

The Cabinet

**20th November 2019 at 3.30pm
at the Sandwell Council House, Oldbury**

- Present:** Councillor Y Davies (Leader);
Councillors Ali, Crompton, Hadley, Lloyd, Millard,
Taylor and Underhill.
- Apology:** Councillor Shaeen.
- In attendance:** Councillor Singh.

133/19 Minutes

Resolved that the minutes of the meeting held on 30th October, 2019 be approved as a correct record.

134/19 Leader's Announcements

The Leader made the following announcements:-

- Cabinet visits would be suspended until after the general election;
- members of the Cabinet had undertaken online training on their responsibilities as corporate parents. All members would be asked to pledge to undertake the training by 2020.

135/19 Sandwell Aquatics Centre

Further to Minute No. 18/18 (31st January 2018), approval was now sought to the project scope, budget and authority to enter into a contract with Wates Construction Limited for the construction of the Sandwell Aquatics Centre and surrounding parkland.

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Since the Cabinet’s last update, the project remained on programme and within budget and members noted the detail of the progress that had been made. The next steps in the project were to:-

- sign the formal contract with Wates Construction Limited – 26th November 2019;
- complete enabling works – 5th January 2020;
- commence main construction works – 6th January 2020;
- frame/superstructure complete – 16th December 2020;
- make the building watertight – 15th June 2021;
- complete fit out – 19th November 2021;
- target construction completion – 21st February 2022; and
- allow access to the Birmingham 2022 Commonwealth Games Organising Committee for commencement of temporary overlay works – 22nd February 2022.

The contractual delivery date for handover of the Centre to the Birmingham 2022 Commonwealth Games Organising Committee was 4th April 2022, with a target completion date of 22nd February 2022. The timetable allowed several weeks for any unforeseen delays. Wates Construction Limited was confident that the delivery timetable could be met and had reiterated this in a number of meetings that the Council and the Department for Digital, Culture, Media and Sport held at Managing Director level. The contract with Wates was for a fixed price, which limited the risk of costs rising and ensured that any additional costs would not be picked up by the Council.

Provision had been made within the construction programme for four ‘Look Forward’ Gateway Reviews. These Gateway Reviews would be undertaken by the Council and Birmingham 2022 Commonwealth Games at 12 months, 9 months, 6 months and 3 months before the target completion date. These reviews, in addition to the general project governance that was in place, would give the Council and Birmingham 2022 Commonwealth Games the ability to review the progress of the project and ensure that any additional mitigation measures were put in place in a timely fashion to ensure delivery as programmed.

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The report was accompanied by a presentation from the Executive Director – Neighbourhoods, which included a video fly through of the Centre. The Centre would be the first facility to be seen on television during the Games (other than the opening ceremony) and was the only facility to have sport taking place every day of the Games.

Following a question from the Cabinet Member for Sustainable Transport, the Cabinet was informed that highways designs were being finalised and would be consulted on in early 2020.

Regular drop-in information sessions would be arranged at various locations local to the site to ensure that the public was kept aware of progress. Monthly newsletters would also be distributed by Wates Construction Limited.

Resolved:-

- (1) that the final facility mix for Sandwell Aquatics Centre be approved as follows:-
 - Olympic sized competition swimming pool with moveable floors and booms;
 - 25m x 21m diving pool with associated diving tower and boards;
 - 20m x 10m studio pool;
 - 1000 spectator seats;
 - 3 x 150sqm activity studios;
 - Required change village space with ability to offer single-sex changing;
 - Dry drive facility;
 - 2 x 4 court sports halls;
 - 108 station fitness gym;
 - 25 station ladies only gym;
 - Indoor cycling studio;
 - Sauna and steam room;
 - Associated dry changing facilities;
 - Football changing rooms;
 - Café; and
 - Associated functional, operational, and car parking areas;

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- (2) the development of a new urban park around the Sandwell Aquatics Centre, which will include the provision of one football pitch, a children's play area and highway infrastructure improvements be approved;
- (3) that the Executive Director – Resources allocates £23,039,082 to enable the delivery of the project referred to in Resolutions (1) and (2) above;
- (4) that the Director – Law and Governance and Monitoring Officer enters into an NEC 3 Option A (Fixed Price) construction contract with Wates Construction Limited for a value of £69,737,381 and enters into, or executes under seal, any other documentation relating to this construction contract and/or other agreements with Wates Construction Limited, as may be deemed necessary.

136/19

Grant Agreement with West Midlands Combined Authority to enable a development site at Bull Street, West Bromwich

Approval was sought to submit a funding application to West Midlands Combined Authority (WMCA) for a grant of circa. £1.3m to progress the delivery of a demolition programme at Bull Street, West Bromwich and to fund the development of a detailed business case for a proposed regeneration scheme and investment model.

There was a significant need for investment within the eastern quarter of West Bromwich town centre (Bull Street), to build upon recent regeneration projects which had significantly enhanced the strength of the main High Street offer. A Market Assessment undertaken by consultants GVA in December 2016 had recognised opportunities to improve the existing leisure and recreation offer and establish West Bromwich as a key economic centre within the Black Country and the wider West Midlands Combined Authority Area.

The Multi-Storey Car Park (MSCP) was dilapidated and considered to be in poor overall condition, blighting the visual amenity of the Bull Street area. A Structural Survey and Options Report had been undertaken and Urban Design Building Services Officers had recommended closure and demolition. Subsequently, the Cabinet had declared the MSCP surplus to operational requirements (Minute No. 94/17(2)a of 17th May 2017 refers).

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It was proposed that further viability and design work around redevelopment options should be progressed, to inform a more detailed business case to be considered by WMCA in due course and in accordance with the terms of the funding agreement (to be negotiated).

The demolition of the MSCP would reclaim 0.7ha of brownfield land and a development could create up to 14,772sqm of floor space. The demolition, construction and completed development would create jobs as well as potentially accommodating new residential and commercial units to support the local economy and enhance the area.

The funding agreement negotiated with WMCA was intended to cover all expenditure relating to the demolition and production of a business case.

The lease agreement for the Queen's Square shopping centre included several obligations towards the leaseholder which would need to be considered by the Council upon demolition of the MSCP. In addition, variations to the lease agreement could be necessary to facilitate the maximum redevelopment opportunity on the cleared site.

Subsequent regeneration phases that encompassed the wider Bull Street and West Bromwich Town Centre area were also being considered. Any further phases were however subject to negotiations and agreement with third party landowners.

Resolved:-

- (1) that the Director – Regeneration and Growth proceed with the application for grant funding to West Midlands Combined Authority to enable the future redevelopment of the site illustrated on Site Plan SAM/08060/007 utilising the funds released to undertake the demolition and associated works in respect of the Bull Street Multi Storey Car Park, West Bromwich and work up a business case for the sites redevelopment;

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- (2) that the Director – Law and Governance and Monitoring Officer, in consultation with the Executive Director – Resources, and subject to a full Financial Appraisal by the Strategic Investment Unit, enters into or executes under seal, if necessary, the funding agreement on terms and conditions to be negotiated by the Director – Regeneration and Growth;
- (3) that the Director – Regeneration and Growth, in consultation with the Executive Director – Resources, consults the public, town centre stakeholders and industry experts to further develop a comprehensive and detailed business case for the redevelopment of the Bull Street site to determine its feasibility and bring a preferred option proposal back to Cabinet for a final investment decision within eighteen months of this report in advance of the business case being presented to the West Midlands Combined Authority.

137/19 Consultation on Moor Lane Development

Approval was sought to commence consultation on the transfer of tenants from Manifoldia Grange and Holly Grange, to the new extra care facility at Moor Lane, Rowley Regis. The new facility would support people to live independently for as long as possible, reducing costs to the local authority through reduced residential and nursing provision (Minute No. 70/17 of the Cabinet meeting held on 22nd March 2017 refers.)

Consideration of the lifespan of Manifoldia Grange and Holly Grange and the development of Moor Lane had highlighted a need to integrate the accommodation strategy for Extra Care Housing around new and existing developments. The Moor Lane development provided an opportunity to re-provide for residents of Manifoldia Grange and Holly Grange, as these facilities were dated and not able to be modernised without significant investment and disruption.

Approval was also sought to undertake consultation with the Council employed staff teams at Manifoldia Grange and Holly Grange, on a proposed move of working location to the new Moor Lane development by February 2021.

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Consultation would also include the proposed staffing structure at the new Moor Lane facility.

Once the consultation had been completed, a further report would be presented to the Cabinet setting out the proposed future plans for Manifoldia Grange, Holly Grange and Moor Lane.

In response to a question from the Cabinet Member for Sustainable Transport, the Leader assured members that residents of Manifoldia Grange and Holly Grange would continue to receive the same, highly regarded, level of care at the new Moor Lane facility.

Resolved:-

- (1) that a 12-week consultation exercise commences with the tenants of Manifoldia Grange and Holly Grange, and their relatives, on the proposed transfer of tenants to Moor Lane, or alternative Extra Care accommodation within the Borough by February 2021;
- (2) that consultation with affected Council staff members commences on the proposed transfer of staff at Manifoldia Grange and Holly Grange to Moor Lane by February 2021, and on the proposed staffing structure for Moor Lane as set out below:

Current Manifoldia and Holly Grange Staffing			Proposed Moor Lane Staffing		
Role	Grade	FTE	Role	Grade	FTE
Extra Care Service Manager (Including Walker Grange Manager)	G	3	Registered Manager (Pending evaluation)	H	1
			Deputy Manager (Pending evaluation)	G	1
			Extra Care Service Manager	G	1
Support Team Manager	E	2	Support Team Manager	E	2
Senior Care and Housing Support Officer	D	3.24	Senior Care and Housing Support Officer	D	3.24
Care Assistants	C	21.36	Care Assistants	C	21.36

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Night Care Assistants	C	4.75	Night Care Assistants	C	4.75
Business Support	C	1	Business Support	C	1
Assistant Cook	B	1.22	Assistant Cook	B	1.22
Kitchen Domestic	A	1.08	Kitchen Domestic	A	1.08

- (3) that a further report be presented to the Cabinet to agree the future plans for Holly Grange, Manifoldia Grange and Moor Lane, following completion of the consultation referred to in Resolutions (1) and (2) above.

138/19 **Transforming Local Services in Rowley Regis From Blackheath Library: ‘Let’s Work Together’**

Further to Minute No. 36/19 of the Cabinet meeting held on 20th March 2019, approval was now sought for the allocation of resources and appropriation of the site at Payne Street, Blackheath.

Due to the complex nature of the proposal, it was proposed that the Council and Black Country Housing Group sign a development agreement outlining the timescale for the development of the sites and the formal purchase of the library by the Council. Black Country Housing Group was due to agree to the final agreement in November 2019.

Subject to approval of the matters now presented to the Cabinet, work would progress to finalise the Heads of Terms of the development agreement. After this, work could commence to prepare Blackheath Library building with the aim of staff and services being transferred from April/May 2020.

In response to a question, the Cabinet Member for Inclusive Economic Growth reported that the pilot of the new services would start in May 2020. It was proposed to retain as much of the library as possible.

Resolved, with reference to Minute No. 36/19 of the Cabinet meeting held on 20th March 2019:-

- (1) that the Executive Director – Resources allocates £0.124m capital resources to the Council’s partnership with Black Country Housing Group for the creation of a Local Service Centre for Rowley Regis and residential development, following successful capital appraisal;

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- (2) that the Executive Director – Resources appropriates the site at Payne Street, Blackheath to the Council's General Fund from the Housing Revenue Account to enable the progression of the project referred to in Resolution (1) above.

139/19

Quarter 2 Budget Monitoring 2019/20

The Cabinet received a summary of the Council's financial position as at the end of September 2019 (Quarter 2 2019/2020).

Resolved:-

- (1) that the financial monitoring position of individual directorates and the Housing Revenue Account (HRA) as at 30th September 2019 (quarter 2 2019/10) be noted and referred to the Budget and Corporate Services Scrutiny Management Board for consideration and comment;
- (2) that the current financial position for the Council be noted: -

	Projected Outturn Variance (£000)
Corporate Management Resources	40
Adult Social Care	1,109
Regeneration & Growth	914
Housing & Communities	(92)
Children's Services	4
TOTAL DIRECTORATES	0
Central Items	234
TOTAL INCLUDING	2,209

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CENTRAL ITEMS	
Public Health (Ringfenced Grant)	(1,907)
TOTAL INCLUDING PUBLIC HEALTH & CENTRAL ITEMS	302

Public Health is a ringfenced grant and is therefore required to be carried forward. This will increase the in-year overspend to £2.209m. Services are also utilising £4.653m of reserves and one-off corporate resources that have previously been earmarked for use by those services. When this is taken into account, the overall position for the Council is a projected overspend of **£6.862m**

- (3) that the following budget virements above £0.250m be approved: -

Virements above £0.250m for approval by Cabinet	DR (£000)	CR (£000)
HOUSING & COMMUNITIES		
Housing Management - Housing Solution movement of grant from mainline to grant cost centre	308	
Housing Management - Housing Solution movement of grant from mainline to grant cost centre		308
Housing Management - Community safety Supporting Families Grant allocation expenditure	373	
Housing Management - Community safety Supporting Families Grant allocation income		373
TOTAL	681	681

- (4) that the following budget virements below £0.250m are noted: -

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Virements between Directorates/Service Areas below £0.250m for information in Cabinet Report	DR (£000)	CR (£000)
PUBLIC HEALTH Substance Misuse - Community Alcohol Project movement of resources from redirection - Supplies and Services Childrens - Community Alcohol Project movement of resources from redirection to Employees	40	40
HOUSING & COMMUNITIES Commercial Services - Park target budget transfer to Shows and Events Tourism, Culture and Leisure - Park target budget transfer to Shows and Events	53	53
TOTAL	93	93

140/19 **Public Spaces Protection Order West Bromwich Town Centre – The First Year**

Further to Minute Nos. 102/18 and 37/19 of the Cabinet meetings held on 25th July 2018 and 20th March 2019 respectively, the Cabinet noted a further update on the impact of the West Bromwich Town Centre Public Space Protection Order for the period 1st August 2018 to 31st August 2019.

The first two months of the Order being in place had focussed on awareness raising. However, from October, when enforcement had commenced, incidents of antisocial behaviour had reduced by 29.3% and disorder offences by 30.7% compared to the previous year. The Cabinet noted the following data across all enforcement areas:-

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Total Number of Fixed Penalty Notices issued : 50 (October 18– July 19)	Issued	Paid
Acting or inciting others to act in a manner that causes, or is likely to cause, harassment alarm or distress to any person.	21	19
Threatening any person with violence and /or being verbally abusive towards any person.	0	0
Begging or asking members of the public for money or loitering for the purpose of begging or asking members of the public for money.	29	0
Causing a motor vehicle or trailer to stand on a road and /or footpath so as to cause any unnecessary obstruction of the road and /or footpath.	0	0
	50	19
EPO total hours spent on foot patrols	2347 hours	
Identified homeless people	14	
Identified homeless people who accepted help	5	
Police record for ASB reports before PSPO (August 17 – July 18)	460	
Police record for ASB reports after PSPO (August 18 – July 19)	325	
Total percentage reduction for Police ASB reports	29.3% decrease	
Police record for reported disorder incidents before PSPO (August 17 – July 18)	182	
Police record for reported disorder incidents after PSPO (August 18 – July 19)	126	
Total percentage reduction for disorder incidents	30.7% decrease	

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Between December 2018 and July 2019, 29 fixed penalty notices had been issued to 14 individuals for begging. All were well known to the agencies involved and all had since been engaged with and offered support. Currently no prosecutions had been made as most of these individuals were of no fixed abode. Under the Order, enforcement officers were able to exercise discretion. The issuing of fixed penalty notices was helping to show the weight of evidence against repeat offenders to enable Police to assess evidence and consider whether criminal behaviour orders were appropriate for some individuals.

Sandwell College had been a key partner in promoting and supporting the Order, installing signage and including information in its assemblies regarding student conduct and expected standards of behaviour. The Principal had also introduced staggered finishing times from September 2019, to reduce the number of students into the town centre at the same time each day.

The Order had also had an impact on addressing issues of homelessness and begging within the town centre. Ten regular rough sleepers had been identified in the first year of operation, who had been supported into accommodation and support services. Services such as the Homelessness Bus and appointment of new outreach workers together with the launch of Housing First were all now coming together to provide a more holistic and joined up approach to working with rough sleepers across the borough.

Discussion of the Order was now a standing item on the town tasking agenda, where the Council, police and other agencies were working together to make joint decisions around appropriate interventions on issues as they arose. The West Bromwich Town Business Improvement District (BID) had worked very closely with the Council and the Police on the implementation of the Order and felt that it was having a positive impact.

The Order was being used as part of a wider strategy that included policing, use of wardens and other Council teams to tackle the range of issues in the town centre as effectively as possible. The first year had demonstrated that it was not being used in isolation but as part of a toolkit to address differing forms of unacceptable behaviour through the most appropriate and effective means available.

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The Order would be in place for three years in total and there would be a review in the final year to determine whether or not it would be extended.

Resolved that the impact and effectiveness of the implementation of the Public Spaces Protection Order for West Bromwich Town Centre during its first year since being approved by Cabinet with effect from August 1st 2018 for a period of 3 years be noted.

141/19 Schools' Model Pay Policies 2019/20

Approval was sought for the September 2019 Pay Award for schools, the Unattached Teachers' Pay Policy 2019/20 and the Model Schools' Pay Policy 2019/20, which had been prepared in accordance with the Schools Teachers' Pay and Conditions Document, which was issued by the Department for Education annually.

The Model Policies had been subject to consultation with all appropriate trades unions in Sandwell. Limited changes had been made to the School Teachers' Pay and Conditions Document for 2019 and, as such, the Pay Policy was a refresh only.

The September 2019 pay award had been agreed nationally and the recommendation for Sandwell, in keeping with regional comparators for all teachers, was a 2.75% uplift to all points of each of the pay ranges and all allowances in the national framework. The pay policies presented reflected these new pay points.

Resolved:-

- (1) that a 2.75% uplift to all points of each of the pay ranges and all allowances in the national framework, for teachers in local authority community schools, be approved;
- (2) that the Unattached Teachers' Pay Policy 2019/20, as now submitted, be approved and implemented with effect from 1st September 2019;

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- (3) that the Model Schools' Pay Policy 2019/20, as now submitted, be approved and recommended to the governing bodies of schools in Sandwell for adoption and implementation with effect from 1st September 2019.

142/19

Grant Funding for Advice Services 2020/2021 - 2022/2023

The Cabinet received a report, which brought together proposals in relation to advice provision and budgeting support. Approval was sought to a three-year period of grant funding, from April 2020 until March 2023, for voluntary sector advice providers, for BetterOff Sandwell and for the budgeting training provided by Citizens Advice Sandwell to frontline staff. Stable funding would enable providers to continue to work well together to deliver high quality services that responded flexibly to changes in need.

Voluntary and community sector advice providers had been funded by the Council since 2014/15 to deliver a blend of open door and targeted advice to residents. Members noted detailed data on outputs as a result of this funding.

It was proposed to fund the grants from a combination of the voluntary sector support budget, Public Health budgets, Children's Services, Neighbourhoods, Neighbourhoods homelessness prevention funding and the Financial Wellbeing Fund. However, uncertainty remained about the future of Public Health Grant beyond 2020/21 and funding for homelessness prevention was funded through Government grants on an annual basis. Therefore, the programme would need to be reappraised should there be a material change to these funding sources.

In addition to the proposed funding identified, funds could also be supplemented on a one-off basis from underspend incurred in the programme in the current financial year. The programme was currently projected to underspend by £32,000.

The proposed funding would mean that local people would continue to be able to access to high quality free advice about a range of issues including welfare benefits, debt, housing, employment, immigration, consumer, family matters and budgeting support, leading to improvements in their health and wellbeing.

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It was anticipated that providers would continue to help residents to claim welfare benefits in the region of £10 million each year, helping to reduce poverty and support the local economy.

Resolved:-

- (1) that the following grant payments be approved from April 2020 until March 2023:

Organisation/service	2020/21 £	2021/22 £	2022/23 £
Citizens Advice Sandwell (generalist open door, debt service and phone service)	599,382	599,382	599,382
Citizens Advice Sandwell (homeless prevention mortgage arrears project)	35,000	35,000	35,000
Citizens Advice Sandwell (homeless prevention project)	35,000	35,000	35,000
Citizens Advice Sandwell (BetterOff Sandwell forum/budgeting support)	25,260	25,260	25,260
Sandwell Consortium (generalist open door)	238,734	238,734	238,734
Sandwell Consortium (advice in children's centres)	99,609	99,609	99,609
Smethwick Pakistani Muslim Association (generalist open door)	31,252	31,252	31,252
Brushstrokes (immigration advice)	32,719	32,719	32,719
BetterOff Sandwell (including Entitledto)	28,000	28,000	28,000
Training/ networking	1,000	1,000	1,000
Total	1,125,956	1,125,956	1,125,956

- (2) that an exemption to Financial Regulations be made to enable Sandwell Advice Providers Network's underspend, in the current financial year, to be ring fenced to fund the deficit in the proposed programme.

143/19

Proposed Staffing Structure for new Sandwell Integrated Social Care and Health Centre

Further to Minute Nos. 168/18 and 13/19 of the Cabinet meetings held on 12th December 2018 and 6th February 2019 respectively, approval was sought to the staffing structure for the new Sandwell Integrated Social Care and Health Centre.

Detailed Centre design work on the Centre, including the specification of required fixtures, fittings and equipment, had been completed, and invitations to tender had gone out in October. It was envisaged that the preferred developer(s) would be chosen before Christmas, with building starting in January 2020. Centre completion and opening was currently planned for June 2021.

Prior to the opening of the Centre, the required staff team would need to be recruited and trained to enable the registration with the Care Quality Commission.

The proposed staff structure had been developed based upon the expected levels of need of people accessing the service and Care Quality Commission requirements. The total annual cost for these new social care posts was estimated at £2.7m per annum (at 2019/20 pay rates).

Recruitment to the Registered Manager post for the Centre would take place in January 2020 to support the mobilisation of the Centre. The post-holder would report to the Integrated Hub Manager within the Adult Social Care, Health and Wellbeing Directorate, as part of wider Directorate Senior Management Team.

The Centre would also require nurses based permanently on site, seconded from the NHS. It was anticipated that the Centre would require around 17.4 full-time equivalent, experienced qualified nurses and senior nurse management providing professional and other oversight and direction. The cost of nursing support was estimated to be around £0.7m per annum and would be funded from the Better Care Fund. In addition, “wrap-around” or flexible NHS therapeutic and General Practitioner support to the value of £550k was already funded through the Better Care Fund, which would maximise the effectiveness and efficiency of the Centre’s services.

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Resolved:-

- (1) that the Director - Adult Social Care create an appropriate staffing structure and commence recruitment for the new Integrated Social Care and Health Centre, Harvest Road, Rowley Regis, subject to job evaluation of the Registered Manager and Assistant Manager posts;
- (2) that the Director - Adult Social Care enter into agreements with Sandwell and West Birmingham Clinical Commissioning Group and Sandwell and West Birmingham Hospitals NHS Foundation Trust on the required Nursing Staff, Therapy Staff and GP support for the Integrated Social Care and Health Harvest Road, Rowley Regis.

144/19 Supply of Plumbing Parts

Approval was sought to award a contract for the supply of plumbing parts to the Council's Asset Management and Maintenance Supplies section.

The existing contract was due to end on 30th November 2019. Four tenders compliant with the specification had been received and evaluated. Based on both price and quality, the tender that represented best value was from Powred Heating Components Ltd.

Resolved:-

- (1) that the contract for the supply of plumbing parts for Council properties be awarded to Powred Heating Components Ltd, for a four year period commencing 1st December, 2019;
- (2) that, in connection with Resolution (1) above, the Director – Law and Governance and Monitoring Officer enter into an appropriate contract with Powred Heating Components Ltd, on terms to be agreed by the Director – Housing and Communities.

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145/19 Ratification of Sandwell Children's Trust Board Member

The Cabinet was informed that, consequent to him leaving the employment of the Children's Trust, Dan Mortiboys (Director of Resources) had resigned from his role as Executive Director to the Board. The Board had subsequently appointed Pauline Turner (Director of Operations) to the role.

As the Trust was wholly owned by the Council, the Cabinet was asked to ratify the appointment.

Resolved that the appointment of Pauline Turner, Director of Operations at Sandwell Children's Trust, to the role of Executive Director of the Children's Trust Board, be approved.

(The meeting ended at 4.22pm)

Contact Officer: Stephnie Hancock
Democratic Services Unit
0121 569 3189