

Emergency Committee Agenda

Wednesday 24 June 2020 at 15.30

The meeting will be conducted virtually via Microsoft Teams

Please click on the link below to view the meeting live:
[Emergency Committee - 24 June 2020](#)

This agenda gives notice of items to be considered in private as required by Regulations 5 (4) and (5) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

1. Apologies

To receive any apologies for absence.

2. Minutes

To confirm the minutes of the meetings held on 27 May 2020 as a correct record.

3. Declarations of Interest

To receive any declarations of interest from members relating to any item on the agenda, in accordance with the provisions of the Code of Conduct and/or S106 of the Local Government Finance Act 1992.

4. Additional Items of Business

To determine whether there are any additional items of business arising which should be considered at the meeting as a matter of urgency.

Public Items

5. Re-introduction of market stall fees in post-coronavirus recovery period Market Fees

To consider proposals in relation to reintroducing market fees in Sandwell.

6. Amendment to emergency changes to Financial Regulations and Procurement and Contract Procedure Rules

To consider proposals to make changes to the Council's Financial Regulations and Procurement and Contract Procedure Rules in response to Covid-19.

7. Use of donations received by the Council during Covid-19

To consider proposals to use donations received by the Council during Covid-19.

8. Six Month Attendance Rule

To consider proposals in relation to member attendance in accordance with Section 85 of the Local Government Act 1972.

Standing Item

9. Decisions taken by the Leader and Chief Officers in accordance with Delegated Powers

To receive for information, details of decisions taken by the Leader of the Council and by Chief Officers in accordance with the Scheme of Delegations.

David Stevens
Chief Executive
Sandwell Council House
Freeth Street
Oldbury
West Midlands

Distribution:

Councillor Y Davies (Chair);

Councillor Ali (Vice-Chair);

Councillors Crompton, Hadley, Millard, Moore and Shaeen

Contact: democratic_services@sandwell.gov.uk

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Emergency Committee

Wednesday 27 May 2020 at 13:00 at Sandwell Council House, Oldbury

Present: Councillor Y Davies (Chair);
Councillors Ali, Crompton, Hadley, Millard and Shaeen.

Officers: David Stevens (Chief Executive), Neil Cox (Director - Prevention and Protection), Lesley Hagger (Executive Director – Children’s Services), Sue Knowles (Head of ICT and Revenues and Benefits), Stuart Lackenby (Director - Adult Social Care), Lisa McNally (Director – Public Health), Elaine Newsome (Service Manager – Democracy), Nicola Plant (Service Manager - Regulated Services and Transformation), Sue Stanhope (Interim Director – Human Resources), Suky Suthi-Nagra (Democratic Services Manager), Surjit Tour (Director of Law and Governance and Monitoring Officer) and Chris Ward (Director – Education, Skills and Employment).

30/20 Apology for absence

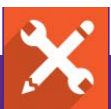
Members noted the apology of Councillor Moore, Chair of the Safer Neighbourhoods and Active Communities Scrutiny Board. The Chair, on behalf of the Committee, wished Councillor Moore all the very best for a speedy recovery.

31/20 Minutes of Meetings

The minutes of the meeting held on 6 May 2020 were confirmed as a correct record.

32/20 Declarations of Interest

No interests were declared at the meeting.



33/20

Additional Item of Business – Membership of the Emergency Committee

The Leader reported that in view of Councillor Moore's continued absence from the Committee due to personal circumstances, it was necessary to consider his continued or an alternative appointment in order that there was Scrutiny representation on the Emergency Committee to provide effective challenge during this critical time.

Whilst Committee appointments were normally a matter for Full Council, in situations where the Council enacted constitutional provisions, the Emergency Committee was able to undertake such activities as were normally reserved for Council.

It was moved, seconded and **Agreed** that Councillor Singh, Chair of the Children's Services and Education Scrutiny Board, replace Councillor Moore as scrutiny member on the Emergency Committee with immediate effect.

34/20

COVID-19 Reset and Recovery Planning – Roadmap of Activity

Consideration was given to proposals on how the Council would reset services following the COVID-19 pandemic and plan for future recovery of the organisation and Sandwell. The proposals were aligned to the strategic priorities set out in the Corporate Plan. The implementation of these plans was responsive to the local context and national policy changes and built in the necessary flexibility and resilience.

The Reset and Recovery Plan would focus on the future, not return to 'business as usual', whilst maximising opportunities to reform, re-imagine and re-invent the organisation by using a set of working principles that would drive innovation as one council, one team.

The Council would continue to work with communities and partners to:-

- embed community wealth building principles;
- exploit opportunities for a green recovery;
- continue to provide services digitally wherever possible to free up resources to support those who could not engage digitally with the council;
- empower the workforce to continue to be flexible and resilient.

Planning activity would be in the context of a fundamentally different economic and social landscape than before the pandemic, not only for the Council but for communities. The financial impact upon councils as a result of COVID-19 was significant and the financial pressure that local government faced over the short, medium and longer term would be a key factor of the reset and recovery plans.

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Consideration was now given to a number of presentations as follows:-

Trajectory of COVID-19 within Sandwell

The Director – Public Health provided details of work currently being carried out by Public Health within Sandwell, including areas where work had to continue despite the pandemic, and work with various care homes, schools and work places to advise on how to manage outbreaks and risk.

Details were provided of Sandwell's position in relation to reported Coronavirus cases and the number of deaths in comparison to national and regional cases. Due to the number of older people, Black, Asian and Ethnic Minority population residing in Sandwell and high levels of socio economic deprivation, Sandwell seemed to be disproportionately affected by the virus. It was noted that Wolverhampton and Walsall had an equally high number of cases within the Black Country. Work was being carried out to address this.

The Chair requested that future analysis also include the curve for the Black Country.

The Chair placed on record her appreciation for all of the hard work being undertaken by Public Health to help manage the outbreak, working 7 days a week and requested that staff try, wherever possible, to take respite and look after their own wellbeing too.

Financial Impact of Covid-19

The Vice Chair provided an update on the financial impact of the pandemic in the form of both additional expenditure and a loss of income from various sources.

The funding that the Council had received from the Government in response to Covid-19 was set out in the table below: -

Income Stream	£m
Council Tax – Hardship Relief	4.547
Small Business Grants	73.036
Care Homes – Infection Control	2.876
Emergency Funding – Tranche 1	12.495
Emergency Funding – Tranche 2	9.083
Total	102.037

Only the emergency funding of £21.578m was un-ringfenced and could be used to fund the range of financial pressures being incurred.

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The latest version of the Ministry of Housing, Communities and Local Government (MHCLG) return was submitted on 15 May 2020. This reported estimated financial pressures of £24.385m, which was made up of £10.566m additional expenditure and £13.819m loss of income, based on the assumption, specified by the MHCLG, which was that the current circumstances continued for a period of 4 months i.e. until the end of July. This left a shortfall of £2.807m which would need to be funded from the Council's reserves unless compensating savings were identified during the financial year.

The Committee expressed concerns at the current financial situation and insufficient income and increased expenditure was impacting upon the delivery of key services. It was felt that the Government should allocate resources to local authorities proportionally based on the levels of COVID-19 cases to prevent the council utilising depleting reserves. The Vice Chair reported that Sandwell and Wolverhampton Councils would be lobbying the Government on this matter.

Business Support Grant and Discretionary Business Grant Fund Policy

The Head of ICT and Revenues and Benefits provided an update on the level of small grants paid to small businesses within Sandwell in order to help them during the pandemic. Approval was also sought to the new Discretionary Grant Scheme Policy.

The Small Business (SB) and Retail Health and Leisure (RHL) grants were one-off payments. The discretionary grants were one-off payments and funding of £3.362m had been provided by the Department for Business, Energy and Industrial Strategy (BEIS) for these grants. Total grant payments must not exceed this amount.

One of the issues faced by Sandwell was the high volume of small businesses in the borough. These businesses were not liable to pay business rates and there was no legal obligation for them to report their occupancy to the Council. This meant that a large proportion of the information held by the Council was out of date/inaccurate.

75% of all applications received to date had been dealt with. To process grants as quickly as possible, the resource working on grants was increased. The applications currently outstanding were those that were either in query or those where further information from businesses was yet to be supplied.

The Committee placed on record their appreciation to the work of the Revenues and Benefits Team and made reference to the unfair way in which the Team had recently been criticised.

Support for Elderly and Vulnerable Residents

The Executive Director – Neighbourhoods provided an update on Council support to vulnerable and elderly residents in the community people who were unable to leave their property due to the increased risk of contracting COVID-19.

The role of the Council to support people within the shielding group had been significantly expanded through subsequent Government guidance that had resulted daily in the Council receiving the following data, requiring response:

- people registering for a food package
- new people added to the shielding list who had registered for support on the Government's website. This could be either urgent food requirements or the need for care and support
- people on the shielding list who the Government had been unable to contact.

The Council was currently receiving the details of around 40 new residents daily.

The Chair thanked the Team for the way in which the vulnerable in Sandwell were supported and made reference to the positive feedback received from residents receiving various support from the Council. However, it was acknowledged that it was not sustainable for the Council to continue to provide these services. Consideration would need to be given on options how the community could support vulnerable residents to enable the Council to commence the delivery mainstream services. A further report with options on support mechanisms would be submitted to a future meeting of the Committee.

Personal Protective Equipment (PPE)

The Service Manager – Regulated Services and Transformation provided an overview of PPE supply management by the Council.

The largest items of PPE demanded were face masks and gloves with an average daily distribution of over 500 masks and over 3000 gloves. The majority of these supplies had been distributed to the Adult Social Care sector, internal and external including residential, nursing and domiciliary care providers. Some provision had also been made to Funeral Directors, Children's social care and school services to meet urgent need.

Systems were in place to monitor and manage the fluctuating demand on PPE stock levels which could be affected by a number of issues such as levels of transmission and changes to guidance on the usage of PPE.

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Over recent weeks, the Council had established a strong supply chain and would continue to utilise the relationships that had been established to respond to demand in this area.

Adult Social Care Infection Fund Ring Fenced Grant 2020

The Director – Adult Social Care provided details of the Adult Social Care Infection Fund Ring Fenced Grant 2020 and sought approval to authorise the Director - Adult Social Care, in conjunction with the Director - Public Health, to administer the Adult Social Care Infection Fund Ring Fenced Grant 2020 in line with Government guidance.

On 22 May 2020, the Department of Health and Social Care published the Local Authority Circular ‘Adult Social Care Infection Fund Ring Fenced Grant 2020’. The circular provided details on the Government’s Adult Social Care Infection Control Fund worth £600 million nationally. Sandwell’s allocation of this fund was £2.8 million.

The primary purpose of this fund was to support adult social care providers, including those with whom the local authority did not have a contract, to reduce the rate of coronavirus transmission in and between care homes and support wider workforce resilience. A small percentage of it may be used to support domiciliary care providers and support wider workforce resilience to deal with coronavirus infections. This funding would be paid as a Section 31 grant, ring fenced exclusively for actions which supported care homes and domiciliary care providers mainly to tackle the risk of coronavirus infections and was in addition to funding already received.

Agreed:-

- (1) that the framework for Covid-19 reset and recovery planning be endorsed;
- (2) that the Council’s approach to restarting services as soon as is safe to do so and following appropriate health and safety measures being put into place be noted;
- (3) that the Discretionary Business Grants policy as now submitted be approved;
- (4) that the Director - Adult Social Care, in conjunction with the Director - Public Health, administer the Adults Social Care Infection Fund ring fenced grant in line with Government guidance;
- (5) that a further report be submitted to the Committee on measures to take to ensure that the community can help provide support to the most vulnerable to enable the Council to commence mainstream services.

35/20

Phased Reopening of Sandwell Schools

The Executive Director of Children's Services reported that whilst schools had been 'closed' since 20th March 2020, although they had remained open to the children of key workers and vulnerable children, on Sunday 10th May 2020, the Prime Minister announced that there would be a phased return of pupils to schools from 1st June 2020 beginning with Reception, Year 1 and Year 6. Sandwell's schools and Council officers had worked productively to develop a plan to safely manage the introduction of more children back to school from 1st June.

It was anticipated that secondary schools would be opening on 15th June 2020 and the Council, alongside schools, were working hard to reach a consensus on how to safely open schools for a wider group of children.

The proposed arrangements were shared with local Trades Unions who accepted that, although national Trade Unions were in ongoing dialogue with the DfE and the outcomes of this were not yet known, the Council and schools did need to prepare for a potential phased reopening. Trades Unions had also shared risk assessment and planning documents with schools to assist with this process.

The results of consultation with primary parents showed that 20-25% of families would like to take up the offer of returning pupils to school. If this was uniformly the case, all year groups would have an offer. However, if more vulnerable children came back to school and more key workers requested places for their children, the wider offer would have to be reduced according to the space available in the schools.

The Chair, on behalf of the Committee, reiterated to all parents that the decision to return pupils to school had to be made by them in the best interests of their child. Whilst the Director - -Public Health was in regular contact with schools to help ensure risks were minimised, the local authority would not be issuing fines to parents if they chose not to send their children into school.

Agreed:-

- (1) that the actions taken to date regarding the phased return of pupils to Sandwell schools be noted;
- (2) that further reports in relation to pupils returning to Sandwell schools be submitted to future meetings of the Committee.

36/20

Programme of Committee Meetings 2020

Approval was sought to the updated calendar of committee meetings to September 2020, pending a further more detailed committee programme being considered at a future meeting of the Emergency Committee.

This would enable more testing to be undertaken on the most effective platform to use to enable effective remote committee meetings to take place in line with The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 ("the Remote Committee Regulations") which came into force on 4th April 2020.

Agreed that the programme of committee meetings for 2020, as now submitted, be approved and a further report be submitted to a future meeting to approve a further programme of meetings for the remaining 2020/21 year.

37/20

Decisions taken by the Leader and Chief Officers in accordance with Delegated Powers

There were no delegated decisions taken since the last meeting of the Committee.

This meeting was webcast live and is available to view on the Council's website https://www.youtube.com/watch?v=o_zOeUaJPLg

Meeting ended at 14:34

REPORT TO EMERGENCY COMMITTEE

24 June 2020

Urgent Item

Subject:	Review of Sandwell’s Emergency Food Provision in response to Covid-19
Director:	Executive Director - Neighbourhoods Alison Knight
Contribution towards Vision 2030:	
Contact Officer(s):	Nicky Denston, Service Manager – Business Excellence

DECISION RECOMMENDATIONS

That :

1. the Executive Director – Neighbourhoods be authorised to close the food hub at Tipton Sports Academy on or before 31 July 2020 and operate at a reduced scale of 3 days a week until this point.
2. the Executive Director – Neighbourhoods be authorised to enter into negotiations with a supplier to provide and deliver food parcels to vulnerable residents, families and children until 30 September 2020.

1 PURPOSE OF THE REPORT

- 1.1 To present the findings from a review of Sandwell’s emergency food provision in response to Covid-19.
- 1.2 To provide details of the options considered for the future of the food hub at Tipton Sports Academy.

2 **IMPLICATIONS FOR VISION 2030**

- 2.1 Providing food parcels to vulnerable families and children across Sandwell during the covid-19 crisis has assisted them in getting the best start in life. We want Sandwell to be a place where we live healthy lives and live them for longer and where those of us who are vulnerable feel respected and cared for. Providing healthy food parcels has supported residents to stay at home and protect their own health, the NHS and care providers.

3 **BACKGROUND AND MAIN CONSIDERATIONS**

- 3.1 On the 24th March 2020 the Ministry of Housing, Communities & Local Government issued guidance outlining the need for a partnership approach between national and local agencies to support those people in our communities who are at the highest risk of severe illness ('the clinically extremely vulnerable') if they contract COVID-19 and therefore have been advised to isolate themselves ("shielding") for a period of time.
- 3.2 There are three strands of support being offered people who need to shield and do not have a close network of support available to them:
- Food: delivery of basic food parcels directly to people's doorsteps
 - Medicines: provision of prescription medication delivered by community pharmacies.
 - Social contact: local authorities, working with the voluntary and community sector, providing social support to people who might be feeling isolated at this difficult time.
- 3.3 The Council recognised the 'shielding list' does not identify everyone who either may be vulnerable or those who may require support and assistance during the crisis. We have therefore identified a local authority vulnerable-risk group to sit alongside the information we receive from the NHS.
- 3.4 The vulnerable-risk group contained a further 15,392 people in addition to the 6692 on the 'shielding list'. A proactive approach was taken to contact all of Sandwell's 135,000 households providing them with contact details of a practical support line dedicated to identifying support residents required such as food, medication or the need for urgent care and support.
- 3.5 Initial guidance from the government indicated that Sandwell would receive 10,000 food parcels and a sizeable storage facility was required. Tipton Sports Academy was identified as an effective solution. However, only 50 food parcels were delivered, and further government advice was local provision was required to fill any gaps in provision.

- 3.6 In response to the urgent need for food supplies for those on the shielded list or self-isolating, a food distribution hub was created at Tipton Sports Academy with support from Sandwell Leisure Trust from the 23 March 2020. The development of the food hub was the first in the West Midlands region and demonstrated the proactiveness of the response to help our vulnerable residents.
- 3.7 The setting up of an emergency food hub at very short notice with no experience or plans on how to do this was a real challenge. However, teams from across the council and with support from our partner organisations, the Albion Foundation and West Midlands Fire Service pulling together to develop what is now a smooth-running machine, delivering hundreds of parcels a day to vulnerable families and children.
- 3.8 A major success of the food hub has been the speed of mobilisation from a sports hall to a fully functioning food distribution hub within a matter of days. This required immediate responses to sourcing adequate volumes and types of food stocks, equipment, packaging, transport, refrigeration facilities and dealing with health and safety issues. The Council can demonstrate it can quickly mobilise employees, resources and infrastructure to implement emergency food provision and delivery in response to any future emergency.
- 3.9 The initial delivery of food parcels was focused on emergency provision identified via referrals from the practical support unit and the immediate need of shielded residents waiting for the delivery of government food parcels. At the start of lockdown government appointed suppliers experienced delivery issues and the food hub provided an immediate response and a vital stop-gap for vulnerable residents. Parcels have been delivered within 2 hours of a phone call from a resident to the practical support unit. This is exceptional performance at a time of crisis and feedback from residents on the speed of delivery, quality of contents of the food parcel and general customer service has been excellent.
- 3.10 Sandwell was the first in the region to establish its food hub and is seen as best practice in terms of its quick mobilisation, community connections and expansion to support other vulnerable groups within Sandwell. It has been represented on the vulnerable persons cell for food on a regional level and this has provided a platform to work with other local authorities, Ministry of Housing, Communities and Local Government (MHCLG), West Midlands Police, West Midlands Fire Service, West Midlands Combined Authority (WMCA) and the Department of Environment, farming and rural affairs (DEFRA) to feedback practical issues as well as informing government responses to food during the covid-19 pandemic.

3.11 Key statistics from the food hub are:

- Over 10,000 parcels have been delivered as at 5 June 2020
- 20 residents living in temporary accommodation have been supported with donated hot meals and basic food stocks on a weekly basis.
- Over 50 residents referred from 2 local faith groups have been provided with weekly food parcels.
- 296 children not currently on the school roll have been receiving the weekly equivalent of £15 of food on a weekly basis.
- Over 500 children and families have been supported via referrals from the Children's Trust.
- 14 schools have been provided with more than 200 food parcels on a weekly basis to support vulnerable families they have identified.
- Over 80 Sandwell employees have been involved in packing and delivering food parcels since 23 March 2020.
- In the region of £6k of food has been provided to Sandwell's food banks during this period which represents feeding 250 families.

4 THE CURRENT POSITION

- 4.1 In total over 10,000 food parcels have been provided to vulnerable residents in Sandwell. The decision was taken to focus on immediate and urgent need and parcels are provided to residents on a one-off basis unless a further referral is accepted by the practical support unit. The intention from the commencement of the food hub was to identify alternative pathways for support and the offer from the voluntary and community sector has proven to be a real success as we have seen referrals from the practical support unit reduce by 50% over the last 4 weeks. Other local authorities took the route of providing weekly food parcels to all vulnerable residents', but this may have initiated some reliance within their communities and at a considerable expense.
- 4.2 One of the major outcomes of the Sandwell food hub has been the response to immediate need but also the transfer of need to more sustainable options. Working in partnership with voluntary and community sector partners to find community-based solutions that meet on-going needs has included the Good Neighbours initiative and Community Offer as well as, relatively small scale, community kitchens and food pantries.
- 4.3 The food hub has expanded its offer over the last 11 weeks providing invaluable assistance to a wider range of vulnerable residents. The offer is now available on a weekly basis and has provided 393 meals to 20 residents living in 9 venues of temporary accommodation, weekly to 296 children currently not on the school roll, direct referrals from 14 local schools and referrals from the Children's Trust. Over one-third of referrals,

a total of 2692 parcels have been provided to support vulnerable children and families.

4.4 The food hub's success over the last 11 weeks has not been purely due to the deliveries of food parcels to vulnerable residents. It has created a far bigger impact and sustainable legacy that has and will improve the lives of the people of Sandwell. The outcomes delivered are:

- **Employees** - In total over 80 employees have been redeployed to work at the food hub and they have benefitted from this on several levels. Transferable skills have been utilised to work in different roles, many of them practical and manual. Individuals and teams from across the council have come together to work for the same purpose and this has led to the development of positive working relationships and friendships which would not have been created previously. Some employees have demonstrated leadership qualities which has supported their personal development and may lead to potential future opportunities within the organisation. There has been overwhelmingly positive feedback from those employees who have been redeployed to work at the food hub.
- **Collaborative working** - with our stakeholders and partners including the West Midlands Fire Service, Sandwell Leisure Trust and the Albion Foundation it has demonstrated public and voluntary services can collaborate beyond organisational boundaries, particularly in the event of a crisis. There are further opportunities available to work collectively on the food offer going forward.
- **Food Banks** - The current operating model of the food banks would not have been able to deliver an immediate or sustained response to the increased demands during this crisis, particularly because of a reduction in donations and real difficulties in purchasing food in bulk from supermarkets. The food hub has been supplying the food banks with supplies and donations on a weekly basis to ensure they are well stocked. On average food banks in Sandwell saw an average increase in demand of 188%, with the highest being a 358% increase in Smethwick. The food hub has been supplying the food banks with supplies and donations on a weekly basis to ensure they are well stocked.
- **Networking and contacts** - Working with local businesses and suppliers has created future supply chains and networks for both supplies and donations which can be utilised in the future by food banks, food pantries and community kitchens across Sandwell, supporting them to become sustainable. An area of interest is the spatial mapping of deliveries which identifies in each of the six towns that residents accessing food parcel support do not live near their local food bank. This demonstrates that the reliance on existing food

banks during this time would have met the needs of the vulnerable-risk group in Sandwell.

- **Impact on personal finances** - It has become apparent that individuals and families have been feeling the financial strain throughout the pandemic and the food hub has assisted these residents with essential food supplies at a time where they were struggling financially. The provision of food has supported families who may not have accessed local authority support previously but have been affected by unemployment or furlough arrangements during this period. Going forward, work needs to be done to ensure that residents are referred for help with benefits, debt and budgeting from the Sandwell Advice Providers Network. Advice is available by phone and face to face services are opening up for vulnerable people.
- **Emergency Support** – Providing emergency support without developing a long-term dependency on the council has been a key achievement. 43% of residents received only 1 food parcel over the last 11 weeks and less than 2% of residents had more than 5+ parcels. This has demonstrated that the food hub has been effective at delivering an emergency only response which hasn't led to a reliance on continuous food parcels. This will lessen the impact on residents when the food hub is reduced. Many other councils have been providing weekly parcels to their vulnerable residents. However, Sandwell have been successful in ensuring that those residents without family, friends or neighbours to help them out have been supported by volunteers or voluntary organisations. Although the food hub offer is Monday to Friday, the Community Alarms service have been providing weekend cover for a 7 day a week service.
- **Safeguarding and welfare** - of our residents has been a real outcome from the delivery of parcels. On numerous occasions, delivery drivers have identified issues where residents have required additional support and in some instances emergency assistance. Following 2 attempted calls, for difficult to reach residents, cases are passed over to Adult Services and the Community Offer to check for alternative contact details and where necessary welfare visits are conducted. Early identification and resolution via the established pathways and have led to positive outcomes for the residents involved. Non-delivery of school parcels has led to the identification of changes of address of children and safeguarding alerts on some occasions which again have been proactively resolved. Via the development of relationships with local faith and community groups

we have been able to identify other harder to reach vulnerable people in Sandwell.

- **Social contact** - The delivery of parcels, although social distancing is adhered to always, has provided socially isolated individuals a small amount of contact which can prove invaluable for their mental health.
- **Emergency response** – Demonstrated our ability to scale up the approach to meet the changing demands throughout the pandemic. The scope of the food hub has successfully been widened to meet emerging demands such as those from the Education service and residents living in temporary accommodation.
- **Education** - The food hub has significantly augmented schools' ability to deliver front line support to struggling families and helped plug a poverty gap between children eligible for a free school meal and those families who have been barely coping due to significantly reduced income. It has helped schools identify those families in need of additional support and gave them another avenue to connect directly with them to ensure children were safe and well. This has boosted the reputation of the council with schools and the community and encouraged schools to create new partnerships with the Albion Foundation, food banks and other local voluntary organisations.
- **Flexibility of approach** – The strength of the approach has been the ability to review and develop the offer as time has progressed. This has included reviewing of the parcel contents in conjunction with public health leading to a 40% reduction in the cost of each parcel whilst ensuring it met the basic weekly needs of residents and public health dietary standards. Sandwell's parcels have been one of the only parcels regionally to provide fresh produce such as cheese, butter and eggs and be supplemented with frozen meals.
- **Geographical spread** - in terms of demand West Bromwich has seen the highest number of parcels but has the highest levels of population in general and the highest levels of over 65+ in Sandwell. Although Tipton has the lowest 65+ in Sandwell, it does have the highest levels of deprived households in Sandwell, which is why it has seen the 3rd highest number of deliveries from the food hub.

5 CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)

- 5.1 Feedback from customers who have received deliveries from the food hub have been extremely positive. There has been a high number of compliments both written and directly from customers to delivery drivers. The speed of delivery and the quality and contents of the box are the primary reasons for compliments. This has been supplemented by positive comments from local schools, food banks and faith groups who have been grateful for the provision of food parcels and donations.
- 5.2 A total of over 80 employees have been involved in the daily running of the food hub. Feedback from employees has been extremely positive and the overarching view has been a sense of satisfaction and community pride.
- 5.3 As part of the development of alternative options there has been consultation with the key partners including Sandwell Leisure Trust, the Albion Foundation, West Midlands Fire Service, Public Health, Education and Adult Services.

6 ALTERNATIVE OPTIONS

- 6.1 An options appraisal has been developed identifying the advantages and disadvantages of the different proposed options. This has been used to inform the recommendations. Appendix 1 refers.

6.2 Option 1 – Retain the existing food hub service

Continue with the current arrangements of providing and delivering food parcels from the food hub at Tipton Sports Academy for vulnerable residents and those identified by Children’s Services and Education.

6.3 Option 2 - Transfer food hub service to existing food banks

Transfer any remaining stock and relevant equipment to the Sandwell food banks. Residents will have to go to their local food bank to access supplies, although two of the food banks have been providing limited delivery.

6.3 Option 3 – Develop a community food offer

It is proposed to develop A ‘community food offer’ for residents in Sandwell. The aim is to initially establish a baseline of current provision around food in key areas such as volunteering, transport, food banks, community kitchens and partner organisations such as voluntary and faith groups. The intention is to develop a web of support for children, families and vulnerable people who require access to emergency food.

6.4 Option 4 – Close food hub from 31 July 2020

Close Tipton Sports Academy as a food hub completely from 31 July 2020.

6.5 Option 5 – Reduce scale of offer at Tipton Sports Academy

Continue to use the facility of Tipton Sports Academy as the infrastructure is already in place and reduce the delivery from 5 days a week (Monday to Friday) to 3 days a week (Monday, Wednesday and Friday). This service would close on or before 31 July 2020.

6.6 Option 6 – Only provide parcels to vulnerable children and families

Continue with the current arrangements at the food hub but only provide parcels and delivery to those identified by Children’s Services and Education.

6.7 Option 7 – Close food hub on or before 31 July 2020 and use supplier to purchase and deliver all food parcels

Close the food hub on or before 31 July 2020 and transfer all remaining food stocks to the food banks. Those residents suffering financial hardship, who are not self-isolating or suffering from covid-19 and are able to leave their homes will not receive a food parcel from the food hub. These residents will be required to apply for a Local Welfare Provision food voucher to access food from their local food bank.

To support those residents in crisis who are vulnerable and self-isolating a contracted supplier will provide and deliver a food parcel with next day delivery. The parcels contents would be sufficient to last the resident for 6 days. In emergency cases a food parcel will be delivered to the resident within 4 hours. Other options to support immediate response will be explored. The next day delivery principle would be utilised to provide parcels for those identified by Children’s Services or Education.

Bulk purchase of food for the food banks will continue, with a review in mid-September 2020.

7 **STRATEGIC RESOURCE IMPLICATIONS**

7.1 The total spends on the food distribution hub as at 5th June 2020 is £0.279m. A breakdown of this expenditure is summarised in the table below.

Expenditure	£
Food supplies	217,211
Packaging	3325
Equipment	17,487

Safety equipment	168
Security	38,862
Stationery	1,709
Leaflets	1,119
Other	133
Total	279,434

7.2 The total spends on the food distribution hub as at 5th June 2020 is £0.279m. A breakdown of this expenditure is summarised in the table below.

7.3 The recommended option 8, which would utilise a supplier to provide food parcels and deliver them to residents would require the council to purchase a minimum of 2000 parcels at a cost of £15.35 per box. Delivery of the boxes would cost an additional £7 per box. The total of the service excluding VAT would be £22.35 per box. Our current food parcel costs £24 per box and this does not include delivery.

7.4 All costs directly related to food will be fully funded from the Covid grant received by MHCLG due to the emergency response to the crisis.

7.5 Using a supplier for future food parcels will not impact on the EU procurement threshold of £189,330 therefore a formal procurement exercise in line with EU legislation is required. The Councils Procurement and Contract Procedure Rules have been updated as follows; *“For new contracts below the threshold for supplies and services set out in the Public Contracts Regulations 2015 (PCR 2015) a direct contract award may be made, provided that value for money can be demonstrated and subject to budget holder approval”*.

8 LEGAL AND GOVERNANCE CONSIDERATIONS

8.1 As part of the government arrangements for supporting residents Sandwell has responded by providing food parcels for those individuals on the NHS shielded list and those residents identified as being on Sandwell’s vulnerable-risk list.

9 EQUALITY IMPACT ASSESSMENT

9.1 An equality impact assessment is not required at this stage.

10 DATA PROTECTION IMPACT ASSESSMENT

11.1 Personal information on children and families is held by schools only. The delivery of food parcels and the process of receiving the recipients contact details including name, address and telephone address have been agreed by the council’s information governance unit.

11 CRIME AND DISORDER AND RISK ASSESSMENT

- 11.2 Provision of food parcels provides support to families where many of them are experiencing financial hardship. The support provided can prevent incidences of crime linked to deprivation within families with little or no support networks.
- 11.3 Tipton Sports Academy was identified immediately by West Midlands Police as a priority 1 response location. This has been supplemented by 24-hour security and there has been no incidences of crime and disorder at the facility.

12 SUSTAINABILITY OF PROPOSALS

- 12.1 The food hub was set up in response to the covid-19 emergency and is not intended to be a permanent facility. Alternative options to provide food support are outlined in section 6 and Appendix 1.
- 12.2 Following a campaign by footballer Marcus Rashford the government has made the announcement that free school meal provision is to be extended in England to cover the Summer school holiday period. This award of £120m will see children receiving vouchers of £15 per week and will support 1.3m children across England. An additional £63 million will be given to local authorities to help those who are struggling financially due to the impact of COVID-19. This will allow authorities to step in and provide discretionary financial help to those facing severe hardship to allow them to pay for food and other necessities. These measures will help to support children and families in Sandwell.
- 12.3 There are 296 children currently not on the school roll within Sandwell who would qualify for free school meals if they were in education. Under the announced government guidelines these children would not benefit. These children have been supported since the food hub commenced on 23 March 2020 and it is proposed to continue with this support until 30 September 2020.
- 12.4 The council will continue to identify vulnerable children and provide them with food support as and when it is required. This will be via direct referrals from Children's, education and schools. The Regional Schools Commissioner has indicated that schools will not be asked to be open for children over the Summer break. Although holiday play activities may be delivered instead. Prior to the end of the school term schools will be asked to provide information about families in need to ensure they access food support.

12.5 For those residents suffering financial hardship during this period, food vouchers are available outside of local welfare provision. They can be applied for via the council's website or are accessible from voluntary organisations.

12.6 The council will support local food banks in dealing with any issues of increased demand as a result of the recommendations.

13 HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

13.1 The supplies for the food hub were initially purchased from local wholesalers as supermarkets were not providing bulk buying options for local authorities. Both wholesalers used, although national companies were both located in Sandwell. As demand grew, local suppliers were utilised for a range of food products and equipment. Sandwell businesses equated for 71% of supplies purchased and of those 50% are small and medium sized enterprises. Over 90% of donated items provided to the hub were from Sandwell businesses and organisations and 100% of those were used to increase the contents of food parcels or to support Sandwell food banks.

13.2 As part of the transition arrangements from the food hub residents continuing to receive parcels will be provided with a leaflet identifying alternative arrangements to support them in gaining access to food. As well as containing information on the vulnerable persons offer from supermarkets, there is an opportunity for some Sandwell businesses to promote their food delivery options to Sandwell residents, supporting Sandwell's community wealth building principles.

13.3 Public health will have input into the final contents of the supplied food parcel to ensure it meets nutritional standards. The food parcels purchased will contain non-perishable items and there are the opportunities to cater for dietary requirements.

13.4 A second wave of the pandemic is predicted for autumn/winter. This could be significantly increased localised outbreaks or a new wave of general transmission across the community. If we see localised outbreaks we would work with the supplier alongside Public Health to take requests for support to the individuals affected, in coping with time limited self-isolation. If there is a new wave of transmission, then the supplier would be engaged again to produce and deliver food parcels directly to residents.

14 IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

14.1 Tipton Sports Academy has been the venue for the food hub since the 23 March 2020. This is a council owned asset managed by Sandwell Leisure Trust.

14.2 Provisional date for Sandwell Leisure Trust to reopen Tipton Sports Academy is the 4 July 2020. It is planned that the academy will not revert to the full pre-covid programme of activities and the current space utilised for the food hub could continue to be used. This would be subject to a full risk assessment.

15 CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

15.1 The recommendation following the development of an options appraisal is Option 7:

- To continue with the food hub at Tipton Sports academy on a reduced scale, operating 3 days a week.
- To close the food hub on or before 31 July 2020.
- Develop a scheme with a supplier to purchase and deliver food to vulnerable residents and requests from children and education until the 30 September 2020.
- To be reviewed if a second spike of Covid-19 happens.

15.2 It is expected that the number of referrals for vulnerable residents will continue to reduce week by week as shielding comes to an end. Community Offer will provide support for vulnerable residents and it is anticipated that more community-based access to food will gradually start to open.

15.3 This recommendation would enable a service to be provided until the government's recommended shielding period ends. It also ensures that the good work being provided to support schools and their vulnerable children and families continues until children fully return to school in September 2020.

15.4 This recommendation would need to be reviewed if there is a second spike of covid-19 and shielding arrangements and self-isolation rules are enforced again.

16 BACKGROUND PAPERS

16.1 None

17 APPENDICES:

Appendix 1 – Options Appraisal Food Hub

Alison Knight
Executive Director - Neighbourhoods

Appendix A – Options Appraisal Food Hub

Option	Advantages	Disadvantages
<p>1. Retain the existing food service up until 30 September 2020</p>	<ul style="list-style-type: none"> The food hub has provided an excellent service since it has opened. 	<ul style="list-style-type: none"> The reason the food hub was set up was to provide emergency support for vulnerable residents either shielding or self-isolating. The numbers of referrals have reduced dramatically over the past 4 weeks, making full time delivery of the service for this cohort alone unsustainable. Requires employee resources to manage the facility who may be needed in the reset of the service areas they work in. Security costs of £3k per week would still be required.
<p>2. Transfer food hub service to existing food banks</p>	<ul style="list-style-type: none"> Transitioning of demand into the voluntary and community sector Transferred stock will help to replenish food stocks of food bank 	<ul style="list-style-type: none"> Transitioning the food hub service to be delivered by the food banks will not provide a delivery service to vulnerable residents who cannot travel to the food bank. Parcel deliveries have primarily been to locations which are not near a local food bank. Food banks are managed by volunteers and they may not be able to deal with the increased demand this would place on them. The council may be required to provide continued funding for a period to support the increased demand for food stocks. This option may cause an increased reliance from residents on food banks, which will be difficult to sustain.

Appendix A – Options Appraisal Food Hub

<p>3. Develop a community food offer</p>	<ul style="list-style-type: none"> • The community food offer could provide an easily accessible, local solution utilising community assets. • This would be more of a long-term sustainable solution • Would support a wider group of residents going forward 	<ul style="list-style-type: none"> • This could be a medium to long-term option but would not deliver a short-term solution. • This will take time to set up and be fully functioning and would not meet the immediate need for when the food hub may need to close. • There are still in the region of 300 vulnerable residents receiving food parcels and we would need to ensure that referral pathways are clear and developed.
<p>4. Close food hub entirely from 30 July 2020</p>	<ul style="list-style-type: none"> • Sandwell Leisure Trust have indicated that they will allow us to continue to the food hub from Tipton Sports Academy up until this point. • The government shielding programme will end on the 30 July 2020. • Numbers of practical support referrals are reducing to under 40 a day which demonstrates demand has reduced. • The taxi firms being used to support the delivery of parcels will not be available from the 17 July 2020. 	<ul style="list-style-type: none"> • Communication with residents will be required over the next 6 weeks to ensure they are aware of alternative options. • As services start to reset the staff redeployed at the food hub will be required to go back to their substantive posts which may impact on the ability to deliver the service.
<p>5. Reduce scale of food hub until 30 July 2020</p>	<ul style="list-style-type: none"> • These 3 days are currently the busiest days for referrals from the practical 	<ul style="list-style-type: none"> • The turn round time from receipt of phone call from resident to delivery of parcel will be

Appendix A – Options Appraisal Food Hub

	<p>support unit and are the days when food parcels are delivered to children.</p> <ul style="list-style-type: none"> • Referral numbers would be continually monitored, and further days could be lessened as demand reduces. • Less employees will be required to manage the reduced service and make deliveries. 	<p>impacted and residents will potentially have a longer wait time for their delivery.</p> <ul style="list-style-type: none"> • Dietary needs are more difficult to account for.
<p>6. Only provide to vulnerable children and families</p>	<ul style="list-style-type: none"> • Would reduce numbers to approximately 500 per week and would require a smaller selection of food supplies and a smaller team of employees to pack and deliver parcels. • This could run on a smaller scale until the end of the school summer holidays in September 2020. • Tipton Sports Academy can be used on a smaller scale until the end of September 2020. • The 296 children not currently on the school roll would be able to access this support as they would not be covered by the government’s funding proposals for free school meals. 	<ul style="list-style-type: none"> • Will still require a staff presence to manage the food hub. • Costs of £7.5k per week

Appendix A – Options Appraisal Food Hub

<p>7. Close food hub on or before 30 July 2020 and use supplier to purchase and deliver all food parcels</p>	<ul style="list-style-type: none"> • Sandwell Leisure Trust can start to use the full facility again as a leisure centre • Redeployed employees can revert to substantive roles • Less management intervention & resource • The cost of a parcel containing similar contents to the existing food parcel is £15, in comparison to the current cost of £24 supplied by the food hub. Delivery costs at this stage would be £7 per parcel • Food parcels could be delivered directly to homes or schools by the supplier at less cost than the existing food parcel. • The coordination with supplier can be undertaken by a small resource working from home. • This option is now being utilised by other local authorities including Birmingham and Wolverhampton Council. • The costs of purchasing parcels from a supplier would be covered under the covid-19 grant from the government. 	<ul style="list-style-type: none"> • Delivery times would be impacted from an average of 2 hours to next day delivery • Delivery of emergency parcels would cost additional, although this could be facilitated by volunteer shoppers via community offer
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REPORT TO EMERGENCY COMMITTEE

24 June 2020

Subject:	Re-introduction of market stall fees in post-coronavirus recovery period
Director:	Interim Director – Regeneration and Growth Tammy Stokes
Contribution towards Vision 2030:	 
Contact Officer(s):	David Harris Service Manager Strategic Assets and Land Gerry Ritchie Markets & Town Centres Group Manager

DECISION RECOMMENDATIONS

1. That the Committee authorise the re-introduction of markets stall fees from 1 July on all markets at full rate except for the indoor market which will receive a 50% discount for the month of July and will then return to full fees from 1 August 2020.
2. That indoor market traders that are prevented from trading due to Government guidance on shielding or vulnerable groups are eligible for a 100% discount in their market fees to be reviewed on a monthly basis by the Director of Public Health and the Interim Director Regeneration Growth.
3. That the Director of Public Health and the Interim Director Regeneration and Growth in consultation with the Cabinet Member for Inclusive Economy be authorised to re-commence charging full market fees to indoor market stallholders.

1 PURPOSE OF THE REPORT

- 1.1 Approval was given by the Emergency Committee on 22 April 2020 to cease charging rent to market traders for the period 23 March 2020 onwards, to be reviewed on a monthly basis by the Interim Director - Regeneration and Growth and the Section 151 Officer and the decision to reinstate charges to be reported back to the Emergency Committee.
- 1.2 The Reset and Recovery Board authorised on 11 June 2020 that the Council's markets could start to reopen in a phased manner from 22 June 2020.
- 1.3 The purpose of the report is to seek authorisation to start charging stall fees for market traders once the markets re-open.
- 1.4 The Markets Service has developed a comprehensive risk management strategy, with the assistance of the Council's Public Health and Health & Safety services, to mitigate risks from infection by coronavirus when markets re-open and this includes money handling procedures.
- 1.5 The Markets Service intends to introduce a contactless card system for receiving market stall fees, but this will not be operational until 1st July 2020.

2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 Non-essential retail, including indoor and outdoor market stalls selling goods that are not on the Government approved list, has been banned from operating under the Government coronavirus restrictions. This ban has now been lifted to allow outdoor markets to fully re-open on 1st June 2020 and other non-essential retail, including indoor markets, to re-open on 15th June 2020.
- 2.2 Government has provided some financial assistance for retailers during the period when they have not been able to trade, but many market traders, particularly on the outdoor markets, have not been eligible to receive this support. Therefore, a decision was taken by the Emergency Committee to waive fees for market traders from 23 March 2020 on all Council markets to help support them during the non-trading period.
- 2.3 The Markets Service is an income generating business unit which derives most of its revenue from market stall fees, as indicated in section 6. Continuing to waive stall fees will have a negative impact on the Service budget targets.

- 2.4 Outdoor market traders are charged on a daily basis only being charged when they use the market facility. Therefore, they have the flexibility to avoid paying market rents by simply not trading.
- 2.5 Indoor market traders are invoiced monthly regardless of whether they open their stalls. This reflects the semi-permanent nature of the indoor markets. Due to this charging structure, it is considered appropriate to put in place a mechanism to support those traders who cannot trade due to government guidelines of shielding. The 50% discount for the month of July for those traders who do open their indoor market stalls reflects the potential for fewer customers to access the indoor market due to the risk mitigation actions that the service needs to implement to achieve social distancing.
- 2.6 It is anticipated that there will be a delay in the return of market customers, so that market traders' income will take some time to return to pre-coronavirus levels and will be initially reduced.
- 2.7 Some market traders may not feel confident to return to trading immediately, either because they are in a vulnerable group due to having underlying health conditions or their age or live with someone who is in a vulnerable group.

3 THE CURRENT POSITION

- 3.1 All Council markets are closed for trading except for those traders selling essential goods as specified under Government guidance.
- 3.2 All Council markets are planned to fully-reopen from 22 June 2020 in a phased manner with the last market re-opening on the 30th June.
- 3.3 All market stall fees were waived on the 23 March 2020 to provide financial assistance to market traders who could not earn their living due to the markets being closed.

4 CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)

- 4.1 Colleagues in Public Health and Health & Safety services have been consulted on all relevant coronavirus risks and suitable risk mitigations have been implemented.
- 4.2 Colleagues in Finance, IT and Audit services have been consulted on implementing a contactless card payment system to minimise the risk of collecting market stall fees.

5 ALTERNATIVE OPTIONS

The Council could continue to waive market stall fees, but this would continue to have a negative impact on the Service's budget and would act as a disincentive for some market traders to return to trading.

6 STRATEGIC RESOURCE IMPLICATIONS

- 6.1 The rental income budget set for Markets and Street Trading in 2020/21 is £89,000 per month. During the Coronavirus pandemic, the indoor markets were closed, and the outdoor market only allowed the trading of 'essential' goods. As set out above, it is now proposed to open the markets in a phased format between the 22 July 2020 and 30 June 2020. The proposal to reintroduce the fees will enable the council to collect fees to help meet the costs of managing the service. It should be noted however that the level of income is not expected to return immediately as some traders may chose not to return to trading at this point.
- 6.2 The proposal to provide a 50% discount to indoor market traders would reduce income by £22,000 for the month of July (assuming 100% occupancy of stalls). The number of indoor market traders that will fall within the 'vulnerable' bracket is unknown. There are 45 occupied market stalls within the indoor market. If 20% of these were occupied by people in vulnerable groups, the loss of income would be circa £4,850 for the month of July 2020 and then £9,700 per month after 1 August 2020.

7 LEGAL AND GOVERNANCE CONSIDERATIONS

- 7.1 Market operators and local authorities have the legal right to set and adjust stall fees for markets at their discretion.

8 EQUALITY IMPACT ASSESSMENT

- 8.1 The re-introduction of market stall fees for market traders that do not feel able to return to the market to trade due to being classed as vulnerable, as defined in Government guidelines, or living with someone who is classed as vulnerable may raise an equality issue.

9 DATA PROTECTION IMPACT ASSESSMENT

There are no data protection implications of the proposals

10 CRIME AND DISORDER AND RISK ASSESSMENT

There are no crime and disorder implications of the proposals

11 SUSTAINABILITY OF PROPOSALS

11.1 The proposals will support the economic sustainability of the Markets Service by enabling the generation of revenue and so reduce the negative impact of lost income.

11.2 The proposal will support the economic sustainability of market traders by facilitating a phased return to full rents that will help offset the likely delay in the return of customers.

12 HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

The proposals will support the health and wellbeing of market traders who will be able to return to earning their livelihood by their own means.

13 IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

The ability to enable the service to start generating income again will assist the Council in protecting the asset value of the indoor market.

14 CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

14.1 The lifting of coronavirus related restrictions on retail by Government means that Council markets can fully re-open from 15th June and the Markets Service is planning to reopen all its markets in a phased manner from 22 June to the 30 June 2020.

14.2 The majority of market traders have been unable to derive their livelihood from market trading whilst the markets have been closed and to reduce the negative financial impact on the approximately 100 small family businesses that this comprises, the Council waived all market fees from 23 March 2020.

14.3 The waiving of market stall fees is having a negative financial effect on the budget of the Market Service which has an income budget set for £89,000 per month.


- 14.4 Whilst it is desirable, from a service budget viewpoint, to re-introduce market stall fees as soon as possible, it is likely that market trading will be depressed for a while and, consequently, market traders' income will be lower than normal as customer confidence slowly returns.
- 14.5 The Service has developed a comprehensive risk management strategy to enable the re-opening of markets to be as safe as possible for staff, traders and customers but there may be some traders that are reluctant to return to trading immediately if they consider themselves to be classed as vulnerable, as defined by Government guidelines, or live with someone that is vulnerable. Therefore, the reintroduction of stall fees for those traders may raise issues around equality and discrimination.

15 **BACKGROUND PAPERS**

Report to Emergency Committee on 22 April 2020: Decision to not pursue rent arrears on the Council's commercial portfolio for the March to June 2020 quarter.

REPORT TO EMERGENCY COMMITTEE

24 June 2020

Subject:	Amendment to emergency changes to Financial Regulations and Procurement & Contract Procedure Rules
Director:	Rebecca Maher
Contribution towards Vision 2030:	
Contact Officer(s):	Rebecca Maher Acting S151 Officer Rebecca_Maher@sandwell.gov.uk

DECISION RECOMMENDATIONS

1. That the Committee approves that the following amendments, that were made to the Council’s Financial Regulations and Procurement and Contract Procedure Rules (PCRs) in response to the Covid-19 crisis, are now revoked from **1 July 2020**: -
 - **Key Decision threshold/approval limit** – this should be revised back to £0.250m.
 - **Strategic Finance appraisals** – these should be reinstated.

2. That the Committee approves that the following amendments, that were made to the Council's Financial Regulations and Procurement and Contract Procedure Rules (PCRs) in response to the Covid-19 crisis, are now revoked from **1 August 2020**: -

- **New contracts below PCR 2015 threshold (para 2.7 below)** – standard procurement processes should be reintroduced. It is important to note that the intention of this amendment was to reduce the workload for Chief Officers during the crisis response.
- **New contracts above PCR 2015 threshold (para 2.8 below)** – standard procurement processes should be reintroduced. It is important to note that the intention of this amendment was to reduce the workload of Cabinet/Emergency Committee during the crisis response.

3. That a further report is presented to Emergency Committee or Cabinet regarding the remaining amendments when appropriate.

1 PURPOSE OF THE REPORT

1.1 To gain approval for some emergency amendments to the Council's Financial Regulations and Procurement and Contract Procedure Rules to be revoked.

2 BACKGROUND AND MAIN CONSIDERATIONS

2.1 On 18 March 2020, Emergency Committee approved several amendments to the Council's Financial Regulations and PCRs in order to provide flexibility in responding to the Covid-19 crisis. These changes are outlined below.

Amendments to both Financial Regulations and PCRs

2.2 References to the following officers are expanded to also include officers nominated by those officers:

- Chief Executive
- Chief Finance Officer
- Head of Paid Service
- Chief Officer
- Monitoring Officer

2.3 The key decision threshold/approval limit has been increased from £0.250m to £2.000m.

Amendments to Financial Regulations

2.4 The following requirements are suspended:

- To exercise budget management within annual cash limits.
- For a Strategic Finance appraisal to be undertaken when bidding for funding/undertaking capital schemes. This was replaced by approval from the relevant Chief Officer or nominated officer.

2.5 The Chief Finance Officer is able to bid for an unlimited level of external funding.

Amendments to Procurement & Contract Procedure Rules

2.6 Section 13 is suspended with regard to existing contracts that are due to expire during 2020. For these contracts, an extension period of up to 12 months may be applied, subject to agreement with the supplier and continued value for money.

2.7 For new contracts below the threshold for supplies and services set out in the Public Contracts Regulations 2015 (PCR 2015), a direct contract award may be made, provided that value for money can be demonstrated and subject to budget holder approval.

2.8 For contracts above the threshold for supplies and services set out in the PCR 2015, but below £2.000m, where there is an urgent requirement a direct contract award is permissible if this can be made in compliance with PCR 2015 and value for money can be demonstrated. The Procurement Service Manager must be consulted to confirm compliance with PCR 2015 and Chief Officer approval must be sought before proceeding. Contract award is subject to Chief Officer approval.

3 THE CURRENT POSITION

3.1 Since these flexibilities were introduced, a Statutory Officer's Group has been set up that includes the Chief Executive, Monitoring Officer and Acting S151 Officer. This group meets twice weekly and approves all significant decisions including: -

- Emergency Committee reports
- Cabinet reports
- Delegated decisions by Chief Officers or their nominated officers
- Emergency contract awards/extensions

- 3.2 This has ensured that the appropriate level of scrutiny and assurance has continued to take place and reduced the risk of fraud or irregularity occurring.
- 3.3 As the Council now begins to move from emergency response to reset and recovery, it is important that these flexibilities are reviewed, and a decision made about whether they should continue.
- 3.4 Remote meetings are now in place for Cabinet and urgency provisions still apply as they had done prior to the Covid-19 crisis. It is therefore deemed unnecessary to continue with some of the amended Financial Regulations and PCRs and it is recommended that the following amendments are revoked:
- **Key Decision threshold/approval limit** – this should be revised back to £0.250m from **1 July 2020**.
 - **Strategic Finance appraisals** – these should be reinstated from **1 July 2020**
 - **New contracts below PCR 2015 threshold (para 2.7 above)** – standard procurement processes should be reintroduced from **1 August 2020**. It is important to note that the intention of this amendment was to reduce the workload for Chief Officers during the crisis response.
 - **New contracts above PCR 2015 threshold (para 2.8 above)** – standard procurement processes should be reintroduced from **1 August 2020**. It is important to note that the intention of this amendment was to reduce the workload of Cabinet/Emergency Committee during the crisis response.
- 3.5 It is not currently considered appropriate to revoke the following amendments:
- **Ability for the officers outlined in para 2.2 to nominate officers** – it is important that these officers still have the ability to delegate responsibilities in order to maintain capacity.
 - **Suspension of the requirement to exercise budget management within annual cash limits** – whilst the budget position for the council is still uncertain and future emergency funding allocations not confirmed it is not possible to issue revised annual budgets for officers to operate within.
 - **CFO ability to apply for unlimited funding** – this is still considered necessary in order to assist with the range of financial pressures still being experienced as a result of Covid-19.

- **Contract extensions for 12 months** – in order to allow for extensions for suppliers that have not yet been able to respond, and because this clause is only limited to contracts expiring during 2020, it is deemed appropriate for this to continue.

3.6 A further report will be presented to Emergency Committee or Cabinet when it is considered possible to revoke or amend these flexibilities.

4 CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)

4.1 The Finance Management Team, Monitoring Officer and Chief Executive have been consulted on the proposals outlined in this report.

5 ALTERNATIVE OPTIONS

5.1 The alternative option is for all amendments to Financial Regulations and PCRs to continue. However, this would mean accepting that the increased level of risk would also continue. This does not seem justifiable now that the crisis response has eased and the Council is instead working on reset and recovery.

6 STRATEGIC RESOURCE IMPLICATIONS

6.1 The strategic resource implications are outlined in the main body of the report.

7 LEGAL AND GOVERNANCE CONSIDERATIONS

7.1 Financial Regulations provide the framework for managing the authority's financial affairs. All elected members and officers of the council have a general responsibility for ensuring the use of financial resources is legal, properly authorised, provides value for money and achieves best value.

7.2 Procurement and Contract Procedure Rules offer a framework for the management of council resources.

7.3 The Financial Regulations and Procurement and Contract Procedure Rules are included in part 4 of the Council's Constitution and establish the individual and shared responsibilities of Members and Officers.

8 EQUALITY IMPACT ASSESSMENT

8.1 There are no equality implications as a result of the recommendations in this report.

9 DATA PROTECTION IMPACT ASSESSMENT

9.1 There are no data protection implications as a result of the recommendations in this report.

10 CRIME AND DISORDER AND RISK ASSESSMENT

10.1 There are no crime and disorder risks arising from this report.

11 SUSTAINABILITY OF PROPOSALS

11.1 There are no sustainability issues associated with this report.

12 HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

12.1 There are no health and wellbeing implications associated with this report.

13 IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

13.1 There is no direct impact on any council managed property or land from this report.

14 CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

14.1 The conclusion of this report is that some amendments to Financial Regulations and PCR's in response to the Covid-19 crisis are now revoked in order to minimise the risk of fraud and irregularity.

15 BACKGROUND PAPERS


Emergency Committee Report – 18 March 2020

16 APPENDICES:

N/a

REPORT TO EMERGENCY COMMITTEE

24 June 2020

Subject:	Use of donations received by the Council during Covid-19
Director:	Executive Director - Neighbourhoods Alison Knight
Contribution towards Vision 2030:	
Contact Officer(s):	Nicky Denston, Service Manager – Business Excellence

DECISION RECOMMENDATIONS

That :

1. The donation fund is closed for public donations from the 5 June 2020.
2. The donated funds are used to support the Albion Foundation's 'Meal delivery to schools' project.

1 PURPOSE OF THE REPORT

- 1.1 Sandwell requested monetary donations from the public and businesses to provide support to vulnerable people during the covid-19 crisis. A total of £2608.50 has been collected. It is recommended that this fund is now closed for donations from 5 June 2020 and to consider options on how to use the donation fund.

2 IMPLICATIONS FOR VISION 2030

- 2.1 The use of donated funds to provide food parcels to vulnerable families and children will assist them in getting the best start in life. We want Sandwell to be a place where we live healthy lives and live them for longer and where those of us who are vulnerable feel respected and cared for. Providing healthy food parcels and improved cooking and life skills will support those objectives.

3 BACKGROUND AND MAIN CONSIDERATIONS

- 3.1 The council has been providing care packages of essential items including food to those residents in Sandwell who most need them. To support this, a donation fund was created and the public and businesses were provided with the opportunity to make a cash donation, however large or small.

4 THE CURRENT POSITION

- 4.1 As at the 5 June 2020, a total sum of £2608.50 had been donated.

5 CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)

- 5.1 A number of schools have been asked for their feedback on the 'meals for schools' project. The feedback has been extremely positive and has been a real support to vulnerable families and children.
- 5.2 Public Health undertook a survey with schools on food support and holiday hunger. One third of schools did not know where to signpost families to get support for lack of food.

6 ALTERNATIVE OPTIONS

- 6.1 The options for consideration to utilise the donations were as follows:
1. Use the donation fund to offset existing spend on the food hub
 2. Use the donation fund to offset spend used to support food banks across Sandwell
 3. Use the donation fund to purchase additional food stocks for the food banks to assist them in sustaining provision over the next few months
 4. Identify a community project to fund which would deliver positive outcomes by supporting communities who continue to be impacted by Covid-19

6.2 Option 1

Sandwell been allocated a government grant of approximately £21m to cover the range of costs associated with Covid-19, including the costs of providing food parcels to elderly and vulnerable residents during the Covid-19 crisis. It is not yet clear whether this grant will be sufficient to fund all financial pressures incurred by the council but a £2.6k contribution would not have a material impact on this. This is therefore not recommended as a suitable option.

6.3 Option 2

The expenditure on food, used to support Sandwell's food banks and ensure they are well stocked to meet the growing needs of people on low incomes during this period has been included in the expenditure total of the food distribution hub. It is not yet clear whether this grant will be sufficient to fund all financial pressures incurred by the council but a £2.6k contribution would not have a material impact on this. This is therefore not recommended as a suitable option.

6.4 Option 3

The food hub has been supporting the food banks with supplies of food stocks over the past 10 weeks as well as sharing donated stock including juice, bread, sauces and meat. This has helped to increase the amount of food stocks available and the contacts identified through the food hub project are being shared with food banks so that those relationships can be sustained going forward.

6.5 Option 4

The Albion Foundation's meal delivery initiative, which is having a very positive impact on vulnerable families and children across 63 of Sandwell's schools has been curtailed severely due to the furlough of the club's chef. As a result, the numbers of families who can be supported at this critical time has been severely reduced.

They have engaged the supermarket, Morrisons to provide food parcels which will be packed at Tipton Sports Academy's food hub and delivered by Foundation employees. The foundation will also host a food collection point at The Hawthorns and donated items will be transferred to Tipton to be included in food parcels.

There is an opportunity to pool resources and effort to extend the meal delivery initiative and the education food parcel deliveries to address the gaps left by the furloughing of the club's chef. The additional funding from the Council would enable the initiative to increase the amount of food parcels provided and improve on the specific contents of them to meet specific needs.

7 STRATEGIC RESOURCE IMPLICATIONS

- 7.1 Sandwell been allocated a government grant of approximately £21m to cover the range of costs associated with Covid-19, including the costs of providing food parcels to elderly and vulnerable residents during the Covid-19 crisis. It is not yet clear whether this grant will be sufficient to fund all financial pressures incurred by the council but a £2.6k contribution would not have a material impact on this. This is therefore not recommended as a suitable option.
- 7.2 The funds of £2608.50 would be used by the Albion Foundation to purchase 700 food parcels from Morrisons supermarket at a cost of £3.76 per parcel. This is part of a partnership approach agreed directly with the supermarket and is cheaper than the food parcels produced at the council's food hub. The food parcels would feed a total of 2634 families.
- 7.3 These parcels will be delivered directly to 63 of Sandwell's schools who have been working with the Albion Foundation to identify children and families in need during the Covid-19 pandemic. To supplement the delivery of parcels the Albion Foundation are going to produce recipe cards and online videos to support families to use the food items within the parcels to create more healthy meals. This is going to be delivered by the Albion Foundation at no cost to the council. In partnership, we will be supporting the production of the videos by using information from our public health colleagues and local voluntary and community sector groups.

8 LEGAL AND GOVERNANCE CONSIDERATIONS

- 8.1 The outcomes from delivery of the 'meals for schools' project will be captured and reported back to the Leader of the Council.

9 EQUALITY IMPACT ASSESSMENT

- 9.1 An equality impact assessment is not required at this stage.

10 DATA PROTECTION IMPACT ASSESSMENT

- 10.1 Personal information on children and families is held by schools only. The delivery of food parcels and the process of receiving the recipients contact details including name, address and telephone address have been agreed by the council's information governance unit.

11 CRIME AND DISORDER AND RISK ASSESSMENT

- 11.1 Provision of food parcels provides support to families where many of them are experiencing financial hardship. This support can prevent incidences of crime linked to deprivation within families with little or no support networks.

12 SUSTAINABILITY OF PROPOSALS

- 12.1 The food distribution hub has been providing food parcels to 359 children each week who are eligible to receive a weekly sum of £15 from free school meals. In addition, schools have referred vulnerable families who need support directly to the food hub and we have been supporting 14 schools throughout the last 7 weeks.
- 12.2 The Albion Foundation's meal delivery initiative, which is having a very positive impact on vulnerable families and children across 63 of Sandwell's schools has been curtailed severely due to the furlough of the club's chef. As a result, the numbers of families who can be supported at this critical time has been severely reduced. The provision of the donated funds will enable the Albion Foundation to feed a total of 2634 families. These parcels will be delivered directly to 63 of Sandwell's schools who have been working with the Albion Foundation to identify children and families in need during the Covid-19 pandemic. To supplement the delivery of parcels the Albion Foundation are going to produce recipe cards and online videos to support families to use the food items within the parcels to create more healthy meals. This is going to be delivered by the Albion Foundation at no cost to the council. In partnership, we will be supporting the production of the videos by using information from our public health colleagues and local voluntary and community sector groups.

13 HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

- 13.1 The children and families from the 63 schools being supported will benefit from receiving fresh produce on a weekly basis as well as support and guidance through recipe cards and online tutorials to improve their knowledge and skills. This will lead to improvements in the diets of these families and support and sustain a healthier lifestyle in the future.

14 IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

- 14.1 Tipton Sports Academy will continue to be used for the packing and distribution of food parcels.

15 CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 15.1 The donation fund has been open for donations during the main period of the Covid-19 pandemic. The volume of donations received has now significantly reduced. It is felt that the donations would be create additional benefit to the community if they were utilised at this point, where many families are still being impacted by reductions in finances and a lack of school meal provision.
- 15.2 The rationale for recommending option 4 for the use of the donated funds of £2608.50 are:
- Supporting vulnerable children and families in Sandwell which has been a key outcome of the council during the Covid-19 pandemic.
 - Increasing the numbers of children and families being supported across Sandwell.
 - Project is already mobilised and the benefits can be felt in the community quicker.
 - Enables an existing positive project to continue for a longer period and support those families detrimentally affected by the Covid-19 situation.
 - By pooling resources, infrastructure and expertise established during the last 10 weeks, it will ensure that the project is delivered effectively.
 - Working as a joint initiative will continue to demonstrate the positive working relationships with The Albion Foundation as a partner.
 - The good work delivered by the Albion Foundation in supporting Sandwell's schools would cease by end of June 2020 if no alternative funds could be sourced.
 - The existing project has delivered significant outcomes and received excellent feedback from recipients and schools.

16 BACKGROUND PAPERS

None


17 APPENDICES:

None

Alison Knight
Executive Director - Neighbourhoods

EMERGENCY COMMITTEE

24 June 2020

Subject:	Six Month Attendance Rule
Director:	Director of Law and Government and Monitoring Officer – Surjit Tour
Contribution towards Vision 2030:	
Contact Officer(s):	Suky Suthi-Nagra Democratic Services Manager Suky_suthinagra@sandwell.gov.uk

DECISION RECOMMENDATIONS

That in connection with Minute No 3/20 (7) and (8) of the Emergency Committee taken on 18 March 2020, Council's Standing Order No. 29 be suspended to enable further consideration to member attendance dispensations at a meeting of the Emergency Committee in July 2020.

1 **PURPOSE OF THE REPORT**

- 1.1 Approval is sought to suspend the Council's Standing Orders to consider at a future meeting whether to issue member dispensations where a member is unable to, throughout a period of six consecutive months from the date of their last attendance, to attend any meeting of the Authority.

2 BACKGROUND AND MAIN CONSIDERATIONS

2.1 Due to Covid-19 and the inability to call a meeting of the Council to consider any dispensations to the six month attendance rule, on 18 March 2020, the Emergency Committee gave approval to the following (see Minute No. 3/20):-

(7)the requirements of Section 85 of the Local Government Act 1972 be waived, and an extension of the six-month rule be approved for the following members, with effect from 18 March 2020, expiring at the Annual Meeting of Council on a date to be determined;

**Councillor Costigan
Councillor L Horton
Councillor Lewis
Councillor Sandars
Councillor P M Hughes**

(8)meetings of the Emergency Committee are arranged as and when required to consider urgent business and any further dispensations to the 6- month rule as a result of all public meetings being suspended, including a meeting of the Council and, in the event that this is not possible, the Chief Executive, in consultation with the Director of Law and Governance and Monitoring Officer, is authorised to determine any application for a dispensation that is made in respect of an elected member.

2.2 In early March 2020 it was anticipated that an Annual Meeting of the Council would take place in May 2020. However, due to the restrictions enacted across the country, this was not possible. The Emergency Committee on 27 May 2020 gave approval to an interim programme of meetings for the 2020/21 Municipal Year up to the end of September 2020 but this did not include a date for annual council.

2.2 Following the introduction of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 ("the Remote Committee Regulations") which came into force on 4th April 2020, the Council is now able to operate remote meetings which removes the requirements for members to physically attend a meeting in order to be counted toward attendance at the meeting.

As a reduced number of meetings have now been agreed, there is an opportunity for most members to attend a meeting and not have to seek a dispensation to the “six month rule”. The Council’s Standing Order No. 29 states that:

Previous Decisions and Motions

- (29) **At a meeting of the Council, no motion or amendment shall be moved to rescind any resolution of the Council which was passed within the preceding six months or which has the same effect as one which has been rejected within that period unless:**
- (a) it is a recommendation of the Cabinet, a cabinet member or a committee; or**
 - (b) notice of such motion has been given by 18 members of the Council under Standing Order 8 (notices of motion).**

Given that the Emergency Committee only approved the dispensations in March 2020, the Council’s Standing Orders must be suspended to enable a decision of the Committee to be reviewed during the preceding six month period. If agreed, it is proposed to submit a further report to the Emergency Committee to consider whether any further dispensations are required or whether there are sufficient opportunities for those members who may fall foul of the six month rule to attend committee meetings that they have been appointed to.

- 2.3 There are a small number of Members who do not currently hold seats on a committee and their only opportunity to attend a meeting would be that of Full Council. As a meeting of Council has not yet been scheduled, a report to the Emergency Committee would seek dispensations for those members affected.

3 ALTERNATIVE OPTIONS

The Committee will need to consider whether members who have no opportunity to attend a committee meeting will require a dispensation to the six month attendance rule. Failure to consider and approve any necessary dispensations could result in an elected member losing their seat.

4 STRATEGIC RESOURCE IMPLICATIONS

- 4.1 There are no strategic resource implications arising from this report.

5 LEGAL AND GOVERNANCE CONSIDERATIONS

- 5.1 Section 85 of the Local Government Act 1972 states that ‘if a member of a Local Authority fails, throughout a period of six consecutive months from the date of their last attendance, to attend any meeting of the Authority they will, unless the failure was due to some good reason approved by the Authority before the expiry of that period, cease to be a member of the Authority’. Attendance can be at any committee or sub-committee, or any joint committee, joint board or other body where the functions of the Authority are discharged or who were appointed to advise the Authority on any matter relating to the discharge of their functions. The requirement can be waived and the time limit extended if any failure to attend was due to a reason approved by the Authority, in advance of the six month period expiring.
- 7.2 Should any councillor lose office through failure to attend for the six month period, the disqualification cannot be overcome by the councillor subsequently resuming attendance nor can retrospective approval of the Council be sought for an extension in time. If the Council decided not to approve an extension and, as they would be unable to attend another meeting, a casual vacancy would arise.
- 5.2 Existing legislation requires the Council not to disadvantage any member in respect of their statutory minimum attendance at meetings in a situation where meetings are cancelled. For this purpose, the Committee must consider the grant or an extension of any dispensation to those members who due to illness or other extenuating circumstances have been and are unlikely to be able to attend meetings.
- 5.3 Standing Orders state that a decision of the Council cannot be rescinded if passed within the preceding six month period. As the Emergency Committee are currently meeting in the place of the Council, in order to be able to consider whether dispensations are still required, it is proposed to waive Standing Order No. 29 to enable a further report to be considered by the Emergency Committee in July 2020.

6 EQUALITY IMPACT ASSESSMENT

- 6.1 An equality impact assessment has not been undertaken.

7 DATA PROTECTION IMPACT ASSESSMENT

- 7.1 A data protection impact assessment has not been undertaken.

8 CRIME AND DISORDER AND RISK ASSESSMENT

8.1 A crime and disorder and risk assessment has not been undertaken.

9 SUSTAINABILITY OF PROPOSALS

9.1 The proposals are being considered to ensure that no councillor loses office during this period. When all Council Members are able to access meetings using an electronic solution and a Full Council meeting can be held the full programme of meetings will be restored.

10 HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

10.1 The proposals will ensure that the Council is still able to make decisions and no members are disadvantaged due to non-attendance at meetings.

11 IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

11.1 None.

REPORT TO EMERGENCY COMMITTEE

24 June 2020

Decisions taken by the Leader of the Council and Chief Officers in accordance with Delegated Powers

The following matters have been determined by the Leader of the Council and Chief Officers since the last meeting of the Emergency Committee on 27th May 2020, in accordance with their delegated remit.

Leader of the Council – Urgent Decision

8 June 2020 Decision in relation to Emergency Active Travel Funding

The Leader of the Council, acting in accordance with her delegated authority, **agreed:-**

1. That approval is given to implement emergency traffic management measures on high streets and in town centres needed to reallocate road space to pedestrians and cyclists using Experimental Traffic Regulation Orders.
2. That representations from stakeholders and consultation responses for changes to Experimental Traffic Regulation Orders are reported with recommendations for decisions to the Cabinet Member for Sustainable Transport.
3. That before making any Experimental Traffic Regulation Orders into Permanent Traffic Regulation Orders all representations are reported to a public Decision Making Session of the Cabinet Member for Sustainable Transport for a decision on the permanent arrangements.
4. That the Director – Regeneration and Growth be authorised to complete the necessary statutory procedures and the Director – Law and Governance and Monitoring Officer be authorised to seal the relevant Order to bring the proposals above into effect.

Reason for Decision

The Government has introduced emergency legislation under the Traffic Orders Procedure (Coronavirus) (Amendment) (England) Regulations 2020 and provided emergency transport funding to facilitate the return to work and gradual lifting of the COVID 19 restrictions.

This is to implement measures to re-allocate road space supported by new statutory guidance under the Traffic Management Act 2004, including temporary amendments for Traffic Regulation Orders.

The funding being made available by Government through the Emergency Active Travel Fund will enable some of the measures already identified in the LCWIP/SCWIP to be implemented in temporary form immediately and may also accelerate their permanent delivery in some cases.

Due to the emergency nature of this funding, and the very short timeframes stipulated for the delivery of the projects (expiring at the end of July 2020), it is necessary to seek approval to delegate decisions regarding their introduction in order that they can be implemented as soon as possible

Chief Executive

2 June 2020 Arrangements for the Appointment of an Interim Section 151 Officer

Approval was sought to the acting up arrangements for the post of Section 151 Officer.

The council's current Head of Finance is Rebecca Maher (RM), she was also the Deputy Section 151 Officer. The role was expected to be for a maximum period of 6 months and would be subject to frequent review if circumstances change.

Agreed that Rebecca Maher act up into the role of Section 151 Officer for a period of six months, with effect from 19th March 2020.

Reason for Decision

The Section 151 Officer was a statutory role appointed under section 151 of the Local Government Act 1972 which required every local authority to appoint a suitably qualified officer responsible for the proper administration of its financial affairs.

On 19th March 2020 the Executive Director of Resources commenced a period of absence from work. This meant that the Council was without an individual acting in the statutory role of Section 151 Officer.

Cabinet Member for Resources and Core Services

16 May 2020 The Publishing of funeral arrangements when responsibility was placed upon the Council by Section 46 of the Public Health (Control of Disease) Act 1984

The Cabinet Member for Resources and Core Services **agreed:-**

1. To the approach set out in the report, placed upon the Council when someone dies within the borough and no other arrangements were being or were likely to be made,
2. That the Director – Law and Governance and Monitoring Officer publish the approach to better inform bereaved families when the responsibility was placed upon the Council for funeral arrangements by Section 46 of the Public Health (Control of Diseases) Act 1984

Reason for Decision

Sandwell was responsible for making funeral arrangements for anybody who dies within the borough when no other arrangements were being or were likely to be made, where the deceased had no family or hadn't left a will.

The responsibility was placed upon the Council by Section 46 of the Public Health (Control of Diseases) Act 1984. The Act also stated that Council may recover all costs incurred in making the funeral arrangements from the estate of the deceased.

Director – Prevention and Protection

29 May 2020 Variations to the Private Hire and Hackney Carriage Licensing Policy

Decision:

That the renewal of sexual establishment licence number SEV/31/3/2019 to WB2 Anchor Limited in respect of Angels Gentleman's Club, 303 High Street, West Bromwich be granted for a period of 12 months from 1st April 2020 – 31st March 2021

Reason for Decision

On the 18th March 2020 the Emergency Committee delegated additional powers to the Director – Prevention and Protection that in the event that the Licensing Committee/Sub Committee was unable to act they can act, in consultation with the Chair/Vice Chair/Committee as appropriate, on those matters delegated to the Committee, as set out in the approved Terms of Reference for the Committee contained within the Council's Constitution.

The premises had traded as a licensed sex establishment at these premises since April 2012 and the licence had been renewed each year. On grant of the initial application, the Committee decided to vary the standard condition 45 to allow advertising by the use of vehicles. In November 2017, the premises were transferred to the current applicant.

The applicant had complied with all the statutory requirements with regard to the application process and no objections had been submitted by West Midlands Police and no other objections had been received for this application.

9th June 2020 Variations to the Private Hire and Hackney Carriage Licensing Policy

Decision:

That approval be given to proposed temporary variations to the Private Hire and Hackney Carriage Licensing Policy as detailed in Appendix 1 of the report to enable:

- Drivers declaring new or changes to medical conditions or medication undertake an interim medical assessment by the councils approved provider.
- Medical self-declarations and interim medical assessments to be valid for six months or until a Group 2 medical assessment by the councils approved provider can be undertaken, whichever was sooner.
- Extension of expiry dates for interim vehicle checks from three months to four months.
- Current DBS clearances be considered valid for up to an additional three months or until the updated clearance was received, whichever was sooner, where a licensed driver has submitted all required documentation for DBS processing, and where there had not been disclosures of new convictions, cautions, reprimands, warnings, arrests, conditional discharges and bind-overs.

Reason for Decision

As the council and other organisations continued to develop their response to the Covid-19 outbreak many non-essential services ceased or became subject to restrictive access. This included services that drivers needed to fulfil the requirements of the councils Private Hire and Hackney Carriage Licensing Policy.

In March 2020 amendments to the councils Private Hire and Hackney Carriage Licensing Policy were approved. These were amendments made in immediate response to the situation and it was identified that it would be necessary to keep these under review. Circumstances have arisen in which our current policy may lead to drivers facing suspensions which could be avoided with further temporary amendments to the policy.

Consultation with members of the Licensing Committee had been undertaken and no objections to the proposal had been received.

Interim Section 151 Officer

4 June 2020 - Appointment of Sandwell Children's Trust External Auditors for 2019/20

Agreed

That the Acting S151 Officer approve the appointment of Grant Thornton as the external auditor for Sandwell Children's Trust for one year to audit the 2019/20 accounts.

Reason for Decision

Cabinet approved the contract between the Council and Sandwell Children's Trust at its meeting on 28 February 2018. This included the Articles of Association ('Articles') which are the main governing document and regulate the operation of the Trust. The Articles deal with a range of matters and required the Trust to seek approval to certain reserved matters before the Trust can action such matters.

Under para 9.2.6 of the Articles, the Trust is required to seek written approval from the Council in respect to 'appointing or removing any auditor of the Company'.

A decision was later made by Cabinet (March 2019) that this approval can be given by the S151 Officer.

Due to the current circumstances, SCT do not have the time to undertake a full procurement process to appoint their auditors for 2019/20 and therefore their Audit and Risk Committee have approved the appointment of Grant Thornton for a second year (for one year only).