

**Minutes of the Meeting of
Sandwell Metropolitan Borough Council**

**6th March, 2018 at 6.00pm
at the Sandwell Council House, Oldbury**

Present: The Mayor (Councillor Haque);
The Deputy Mayor (Councillor Eaves);

Councillors Ahmed, Allcock, Allen, Ashman, Bawa, Carmichael, Cherrington, Costigan, Crompton, K Davies, P Davies, S Davies, Dhallu, Downing, Edis, Edwards, Eling, Frear, Gavan, E A Giles, E M Giles, Goult, Hackett, Hadley, Hartwell, Hevican, Hickey, L Horton, R Horton, D Hosell, S Hosell, P M Hughes, P Hughes, Hussain, Jarvis, I Jones, O Jones, S Jones, Lewis, Lloyd, Melia, Millard, Moore, Phillips, Preece, B Price, R Price, Rouf, Sandars, Shackleton, Shaeen, Tagger, Taylor, Tranter, Trow, Underhill, Webb, White and Worsey.

Apologies: Councillors S Crumpton, Dr T Crumpton, Y Davies, Garrett, Gill, Dr A Jaron, Khatun, Marshall, Meehan and Sidhu.

In Attendance: Gary Taylor (Assistant Chief Fire Officer).

18/18 Minute Silence

The Council stood in silent tribute to mark the passing of the Mayor of Wolverhampton, Councillor Elias Mattu.

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19/18 Declarations of Interest

The following members declared an interest:-

Agenda Item	Subject	Member	Interest
5	Petition	Councillors E A Giles and E M Giles	Pecuniary – property may be affected.
5	Petition	Councillor Preece	Other – petition signed by a close relative.
11	West Midlands Police and Crime Panel	Councillor Preece	Other – member of the West Midlands Strategic Police and Crime Board.
13	Cabinet Minute No. 19/18 – 31 st January 2018	Councillor Eling	Other – interest declared at Cabinet on 31 st January 2018.

20/18 Minutes

Resolved that the minutes of the meeting held on 16th January, 2018 be confirmed as a correct record.

21/18 Mayor's Announcements

Details of Mayoral engagements since the last meeting of the Council had been circulated to members.

In particular, the Mayor made reference to the Showmen's Guild Annual Luncheon where many of the West Midlands Mayors were present and had made a number of positive comments about Sandwell.

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22/18 Petitions Under Standing Order No. 5

Councillor Hackett brought Council's attention to a petition in relation to the Network Rail proposal to build a concrete sleeper factory at Bescot Railway Yard.

Councillor Hackett was accompanied by the head petitioner, who presented the petition to Council and outlined the concerns of those who had signed the petition.

The petition was referred to the Executive Director – Neighbourhoods for consideration as part of any formal planning application.

23/18 Questions Under Standing Order No. 6

No questions were received under Standing Order No. 6.

24/18 Council Finances 2018-2019

It was moved, duly seconded and agreed, that Standing Order No. 11(6) be suspended to allow the Leader of the Council, in moving the motion regarding the Council's finances 2018/19, to speak for up to ten minutes.

The final local government finance settlement was received on 6th February 2018.

The Council's Medium Term Financial Strategy was submitted and set out how the Council would structure and manage its finances now and in the future in response to this settlement. It also detailed the assumptions and calculations behind the Council's estimated budget position for 2018-19 onwards. Work was underway across the Council to identify ways of achieving savings to cover the shortfall identified.

On 14th February 2018, Cabinet was provided with detailed business plans, based on provisional budgets, for each service area for approval and was referred to Budget and Corporate Services Scrutiny Board for consideration.

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For 2018-19 the proposed Council Tax increase would be 4.99% which included 2% adult social care precept. This was within the referendum threshold. At its meeting on 16th January 2018, Council had agreed that the tax base for 2018-19 would be 72,206.05.

The addition of the West Midlands Fire and Rescue and Police and Crime Commissioner precepts resulted in an overall Council Tax increase of 5.34%, resulting in a total Band D rate of £1,535.10.

The Local Government Act 2003 introduced a new statutory requirement for the Chief Financial Officer to comment on the robustness of the budgetary process and adequacy of the Council's reserves to meet any unforeseen liabilities. The estimated General Fund reserve balance as at 31st March 2018 was £60.9m.

After consideration of the Council's strategic risks, the forecast level of free balances at the end of 2017-18 were likely to be £11.9m, representing an increase of £0.3m from the £11.684m of free balances held at the end of 2016-17. This represented 4.73% of net operating budget and was at a level which was deemed to be adequate in the medium term.

The Council's forecast earmarked reserves at the end of 2017-18 were likely to be in the region of £46.6m (currently £53.7m). The movement in earmarked reserves did not impact on the level of Council Tax for 2018-19.

The Council had a number of specific reserves and provisions in addition to general reserves for the purpose of meeting known or anticipated liabilities. The establishment of these specific reserves reflected the Council's ongoing risk assessment of potential liabilities and this in turn reduced the risk of unexpected calls on the Council's general balances.

Specific reserves and provisions had been reviewed during the budget process and found to be at a sufficient level to meet existing known liabilities. They would continue to be thoroughly reviewed as part of the 2017-18 closedown of accounts process.

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The level of resources committed by the Council for capital investment was significant. In the period 2018-19 to 2021-22, total resources were expected to be around £307m. The effective use of these resources was vital in achieving the Vision 2013 ambitions. The Council had a strategic approach to ensure funds were invested in capital projects that supported the longer-term objectives of the Council and its partners and provided value for money service provision.

The Housing Revenue Account was included in the Neighbourhoods business plan presented to Cabinet on 14th February 2018 and received by the Budget and Corporate Services Scrutiny Board on 21st February 2018.

The account operated fully within its own resources meeting expenditure from income obtained from tenants' rents. The 2018-19 rent income was based on decisions taken by Cabinet on 13th December 2017. The Government continued to retain some control over the maximum amount the HRA could borrow and the use of receipts derived from the sale of housing properties.

The HRA was required to maintain a 30-year business plan including provision for investment into its properties. The 10-year investment programme of c£500m was approved by the former Cabinet Members for Jobs and Economy and Strategic Resources on 21st November 2013. The investment programme was reviewed annually to ensure affordability within the business plan when final decisions on rent increases were known. The plan, which included an update to the investment strategy, was approved by Cabinet on 14th February 2018. The programme remained affordable for 2018-19.

The Leader of the Council confirmed that front line services remained intact. All libraries remained open, there were more green flag parks, bins were still emptied weekly, leisure facilities continued to be invested in and highways were well maintained and lit. Residents had also commented on how well roads had been gritted.

In presenting the budget, the Leader of the Council wished to thank everyone who had been involved in the process.

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In response to questions from members, the Leader of the Council commented as follows:-

- he understood concerns in relation to the precept for the Police and Crime Commissioner and the need to recognise the level of cuts to the Police;
- with regard to the future of children's centres and youth services, the Leader gave a commitment to protect children's services/youth centres going forward. The services going into the Trust gave the Director of Children's Services renewed emphasis on early years. There was a need for reinvigoration in what was provided in children's centres, rather than cutting. The real threat would be further cuts in the future and the approach to budgeting was critical to retaining service provision and diversifying income in the future.

The Chair of the Budget and Scrutiny Management Board wished to compliment the Leader and the resources directorate in achieving the 2018-19 budget which was the envy of neighbouring authorities.

In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, and Standing Order 12, the decision relating to Council Finances 2018/19 was put to a named vote as follows:-

For:

Councillors Ahmed, Allcock, Allen, Ashman, Bawa, Carmichael, Cherrington, Costigan, Crompton, K Davies, P Davies, S Davies, Dhallu, Downing, Eaves, Edis, Edwards, Eling, Frear, Gavan, E A Giles, E M Giles, Goult, Hackett, Hadley, Haque, Hartwell, Hevican, Hickey, L Horton, R Horton, D Hosell, S Hosell, P M Hughes, P Hughes, Jarvis, I Jones, O Jones, S Jones, Lewis, Lloyd, Melia, Millard, Moore, Phillips, Preece, B Price, R Price, Rouf, Sandars, Shackleton, Shaeen, Tagger, Taylor, Tranter, Trow, Underhill, Webb, White and Worsey.

Against:

None.

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Resolved:-

- (1) that the Medium Term Financial Strategy as detailed in Appendix A to the report now submitted be approved;
- (2) that the expenditure level for 2018-19 as detailed in Appendix B1 and B2 and the resultant Council Tax as set out in Appendix C to the report now submitted be approved;
- (3) that the provisional budgets for 2018-19 to 2020-21 as detailed in Appendix B3 to the report now submitted be approved;
- (4) that the revised financial position and the forecast reserves position for the end of 2017-18 be noted;
- (5) that the supporting information on the robustness of the budget process and adequacy of the Council's reserves detailed in Appendix D to the report now submitted be noted;
- (6) that the Treasury Management Strategy Statement and Investment Strategy detailed in Appendix E to the report now submitted be approved;
- (7) that the Capital Programme 2018-19 to 2020-21 in Appendix F and the Capital Strategy in Appendix G to the report now submitted be approved;
- (8) that it be noted that the Council, at its meeting on 17th January 2018, approved the amount of 72,206.05 as its Council Tax base for the year 2018-19 in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 made under Section 33 (5) of the Local Government Finance Act 1992;

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(9) that the following amounts be calculated by the Council for the year 2018-19 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992:-

(a) Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) (a) to (f) of the Act **£1,042,330,443**

(b) Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) (a) to (d) of the Act; **£945,017,616**

(c) Being the amount by which the aggregate at 9(a) above exceeds the aggregate at 9(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year; **£97,312,827**

(d) Being the amount at 9(c) above, all divided by the amount at 8 above, calculated by the Council in accordance with Section 31B(1) of the Act, as the basic amount of its Council Tax for the year; **£1.347.71**

(e) Valuation Bands: Being the amounts given by multiplying the amount at 9(d) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council in	£
	A 898.47
	B 1,048.22
	C 1,197.96
	D 1,347.71
	E 1,647.20
	F 1,946.69
	G 2,246.18
	H 2,695.42

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accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands;

- (10) that it be noted that, for the year 2018-2019, the major precepting authorities have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act, 1992, for each of the categories of dwellings shown below:

Valuation Bands	West Midlands Fire & Rescue Authority (£)	Police & Crime Commissioner for the West Midlands (£)
A	39.23	85.70
B	45.77	99.98
C	52.30	114.27
D	58.84	128.55
E	71.92	157.12
F	84.99	185.68
G	98.07	214.25
H	117.68	257.10

- (11) that, having calculated the aggregate in each case of the amounts at 8(e) and 9 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, the following amounts be set as the Council Tax for the year 2018-19 for each of the categories of dwellings shown below:

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Valuation Band	£
A	1,023.40
B	1,193.97
C	1,364.53
D	1,535.10
E	1,876.24
F	2,217.36
G	2,558.50
H	3,070.20

(12) that the Chief Finance Officer be authorised to take any necessary action to collect revenues and disburse monies from the relevant accounts;

(13) that the requirements of any relevant legislation, to consider reports as a consequence of the approval of the Council's Finances 2018-19 report, be dispensed with on the grounds that in the opinion of the Council the items are urgent.

25/18 Pay Policy 2018 and Gender Pay Gap Reporting

Each year the Council was required, under the Localism Act 2011, to prepare and publish a Pay Policy Statement setting out its policies relating to: the remuneration of its chief officers; the remuneration of its lowest-paid employees; and the relationship between the pay of chief officers and that of other employees.

In addition, and under new legislation, the Council was required, by the Equality Act Regulations 2017, to prepare and publish its Gender Pay Gap data. This provision added to a range of transparency obligations already placed upon local authorities.

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The Act determined that the Statement must cover a range of the authority's policies relating to the pay of Chief Officers including:-

- the level and elements of remuneration for each officer (including salary, bonuses, performance-related pay and benefits in kind);
- remuneration of chief officers on recruitment;
- increases and additions to remuneration; and
- the approach to the payment of chief officers on their ceasing to hold office or to being employed by the authority.

Supplementary guidance had since added to and clarified the information required to be published, notably that the Council should be given the opportunity to vote before: -

- “large salary packages were offered in respect of a new appointment” and “large severance packages were approved for staff leaving the organisation.”
- and that the Council should state the thresholds at which it wished to require approval.

The guidance considered that £100,000 was an appropriate threshold.

Section 40 of the Localism Act required the Council to have regard to this guidance in the exercise of its functions under pay accountability provisions. The Council followed the spirit of the guidance, should particular circumstances dictate, and this approach had duly been reflected in the Pay Policy Statement.

The Council's previous Annual Pay Policy statements had informed interested parties that since 1st February 2015, the pay ratio between the lowest paid (full time equivalent) employee and the Chief Executive was 1:10, but that this ratio had now narrowed to 1:9.

As a result of new legislation, the Council was required to publish the following statistics on its public-facing web site and report the same to the Government online:

- the mean gender pay gap;
- the median gender pay gap;

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- the proportion of male and female employees in each pay quartile;
- a narrative to supplement the data.

The gender pay gap was an equality measure that showed the difference in average earnings between men and women, expressed as a percentage of male earnings.

The legislation detailed that employees at maintained schools must be treated as if employed by the governing body, therefore the Council must exclude schools from its gender pay gap reporting.

Sandwell Council's mean Gender Pay Gap figure for 2018 was 8.4%. Calculations had been made in line with the regulations set out in the gender pay gap reporting legislation. Clearly, the causes of the gender pay gap were complex and overlapping and there was not one single over-riding reason why the gender pay gap existed. Therefore, a supporting narrative to explain and complement the Council's gender pay gap data would be developed, along with a strategy to look at measures to address the gap, going forward. Gender Pay Gap figures would be used as an initial baseline to enable the Council to monitor its progress.

The Chair of the Budget and Corporate Scrutiny Management Board offered the services of scrutiny from an oversight point of view and also recommended that the Diversity Champion should be involved in the process.

Resolved:-

- (1) that the Pay Policy Statement 2018 be approved;
- (2) that the Gender Pay Gap data be approved and that the reporting requirements be noted in readiness for publication prior to 30th March 2018.

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26/18 Extension to Six Month Attendance Rule

An extension of the six month attendance rule was sought, under the Local Government Act 1972, to excuse the non-attendance of Councillor Sidhu at Council meetings for a further period of six months, with effect from 7th March 2018, expiring on 7th September 2018.

In moving the recommendation, the Leader wished Councillor Sidhu a speedy recovery.

Resolved that, having regard to the circumstances of the absence of Councillor Sidhu from Council meetings, the requirements of Section 85 of the Local Government Act 1972 be waived and an extension of the six month rule be approved for Councillor Sidhu for a period of six months, with effect from 7th March 2018, expiring 7th September 2018.

27/18 Appointment to Outside Bodies

The Council was requested to consider the appointment of a Trustee to the Harborne Parish Lands Charity, which provided sheltered housing for the elderly and made grants to organisations and individuals within the Charity's boundary, which included Harborne and Quinton in Birmingham and Smethwick in Sandwell.

Resolved that Councillor R Horton be re-appointed as Trustee to the Harborne Parish Lands Charity for the period ending March, 2022.

28/18 West Midlands Fire and Rescue Authority

Councillor Edwards, the member nominated pursuant to Section 41 of the Local Government Act 1985 to report on the activities of the West Midlands Fire and Rescue Authority, presented an update on the work of the Fire Authority, accompanied by Assistant Chief Fire Officer, Gary Taylor.

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Particular reference was made to:-

- core funding provided by the Government to West Midlands Fire and Rescue Authority (WMFRA) had been reduced by 50% (£38m) since the cuts began in 2011;
- a four year settlement for 2016/17 – 2019/20 was secured from government by the provision of a WMFRA efficiency plan. This produces the following front-loaded core funding reductions during this period:
 - 2016/17 £3.278m
 - 2017/18 £3.985m
 - 2018/19 £1.691m
 - 2019/20 £0.690m

These reductions were in addition to the £28m cuts in core funding between 2011/12 and 2015/16;

- in February WMFRA set a revenue budget for 2018-19 of £95.468m supported by Council Tax income of £41.296m and a Band D property precept increase of 2.99%. Even taking into account this increase, WMFRA still sets the lowest Council Tax level in England;
- the use of general balances of £1.5m had been agreed and this would support the costs of service transformation which included working with partners in Councils and the NHS on the delivery of services to reduce vulnerability;
- WMFRA had also agreed a capital programme for 2018/19 of £13.322m funded by earmarked reserves;
- using earmarked reserves, Coventry and Aston fire stations were being replaced with modern, efficient, cost-effective and environmentally-friendly buildings. Reserves were also being used to fund an essential vehicle replacement programme which included front line fire appliances;
- West Midlands Fire Service (WMFS) was working with Coventry City Council, Dudley MBC and Wolverhampton City Council to deliver a response to their non-emergency calls from people who had fallen in their own homes. In Coventry, WMFS was working in collaboration with the NHS to provide a pilot home safe and well service for people who are being discharged from hospital. These services supported the declared aim of keeping West Midlands safer, stronger and healthier;

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- in September 2017 the seven local authorities in the West Midlands and the Mayoral West Midlands Combined Authority, with the support of WMFRA, agreed the governance review and scheme for future governance should be developed and put to all seven local authorities in the West Midlands for agreement before going out to public consultation at the start of 2018. The scheme proposes a move in governance from the current arrangements to a model of WMCA/Mayoral governance. The public consultation was in progress and the outcome would be presented back to all seven local authorities before being submitted to the Secretary of State at the Home office for government consideration;
- despite unprecedented cuts in Government funding, WMFS continued to maintain its five minute target response time to category 1 incidents which threatened life or property.

In response to questions from members, Councillor Edwards reported that the number of blue light incidents had fallen hugely, in the main due to prevention programmes and how situations were managed. Due to prevention work it was logical to work with local authorities to make lives safer and better. Formal contracts were being entered into with local authorities providing a valuable and effective service.

In response to questions from members, Assistant Chief Fire Officer, Gary Taylor, reported that with regard to working with vulnerable people and the NHS, the falls response was similar to the emergency response. This was a concept currently being investigated not just for patient transport but with vulnerable people checking their environment was safe.

29/18

Transport for West Midlands

Councillor R Horton, the member nominated pursuant to Section 41 of the Local Government Act 1985 to report on the activities of the transport authority (Transport for West Midlands), presented an update on the work of the Authority.

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Particular reference was made to:-

- following discussions with Birmingham City Council, the host city of the Commonwealth Games, it had been agreed from a governance perspective that the transport plan for both games time transport operations and infrastructure delivery of projects named within the Bid would be led by Laura Shoaf, MD Transport for West Midlands, with the Director of Network Resilience providing support to develop the Games Time Operations transport plan and the Assistant Director of Transport and Connectivity at Birmingham City Council who would lead on the infrastructure delivery. Site visits were currently being arranged with Sandwell officers to understand the requirements, opportunities and constraints for access to the Aquatics Centre during and after the games. Improving local bus services to the Centre were of key importance and links were being investigated to improve the existing rail to bus interchange from Smethwick Galton Bridge, Smethwick Rolfe Street and potentially Langley Green rail stations;
- the M5 Oldbury Viaduct works continued between M5 Junctions 1 and 2 by Highways England. The next major milestone would be the switching of the contraflow onto the newly resurfaced southbound carriageway, scheduled for May/June 2018. The overall delivery remained on programme with the contraflow traffic management expected to be removed from the network in autumn 2018. Following this the traffic management in place would be reverted to three narrow lanes until completion of the scheme in Spring 2019;
- the HS2 Growth Strategy set out how the positive effect of HS2 would be felt across the region. Work on the Connectivity Package had been progressing in line with the Implementation Plan, with updates being provided through regular dashboard reports to the HS2 Growth Delivery Board.
- Work was progressing on all six Metro extension projects being undertaken by the Midland Metro Alliance;
- Wednesbury to Brierley Hill Metro Extension – the Government announced a £250m grant fund from which WMCA had allocated £207m to this scheme in December 2017.

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In response to questions from members, Councillor Horton commented as follows:-

- a park and ride strategy was being developed as many people travelled by car to use the Metro;
- cycles were not allowed onto trams unless they could be folded, for health and safety reasons. Due to the popularity of the Metro, restrictions had to be put in place, however, discussions were ongoing;
- work continued on the introduction of battery operated trams.

30/18 West Midlands Police and Crime Panel

The Council's representative on the West Midlands Police and Crime Panel, Councillor Costigan, provided members with an update on the work undertaken by the West Midlands Police and Crime Panel.

The Panel had met three times since September 2017:-

- in November 2017 members received an update on the work of the West Midlands Female Genital Mutilation (FGM) Task Force. Members were encouraged to ask at other committee meetings and when working with other agencies about what work was done to safeguard girls against FGM and support for those that had experienced it;
- in February 2018 the Panel reviewed the Police and Crime Commissioner's policing precept and budget for 2018/19.

In addition, the Panel had looked at the Police and Crime Commissioner's proposals to address substance misuse and the recommendations of the Gangs and Violent Crime Commission. Members had questioned the Police and Crime Commissioner on the Force's capacity to handle 101 and 999 calls, and the findings of the HMIC report into crime data integrity. Other key topics raised with the Police and Crime Commissioner included traveller encampments, theft of vehicles and police response and public perception of policing.

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31/18

West Midlands Combined Authority

The Leader of the Council, Councillor Eling, provided an update in relation to West Midlands Combined Authority.

There had been some significant developments in WMCA activity recently with the approval of the budget for 2018/19 and the second Devolution Deal being the headline elements.

Given that there was now a full complement of staff in key roles (Chief Executive and Directors) work was progressing in each of the Leaders' portfolio areas as well as with the three Commissions (Mental Health, Skills and Productivity and Land).

At its meeting on 9th February 2018, the Combined Authority approved its budget for 2018/19, differing to the draft budget (presented in January). No Mayoral Precept was proposed due to concerns raised by constituent authorities (including Sandwell) as it was felt that the increases in Council Tax together with the Adult Social Care Precept were going to have a significant impact on some of the poorest families in our communities, and that the further cumulative impact of a Mayoral Precept would present too high a demand.

For Sandwell, as a constituent authority, the yearly contribution to the Combined Authority in 2018/19 would be £0.612m.

Importantly for Sandwell, the budget set out the Transport Capital Programme allocation for the metro extension from Wednesbury to Brierley Hill which would connect with Midland Metro Line 1 at Wednesbury and run via Dudley town centre and Waterfront/Merry Hill to Brierley Hill.

Also of interest for Sandwell was the allocation of £30m for the land remediation fund, a proportion of which would be allocated to the Black Country LEP to manage for the Black Country.

The second Devolution Deal covered a number of areas where the Government had committed to support the West Midlands as it developed its Local Industrial Strategy to drive regional economic growth.

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The Devolution Deal set out a number of initiatives on public service reform, ways in which the West Midlands could have more control of financing its activities, and agreed governance changes, including a commitment to integrate the West Midlands Fire and Rescue Service into the Combined Authority.

The Deal also set out that the Government, the Combined Authority and the Office of the PCC would work together to incorporate the role and powers of the Police and Crime Commissioner into the mayoralty from 2020.

The Second Devolution Deal had brought new funding for the region (total of approximately £280M), which had been incorporated into the Combined Authority's proposed budget and into the investment programme.

The Adult Education Budget grant funded activity in Further Education Colleges, Local Authority Adult and Community Learning services and at a much smaller scale through contracts with private training providers. The devolved Adult Education Budget would initially be based on current spend on residents of constituent member areas and would therefore relate to the residency of the learner not to the geographic base of recipient institutions. The indicative budget for the academic year 2018/19 was £112.08m.

In order to deliver the £8 billion Investment Programme, the West Midlands Combined Authority was required to develop funding plans through new financial mechanisms to the value of £3 billion to support £2 billion of investment and associated debt finance costs agreed as part of the first Devolution Deal for the West Midlands.

The Local Government Finance Bill 2016/17 was drafted to provide Mayoral Combined Authorities with two potential routes to generate this funding, the first of which being a Supplementary Business Rate (i.e. a scheme which was equivalent to existing powers which Local Authorities possessed) and a Mayoral Infrastructure Supplement. The Mayoral Infrastructure Supplement was essentially similar to a Business Rates Supplement but with a small number of key differences. However this Bill was withdrawn.

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As part of the second regional Devolution Deal, the West Midlands Combined Authority set out to Central Government the potential impact that the withdrawal of the Local Government Finance Bill would have on the West Midlands Combined Authority's ability to fund and deliver the Investment Programme. During these discussions, it was suggested that a possible solution would be to simply extend to the West Midlands Combined Authority the equivalent and current powers that Local Authorities, including the seven Constituent Authorities and the Greater London Authority, already had to raise a Supplementary Business Rate.

Towards the end of 2016, each of the WMCA Constituent Authorities provided consent towards the implementation of the first West Midlands Devolution Agreement which essentially used the Combined Authority to facilitate the delivery of an £8 billion Investment Programme to:

- secure the delivery of a comprehensive Metro and Sprint network;
- kick-start economic growth through Land Remediation programmes;
- unlock development potential within the UK Central site, realising currently untapped opportunities to deliver a substantial number of new homes, jobs and facilities;
- investment in the Coventry UK Central Plus area which include important junction enhancements to improve resilience and reliability, a programme to unlock University and Friargate growth access in addition to initiatives to unlock the further expansion of housing, employment and higher education.

The consent provided for the Devolution Agreement carried the intention to support the programme outcomes through a number of locally generated income streams which are a component of the £8 billion Programme. Whilst the Devolution Deal grant was expected to provide a long-term funding stream into the Combined Authority (£36.5 million over 30 years), the remaining sources needed to be actively raised by the Combined Authority in partnership with local authorities and local businesses.

Therefore, there was a requirement for each Constituent Authority to approve the West Midlands Combined Authority having powers to raise Supplementary Business Rates.

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Following the receipt of the necessary consents, the Department for Local Government and Communities intended to seek Parliamentary approval to make an order under the Local Democracy, Economic Development and Construction Act 2009 as amended by the Cities and Local Government Devolution Act 2016. This order would provide for the power to raise funding through a business rates supplement (currently exercised by the Greater London Authority) under the Business Rates Supplement Act 2009 to be conferred on the Combined Authority. The order would also provide that the power, when conferred, would be exercised by the Mayor only.

Following the necessary powers being acquired, the Combined Authority would need to decide how to best implement the Supplementary Business Rate scheme. This would be subject to a further paper to the West Midlands Combined Authority Board later in 2018, as any future decision to implement a SBR would require approval by the WMCA Board, along with intensive and detailed work with Constituent Authority Members and local businesses.

Sandwell had a lead role in taking forward the agenda relating to Cohesion & Integration and Public Service Reform as the Leader, Councillor Eling, was the portfolio lead for this area.

At the meeting of the Combined Authority Board in February 2018 proposals to establish a Social Economy Taskforce, as a key contributor to inclusive growth, were approved. The “social economy” covered different types of organisations united by a clear social purpose – including the voluntary and community sector, social enterprises and charities.

The Taskforce was being established to look specifically at the role that the social economy sector could play within the inclusive growth picture, and ask how the WMCA could support and enable opportunities for the sector that would benefit residents and communities.

In addition to leading the Cohesion and Integration and Public Sector Reform portfolio through the Leader, Sandwell also played a key role in leading the overview and scrutiny function of the Combined Authority through Councillor P Hughes who chaired the Committee.

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Furthermore, Councillor Shackleton, Cabinet Member for Social Care and Chair of Sandwell's Health and Wellbeing Board, sat on the Combined Authority's Wellbeing Board, along with the Chairs of other Health and Wellbeing Boards within the Combined Authority area and representatives from health.

The Scrutiny Committee had recently focused its attention on scrutiny of the Combined Authority's budget, including the process undertaken by the Combined Authority for developing the budget proposals.

Whilst scrutiny of the budget had taken a considerable amount of member time, other areas of focus for Scrutiny at the Combined Authority had been in relation to the transition of the West Midlands Fire Authority to the Combined Authority, primarily to ensure that the process was transparent and that decision makers were held to account but also to ensure that the end result of the process delivered the best possible outcome for the Combined Authority and for residents.

In addition, there were further workstreams focusing on the work of the Land Commission, the Skills and Productivity Commission and the Mental Health Commission.

The Wellbeing Board considered six potential wellbeing priorities for the West Midlands Combined Authority. These were:

- long term conditions – cardiovascular disease, diabetes and cancer;
- prevention at a WMCA level – with options for a broad prevention programme linked to a long term condition or work focussed on a specific lifestyle issue such as obesity, smoking, alcohol, physical activity;
- Children and Young People – mental wellbeing, resilience and good child development that supports effective transition into adulthood (i.e. getting into work);
- Transport – Active and other health impacts;
- Housing and the built environment;
- The potential for delivering population and individual behaviour change across the WMCA.

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The Wellbeing Board agreed that that proposals should be developed for a Cardiovascular Disease and Diabetes Prevention Programme and that further work should be undertaken to scope work on the Children and Young People Priority to identify where the Combined Authority could most add value from a wellbeing perspective.

Any health devolution proposals would be based on these two priority areas and on the overarching vision for the WMCA Wellbeing agenda that focused on keeping people healthy by prevention and across system action.

The Wellbeing Board was also developing a West Midlands joint local government/health alliance. A meeting had been held to discuss the potential for an alliance involving professionals and clinicians from local government and health organisations across the whole of the West Midlands that will focus on reducing health inequalities across the region.

Resolved that approval be delegated to the West Midlands Combined Authority to undertake a process that will result in an amendment to statutory regulations to provide the WMCA with the necessary powers to raise a supplementary business rate.

32/18 Annual Report of the Planning Committee 2017

In accordance with the Council's arrangements for the principal member with responsibility for key Council functions to report periodically to the Council on the activities of the relevant committee or decision making body, the Chair of the Planning Committee, Councillor Sandars, presented the annual report of the Planning Committee for 2017.

During 2017, 1200 planning applications were received of which 1115 applications were determined. Of the 1115 applications determined, 1070 (95%) were dealt with by officers using delegated powers. Planning Committee met on a monthly basis and considered 90 applications.

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The figures indicated that the overall number of planning applications received during 2017 revealed a slight fall on 2016. Notwithstanding this, these numbers were affected by the fact that in 2013, the Government introduced a new 'Prior Approval' system which was intended to primarily allow householders greater scope above and beyond existing regulations to extend their properties. Before this date such extensions would have required a formal planning application to be submitted. These Prior Approvals did not appear in the formal figures for the numbers of applications dealt with but in essence the process and the work required was the same although no fee was paid. The Council received 191 such applications in 2017.

The large percentage of applications approved in part reflected the openness of the service in encouraging developers and prospective applicants to engage in pre-application discussions which were currently provided free at Sandwell. This approach had been worked up into a more formal 'Development Agency' approach in order to send the message that the Council, despite the existing economic difficulties, was very much open for business and ready to facilitate development opportunities.

The positive outcome of the vast majority of planning applications submitted at Sandwell was also in part a reflection of where there were problems with a proposed scheme, officers endeavoured to negotiate workable solutions within the prescribed time scales.

In addition to the above planning applications, the Development Management section also dealt with around 500 complaints regarding alleged breaches of planning control. Officers remained acutely aware of the fact that the credibility of the planning system as a whole rested on the ability to take timely and appropriate enforcement action.

A further 150 sites had also been investigated by officers as potentially requiring tidy up work using in the main powers available under Section 215 of the Town and County Planning Act 1990. This area of work had grown in recent years on the back of the Council's own Grot Spots programme. Officers continued to strive to build on the good work to date and the partnerships already created both within the Council and with outside bodies such as the Police, Fire Service and rehabilitation groups.

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In presenting the report, Councillor Sandars wished to place on record his thanks to Planning staff.

33/18 Minutes and Policy/Strategic Recommendations of the Cabinet

The Council received the minutes of the meetings of the Cabinet held on 10th and 31st January, 7th, 14th and 28 February 2018.

The Council considered the recommendations of the Cabinet on the following matters of strategic significance:-

33/18(a) Commonwealth Games Aquatic Centre (Key Decision Ref. No. SMBC13/10/2017)

Resolved:-

- (1) that the establishment of the Commonwealth Games 2022 Working Group to support the delivery of the aquatics centre, the legacy of the Commonwealth Games, and community involvement in the delivery be approved;
- (2) that a report be submitted to full Council at its meeting on 17th April 2018 to approve the terms of reference and appointment of members to the Commonwealth Games 2022 Working Group;

33/18(b) Sandwell Sport and Leisure Built Facilities Strategy (Key Decision Ref. No. SMBC16173)

Resolved:-

- (1) that the establishment of the Sandwell Sport and Leisure Built Facilities Strategy Members Working Group be approved;

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- (2) that a report be submitted to full Council at its meeting on 17th April 2018 to approve the terms of reference and appointment of members to the Sandwell Sport and Leisure Built Facilities Strategy Members Working Group.

34/18 Chief Officers Terms and Conditions

The Chief Officers Terms and Conditions Committee met on 25th January, 2018 and interviewed two candidates for the position of Director – Public Health.

The Committee did not recruit to the position, however, Mr Mohammed Ansaf Azhar was appointed Interim Director – Public Health for a term of six months.

On 8th February, 2018 the Committee met and interviewed three candidates for the position of Director – Regeneration and Growth.

The Committee appointed Ms Amy Harhoff, currently Head of Corporate Affairs at Transport for Greater Manchester, to the post of Director – Regeneration and Growth.

No questions were asked of the Leader.

**35/18 Minutes of the Budget and Corporate Scrutiny
Management Board**

The Chair of the Budget and Corporate Scrutiny Management Board, Councillor P Hughes, presented the minutes of the meeting of the Budget and Corporate Scrutiny Management Board held on 17th January and 21st February 2018.

No questions were asked of the Chair.

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Minutes of the Audit and Risk Assurance Committee

The Chair of the Audit and Risk Assurance Committee, Councillor Preece, presented the minutes of the meeting of the Audit and Risk Assurance Committee held on 18th January 2018.

No questions were asked of the Chair.

(The meeting ended at 8.15pm)

This meeting was webcast live and is available to view on the Council's website (<http://sandwell.public-i.tv/core/portal/home>).

<p>Contact Officer: Trisha Newton Democratic Services Unit 0121 569 3193</p>
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