strategy and West Midlands Adult Safeguarding Policy and Procedure.

The Cabinet – 18th October 2017

The type of behaviour covered within the Policy and Procedure documents included conduct which caused or was likely to cause harassment, alarm or distress to any person or conduct capable of causing nuisance or annoyance affecting residential accommodation.

Key changes reflected in the new policy were:

- an updated policy statement that confirmed that victims were at the heart of the Council's response to anti-social behaviour;
- incorporating revised definitions of anti-social behaviour included within the new legislation;
- updating the range of approaches that would be used in preventing or stopping anti-social behaviour;
- setting out the enforcement action that would be taken in dealing with anti-social behaviour utilising the new powers;
- introduction of new sections to address current and emerging issues/priorities;
- the Council's approach to partnership working and how the establishment of these partnerships supported both existing and emerging priorities;
- introduction of safeguarding as a key priority demonstrating how full consideration would be given when dealing with anti-social behaviour, hate crime and incidents.

In response to a question raised by the Chair of the Budget and Corporate Scrutiny Management Board, the Cabinet Member for Public Health and Protection confirmed that the Council would review all aspects of partnership arrangements to ensure effectiveness at all levels; and where improvements or revisions were required, they would be implemented.

Resolved:-

- (1) that the revised Anti-Social Behaviour Policy be approved;
- (2) that a review of the Anti-Social Behaviour Policy and Procedure be undertaken in twelve months' time to ensure that effective, efficient and equality based systems have been implemented, and to identify any potential improvements required.

The Cabinet – 18th October 2017

182/17

Recommendations arising from Land and Asset Management Committee at its meeting on 14th September 2017 (Key Decision Ref. No. SMBC16141 and SMBC02/10/2017)

The Chair of the Land and Asset Management Committee presented the recommendations of the Committee from its meeting held on 14th September, 2017 relating to the following matters:-

- development of the former pay and display car park off Haden Road, Cradley Heath;
- development of the former Queslade House, Queslade Close, Great Barr;
- proposed freehold interest in Council owned land at Wilson Road, Smethwick to Sandwell Land and Property Limited.

Resolved:-

- (1) that, in respect of the former car park at Haden Road, Cradley Heath:-
 - (a) to not proceed with Minute No 144/15 of Cabinet, at its meeting on 19th August 2015, in so far as it relates to disposal of the freehold interest in the former pay and display car park off Haden Road, Cradley Heath;
 - (b) subject to Resolution (1a) above, authorise the Director – Monitoring Officer to grant a 25 year lease of the car park, shown for identification purposes only edged black on Plan No SAM/21440/003, to the owner of The Regis Banqueting Suite, on terms and conditions to be agreed by the Director – Regeneration and Planning;
 - (c) that in connection with Resolution (1a) above, authorise the Director – Monitoring Officer to enter into or execute under seal if necessary, any other related documentation in connection with the grant of the lease of the land referred to in (1b) above, on terms and conditions to be agreed by the Director – Regeneration and Planning;

The Cabinet – 18th October 2017

- (2) that, in respect of land off Queslade Close, Great Barr:-
 - (a) that the site of the former Queslade House, Queslade Close, Great Barr be declared surplus to Council requirements;
 - (b) that in connection with Resolution (2a) above, the Director – Monitoring Officer dispose of the freehold interest in the land, shown for identification purposes only edged and hatched black on Plan No SAM/16120/002, to a consortium of doctors for development with a health facility, and otherwise on terms and conditions to be agreed by the Director – Regeneration and Planning;
 - (c) that in connection with Resolution (2b) above, the Director – Monitoring Officer enter into or execute under seal, if necessary, any other related documentation in connection with the disposal of the land referred to in recommendation (2a) above on terms and conditions to be agreed by the Director – Regeneration and Planning;
- (3) that, in respect of land at Wilson Road, Smethwick:-
 - (a) the Director – Monitoring dispose of the freehold interest in land at Wilson Road, Smethwick, as indicated edged bold on Plan No. SAM/53380/001, to Sandwell Land and Property Limited for a nominal sum and otherwise on terms and conditions to be agreed by the Director – Regeneration and Planning;
 - (b) that in connection with Resolution (3a) above, the Director – Monitoring Officer acquire a leasehold interest in the site from Sandwell Land and Property Limited at a nominal annual rent and otherwise on terms and conditions to be agreed by the Director – Regeneration and Planning;

- (c) that in connection with Resolution (3a) and (3b) above, the Director – Monitoring grant an under-lease of the site to Collegiate Academy Trust on the principles of, and co-terminus with, the Trust's existing under-lease in respect of land at Waterloo Road, Smethwick including payment of a nominal annual rental and otherwise on terms and conditions to be agreed by the Director – Regeneration and Planning.

Business Items

183/17 Proposed Masterplan for Residential Development at Black Patch, Smethwick

The Cabinet Member for Regeneration and Economic Investment reported that subject to planning consent, consideration be given to proposals for a land use change to the sites in the Black Patch area, Smethwick to that of residential and to agree to the preparation of a masterplan and Interim Planning Statement as the way forward.

Black Patch was situated in Smethwick on the border with Birmingham and historically, it was a vibrant area with a mix of residential and employment uses surrounding a public park with a community centre and school. However, the demolition of the houses and maisonettes, the school and the community centre had led to the degradation of the park and environmental quality of the area.

The area around the park had no residential focus and lacked natural surveillance. This had led to extensive fly-tipping and unauthorised access by travellers. The nearby allotments were not fully utilised and had attracted anti-social behaviour and fly-tipping. The surrounding area was primarily industrial with links to public transport via the Midland Metro at Booth Street and Winson Green to the north and the Outer Circle bus route at Handsworth New Road to the east.

In order to see a transformational change in this area and improve its environmental quality, the Council would need to consider land use change from its existing industrial character to that of residential.

The Cabinet – 18th October 2017

This would assist in creating a new community with new homes surrounding the park, providing a focus for the Black Patch area with additional natural surveillance and a safer, improved environment.

In terms of Merry Hill Allotments, it was anticipated that the process to extinguish the allotments and obtain full vacant possession could take up to June 2019 due to statutory processes and timescales. It was intended to start consultation with plot holders this month to initiate the process for their closure.

In terms of Kitchener Street, should this site come forward for residential development, any planning application would need to be advertised as a departure from the Council's Development Plan and referred to Cabinet for decision. Whilst these two sites were being proposed for housing in the masterplan, consideration would be given to other sites in the area as suitable for redevelopment in the future.

In response to the Chair of the Budget and Corporate Scrutiny Management Board and the Chair of the Economy, Skills, Transport and Environment Scrutiny Board welcoming the proposals, the Cabinet Member for Regeneration and Economic Investment confirmed that the masterplanning process would consider the wider implications of delivering housing on Black Patch including how residential development could help tackle the fly-tipping and anti-social behaviour issues on Black Patch Park itself. Extensive consultation with stakeholders would be undertaken.

Resolved:-

- (1) that the proposals for a land use change to the sites in the Black Patch area, Smethwick to that of residential be noted;
- (2) that a masterplan and Interim Planning Statement be prepared as the way forward for the Black Patch, Smethwick area;
- (3) that in connection with Resolution (2) above, a further report be submitted to the Cabinet on the draft masterplan and Interim Planning Statement prior to public consultation being undertaken;

The Cabinet – 18th October 2017

- (4) that consultation be undertaken with Merry Hill Allotment plot holders to consider relocation to an alternative allotment site and the results of the consultation be submitted to Cabinet in due course.

184/17 Minutes of the Cabinet Petitions Committee on 24th August, 2017

The minutes of the Cabinet Petitions Committee held on 24th August 2017 were received.

(Meeting ended at 4.39 pm)

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

Appendix 1: High Rise External Improvements

| Anticipated start on site | Block Name | Town |
|---------------------------|-------------------|---------------|
| 2018/19 | Alfred Gunn House | Oldbury |
| 2019/20 | Darley House | Rowley |
| 2020/21 | Moorlands Court | Rowley |
| | St Giles Court | |
| 2021/22 | Heronville House | Oldbury |
| | Paget House | |
| | Wyrley House | |
| 2022/23 | Holly Court | West Bromwich |
| | Oak Court | |
| | Allen House | |
| 2023/24 | Addenbrooke Court | Rowley |
| | Wesley Court | |
| | Boulton House | West Bromwich |