

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

**15th January, 2019 at 6.00pm
at the Sandwell Council House, Oldbury**

Present: The Mayor (Councillor Edis);
The Deputy Mayor (Councillor Goult);

Councillors Ahmed, Akhter, Ali, Allen, Ashman, Bawa, Carmichael, Cherrington, Chidley, Costigan, Crompton, S Crompton, Dr T Crompton, K Davies, P Davies, S Davies, Y Davies, Dhallu, Eaves, Edwards, Eling, Gavan, E A Giles, L Giles, Hackett, Hadley, Hartwell, Hevican, L Horton, R Horton, D Hosell, S Hosell, P M Hughes, P Hughes, M Y Hussain, Jarvis, I Jones, O Jones, S Jones, Khatun, Lewis, Lloyd, Melia, Millard, Moore, Padda, Phillips, Piper, Preece, Rollins, Rouf, Sandars, Shackleton, Shaeen, Singh, Taylor, Tranter, Trow, White and Worsey.

Apologies: Councillors Allcock, Downing, E M Giles, M Hussain, Dr Jaron, B Price, R Price, Tagger, Underhill and Webb.

1/19 **Minutes**

Resolved:-

- (1) that the minutes of the extraordinary meeting of Council held on 16th October, 2018 be confirmed as a correct record;
- (2) that the minutes of the ordinary meeting of Council held on 16th October, 2018 be confirmed as a correct record.

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2/19 Mayor's Announcements

The Mayor made reference to the Sandwell Children's Trust information stand at the entrance to the Chamber.

Sandwell Children's Trust had taken over many aspects of the care and welfare of children and young people in Sandwell, including ensuring that looked after children were well cared for, ideally with foster carers in a family environment. The Mayor reminded Members that, as corporate parents, it was important to publicise the need for more foster carers in Sandwell through their various networks and at meetings and events.

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

In particular, the Mayor made reference to citizenship events, employee of the month awards, visits to the Big House from school children, friends of Sandwell libraries and the Sandwell Special Olympics Team.

The Mayor also made reference to the Festival of Remembrance in November.

3/19 Petitions Under Standing Order No. 5

No petitions were received under Standing Order No. 5.

4/19 Questions Under Standing Order No. 6

No questions were received under Standing Order No. 6.

5/19 Sandwell Safeguarding Children Board Annual Report 2017-18

The Cabinet Member for Children's Services, Councillor Hackett, welcomed Audrey Williamson, the Independent Chair of Sandwell Safeguarding Children Board, to the meeting and invited Ms Williamson to present the annual report of the 2017-18 Sandwell Safeguarding Children Board.

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The annual report set out areas that had been worked on to safeguard children and young people during 2017-18 whilst also identifying the improvements that must be addressed to ensure that Sandwell was a good and safe place for children to live and grow up in.

The Board, which was made up of partner agencies across Sandwell, was responsible for holding these agencies to account and ensuring that there were effective arrangements in place.

Chairs of Local Safeguarding Children Boards were required to publish an annual report on the effectiveness of child safeguarding in the geographical area served by the Local Safeguarding Children Board.

The Chair advised that it had been a challenging year for the partnership in Sandwell, particularly as Sandwell Children's Trust was being established. Children's Services moved from the local authority to the Children's Trust, along with a change of senior leadership to take the new organisation forward. Children's Services had experienced a high turnover of managers at all levels for a considerable period of time and this had made it difficult to establish strong and consistent relationships across the partnership. There was now a stable leadership in place within the Trust and the transition had been very positive with good work being undertaken to develop a strong and stable workforce.

This year the partnership was focussing on the improvements needed to strengthen services. There was renewed focus on child sexual exploitation and alongside this an improvement to the understanding of the broader area of child exploitation, including criminal exploitation, which was an emerging issue.

The Chair confirmed that this coming year new multi-agency safeguarding arrangements would be put in place in Sandwell, in line with Government requirements. Locally, the three partners; the local authority, police and health authority, through the clinical commissioning group, and in partnership with the new Children's Trust, would be leading and working towards implementing the new arrangements.

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Councillor Hackett wished to place on record his thanks to the Chair of the Sandwell Safeguarding Children Board and all partners.

Resolved that the Sandwell Safeguarding Children Board Annual Report 2017-18 be received.

6/19 **Budget 2019-20 to 2021-22**

The Leader of the Council, Councillor Eling, presented details of the 2019-20 provisional Local Government Finance Settlement, announced by the Secretary of State for Communities and Local Government on 13th December 2018. Additional information and its impact on target budgets would be incorporated into the report to Cabinet in February 2019 following the final settlement announcement.

The key headlines of the provisional settlement included:-

- core spending power across England would increase by 2.8% (including winter pressures and social care grant). This assumed that all councils would increase Council Tax by the maximum amount allowable within referendum thresholds;
- confirmation of a winter pressures grant and a new Social Care Support Grant which replaced the Adult Social Care Grant and could be spent on both Adult and Children's Social Care;
- New Homes Bonus baseline had been retained at the current level of 0.4%;
- the Council Tax referendum limit remained at 2.99%;
- a surplus on the Government's Business Rate Levy account had been allocated to local authorities based on additional need. This would be received in the current financial year.

The provisional settlement was broadly in line with the prudent planning assumptions contained in the Council's Medium Term Financial Strategy and would not require any changes to the 2019-20 budget plan.

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Sandwell's total funding across the two years would increase by 1.8% assuming the Council agreed to implement the full Council Tax increase, including the Adult Social Care precept. If the additional funding for Social Care was excluded, Sandwell's funding would reduce by 1% (£2.6m).

Sandwell would not receive any Revenue Support Grant in 2019-20 due to our inclusion in the 100% Business Rates pilot. However, the Council would receive £40.9m of Business Rates Top-up, a reduction of £9.7m compared to 2018-19.

Council Tax

In the 2016-17 settlement, the Government responded to rising costs in adult social care by giving local authorities the option to increase Council Tax by an additional 2% and by introducing a different version of the Better Care Fund from 2017-18.

The Better Care Fund was calculated on an assessment of need, less the amount assumed to be raised through the additional 2% Council Tax threshold. The clear implication of this was that local authorities who did not implement the additional 2% increase would have insufficient funds to deliver their adult social care responsibilities. It also represented a clear shift towards local Council Tax payers being responsible for funding adult social care services.

The 2017-18 settlement included more flexibility for local authorities to bring forward the increase in Council Tax, to cover adult social care costs, by implementing a 3% increase in 2017-18 and/or 2018-19 instead. However, the total increase across 2017-18 to 2019-20 must still not exceed 6%. Sandwell used this flexibility and implemented a 3% increase for 2017-18 and 2% in 2018-19 with the intention to implement a further increase of 1% in 2019-20.

The Government also increased the referendum limit for general Council Tax increases from 2% to 3%. This would continue in 2019-20, therefore it was assumed that general Council Tax for Sandwell MBC would increase by 2.99% plus the remaining 1% for adult social care.

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New Homes Bonus

Provisional 2019-20 allocations of New Homes Bonus were announced as part of the settlement; a total of £917.9m for English local authorities which had been funded primarily through the top slicing of overall funding totals. Sandwell would receive an estimated £2.9m of New Homes Bonus in 2019-20 although actual grant payment would depend on housing delivery.

Expenditure Projections – Sandwell

The Council continued to face an extremely challenging financial position with cuts in Central Government funding continuing for another year despite the recent announcement of the end of austerity.

The expenditure projections included in the Medium Term Financial Strategy, approved by Council in March 2018, had been updated to reflect current available information and use the roll forward budget assumptions detailed in the summary statement.

The 2018-19 budget included the use of £5m of one-off reserves to fund the increase in the contract sum to be paid to Sandwell Children's Trust resulting from increasing demand pressures. £3m of this increase had been built into the base budget for 2019-20, with the remaining £2m being funded by the use of the Social Care grant announced as part of the provisional settlement. The expenditure projections assumed no increase in the contract sum for 2019-20.

Details of the Fire and Civil Defence and Police and Crime Commissioner precepts would not be finalised until February 2019.

Schools and Education Services Funding

The school funding settlement was announced by the Education and Skills Funding Agency on 17th December 2018 and confirmed that Sandwell's total Dedicated Schools Grant allocation for 2019-20 was £328.5m. The Government had recognised the pressures in dealing with special educational and disability needs and announced additional High Needs funding for 2018-19 and 2019-20 as part of the settlement. Sandwell had been allocated £0.851m for each year.

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Budget Process and Medium-Term Financial Strategy

Management Board and Cabinet Members continued to jointly develop plans to meet savings requirements for 2020-21 to 2021-22. Specific pressures identified in the directorate business plans would be reflected in budgets where appropriate. Where necessary, reserves would be prudently earmarked to fund potential liabilities.

The Medium-Term Financial Strategy would be presented to Cabinet in February and would include details of the Council's key financial objectives as well as a number of strategic and operational principles which aligned to the 2030 Vision ambitions.

This year's budgetary planning process had continued to ensure that there was an integrated approach towards business, budget and performance planning through the development of multi-year Directorate business plans, which clearly set out the vision, outcomes and focus for each service area. Final business plans, including full budget details, would be considered by Cabinet in February 2019.

In presenting the report, the Leader stated that the budget was balanced for next year and there would to be a Council Tax increase, as projected in the medium-term financial plan. All services were open and safeguarded. The Council was proud to protect Council services for the residents of Sandwell year on year in the face of cuts and this would continue to be the case. The Leader thanked everyone involved in preparing the budget in these continuing difficult times.

Resolved:-

- (1) that the impact of the 2019-20 provisional Local Government Finance Settlement announced by the Secretary of State for Housing, Communities and Local Government on 13th December 2018 be noted;
- (2) that the proposed Directorate net revenue target budgets for 2019-20 to 2021-22 detailed in Appendix A, be approved;

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- (3) that service areas will continue to develop plans to deliver savings across 2020-21 to 2021-22 despite the absence of any provisional figures for those years;
- (4) that Chief Officers submit Service Business Plans to Cabinet in February 2019 outlining service delivery and providing details of gross expenditure and gross income including specific grants.

7/19 **Council Tax Reduction Scheme**

The Local Council Tax Reduction Scheme 2019-20 provided critical support to low income families in the borough and was based on income bands to enable residents on very low incomes to receive 100% support.

Due to the introduction of Universal Credit, it was proposed to amend Sandwell's Local Council Tax Reduction Scheme to include the following features:

- replace the current weekly means tested approach with a series of income bands for different household sizes;
- simplify the claiming process and maximise entitlement to Local Council Tax Reduction for all applicants by treating the notification received from the Department for Work and Pensions of a person's entitlement to Universal Credit as a valid claim for the scheme;
- make all new applications to Council Tax Reduction effective from the date they happen;
- introduce a £5 per week deduction for non-dependants not in work. This was a presumed contribution other adults in the household should make towards Council Tax;
- having only two income bands for families with children as follows:
 - families with 1 child
 - families with 2 or more children
- reduce the capital cut-off limit to £3,000.

The scheme had been considered by Cabinet on 9th January 2019.

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The Leader stated that Sandwell was one of the few councils to provide up to 100% support.

Resolved that the Local Council Tax Reduction Scheme for 2019-2020 be approved.

8/19

Proposal to Depart from the Local Development Plan at Public Open Space, Moor Lane/Harvest Road, Rowley Regis

At the meeting of Planning Committee held on 7th November 2018, approval was given to planning application DC/18/62173 in relation to a new 'Extra Care' housing development at Moor Lane/Harvest Road, Rowley Regis. The scheme had been submitted by the Council and the site was Council owned.

As the site was currently allocated as community open space within the Site Allocations and Delivery Development Plan Document, it was necessary for the Council to consider whether or not to grant an exception to its policy to allow the application to proceed.

The Cabinet Member for Social Care stated that there was currently no such facility in Rowley Regis and the proposal was right for the needs of local people. Where other such facilities existed in other parts of the Borough, these had proved to be outstanding and improved the lives of people.

Resolved that an exception to the local development plan be allowed in respect of planning application DC/18/62173 (Proposed construction of a 90 unit 'Extra Care' home containing one and two bedroom apartments and associated communal facilities, parking and landscaping at public open space, Moor Lane/Harvest Road, Rowley Regis).

9/19

Appointment to Committees

At its annual meeting on 22nd May 2018, the Council considered appointments to the Committees, Boards and other fora for the 2018-19 municipal year and the assignment of members to those roles and bodies.

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Licensing Committee

A Chair and two Vice-Chairs were appointed to Licensing Committee. It had now become necessary to seek a replacement Vice Chair due to Councillor White having other commitments.

Co-opted Representation on Committees dealing with Educational Matters

In line with the Council's established practice, and with the exceptions detailed below, co-opted members were not appointed to scrutiny boards, but the involvement of people as independent advisors in specific reviews was secured, appropriate to their expertise or area of interest.

Guidance in relation to the implementation of the Local Government Act 2000 and Localism Act 2011 advised that Church and Parent Governor representatives must be appointed to the relevant overview and scrutiny committee(s) where education matters were being discussed. The Council's Constitution therefore provided that the Children's Services and Education Scrutiny Board shall include in its membership the following voting representatives:-

- (a) 1 Church of England diocese representative;
- (b) 1 Roman Catholic Archdiocese representative;
- (c) 2 Parent Governor representatives.

If the scrutiny board dealt with matters other than education functions that were the responsibility of the executive, these representatives would not vote on those matters, although they may stay in the meeting and speak.

In line with the requirements, the Council currently appointed two co-opted members:

- 1 Church of England diocese representative;
- 1 Roman Catholic Archdiocese representative.

Approval was now sought to the appointment of Charlotte Ward-Lewis to replace Reverend Peter French.

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Co-opted representation on Scrutiny Board with responsibility for the Council's housing provision

The Council's Constitution provided that the scrutiny board with responsibility for the Council's housing provision (currently the Safer Neighbourhoods and Active Communities Scrutiny Board) shall include in its membership a non-elected co-opted member with no voting rights from the Tenant Review Panel.

Approval was now sought to the appointment of John Cash to replace Mike Babb.

Resolved:-

- (1) that Councillor Padda be appointed to the position of Vice Chair of Licensing Committee, to replace Councillor White, for the remainder of the municipal year;
- (2) that Charlotte Ward-Lewis, from the Diocese of Birmingham, be appointed as a voting representative to the Children's Services and Education Scrutiny Board;
- (3) that John Cash, from the Council's Tenant Review Panel, be appointed as a non-voting representative to the Safer and Active Communities Scrutiny Board.

10/19

Minutes and Policy/Strategic Recommendations of the Cabinet

The Council received the minutes of the meetings of the Cabinet held on 17th October, 14th November, 12th December 2018 and 9th January 2019.

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

10/19(a) **Council Tax Base 2019-20 (Key Decision Ref. No. SMBC01/12/2018)**

In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, and Standing Order 12, the decision relating to Council Tax Base 2019-20 was put to a named vote as follows:-

For:

Councillors Ahmed, Akhter, Ali, Allen, Ashman, Bawa, Carmichael, Cherrington, Chidley, Costigan, Crompton, S Crompton, Dr T Crompton, K Davies, P Davies, S Davies, Y Davies, Dhallu, Eaves, Edis, Edwards, Eling, Gavan, E A Giles, L Giles, Goult, Hackett, Hadley, Hartwell, Hevican, L Horton, R Horton, D Hosell, S Hosell, P M Hughes, P Hughes, M Y Hussain, Jarvis, I Jones, O Jones, S Jones, Khatun, Lewis, Lloyd, Melia, Millard, Moore, Padda, Phillips, Piper, Preece, Rollins, Rouf, Sandars, Shackleton, Shaeen, Singh, Taylor, Tranter, Trow, White and Worsey.

Against:

None.

Abstentions:

None.

Resolved:-

- (1) that the Council Tax Base for 2019-2020 be set at 74,150.81;
- (2) that the Executive Director – Resources adjusts the Council Tax base as required following approval of the 2019-20 Council Tax Reduction Scheme.

10/19(b) **Local Council Tax Reduction Scheme 2019-20 (Key Decision Ref. No. SMBC09/12/2018)**

Minute No. 7/19 above refers.

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11/19 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 meetings of the Budget and Corporate Scrutiny Management Board held on 10th October and 8th November 2018.

No questions were asked of the Chair.

12/19 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 8th November 2018.

No questions were asked of the Chair.

13/19 Minutes of the Ethical Standards and Member Development Committee

The Chair of the Ethical Standards and Member Development Committee, Councillor Lewis, presented the minutes of the meeting of the Ethical Standards and Member Development Committee held on 7th December 2018.

No questions were asked of the Chair.

14/19 Minutes of the General Purposes and Arbitration Committee

The Chair of the General Purposes and Arbitration Committee, Councillor Dhallu, presented the minutes of the meeting of the General Purposes and Arbitration Committee held on 29th October 2018.

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The Council considered the recommendations of the Committee on the following matter:-

14/19(a) Changes to Polling Stations

Resolved:-

- (1) that the polling station in respect of polling district Langley LAB/LAG be relocated to the area identified in York Road, Rowley Regis for the local election on 2nd May 2019;
- (2) that the polling station in respect of polling district Newton NEB remain unchanged for the local election on 2nd May 2019.

No questions were asked of the Chair.

(The meeting ended at 6.44pm)

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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Appendix A

SANDWELL METROPOLITAN BOROUGH COUNCIL

General Fund Summary

Provisional Service Target Budgets 2018/19 to 2021/22

<u>Service Target Budgets</u>	Target Budget 2018/19	Target Budget 2019/20	Target Budget 2020/21	Target Budget 2021/22
	£	£	£	£
<u>Performance</u>				
Corporate Management	331,000	941,000	1,096,000	1,101,000
Resources	15,689,000	15,696,000	15,494,000	15,289,000
<u>People</u>				
Adult Social Care	83,500,000	82,102,000	82,312,000	82,526,000
Children's Services	79,879,000	78,928,000	78,707,000	78,731,000
Public Health	97,000	97,000	97,000	97,000
<u>Place</u>				
Regeneration & Growth	21,570,000	21,317,000	21,637,000	21,969,000
Housing & Communities	17,819,000	18,423,000	18,439,000	18,344,000
Total Service Target Budgets	218,885,000	217,504,000	217,782,000	218,057,000