

# Decisions of the Cabinet Member for Environment Services

## Sandwell Metropolitan Borough Council Statement of Decisions made on Tuesday 4 October 2022

Published:

The following decisions were made by the Cabinet Member for Environment Services at its meeting on **Tuesday, 4 October 2022**. These decisions will come into force on **13 October 2022**. A decision by the Executive may be called-in (in accordance with Part 4 – Scrutiny Procedure Rules of the Council's Constitution) . Should you have any queries about any decision that has been made, contact should be made in the first instance to Democratic Services at [democratic\\_services@sandwell.gov.uk](mailto:democratic_services@sandwell.gov.uk). Any declaration of interest made by any member of the Cabinet Member for Environment Services is shown below.

	Item	Reason for Decision:	Alternative options:	Lead officer:
	<p><b>Highway Workforce Plan</b></p> <p><b>Agreed</b> that the Highways and Transportation Workforce Plan be approved.</p>	<p>The recruitment to vacant posts in Highways and Transportation has been unsuccessful on 10 occasions in recent years. In the last 12 months recruitment has failed for all of the 8 posts advertised. These posts are required to support the capital programme and discharge the following statutory duties and functions. The current vacancies are equivalent to 7.4 full time posts and would be largely funded from external grants.</p> <ul style="list-style-type: none"><li>Local Highway Authority – Highways Act 1980</li><li>Local Traffic Authority – Traffic Management Act 2004</li></ul>	<p>An alternative would be to retain current salaries without market supplements. This is not recommended because of the repeated failure to recruit to vacant positions needed to properly discharge the statutory duties and functions of the council. The following objectives would not be met;</p> <p>a. Vacancies urgently need to be addressed to mitigate the significant risk of failing to discharge the statutory duties of the Council as Local Highway Authority, Local</p>	

	Item	Reason for Decision:	Alternative options:	Lead officer:
		<ul style="list-style-type: none"> <li>- Road Traffic Regulation Act 1984</li> <li>- Road Traffic Act 1988</li> <li>• Civil Enforcement Authority – Traffic Management Act 2004</li> <li>• Lead Local Flood Authority – Flood &amp; Water Management Act 2010</li> <li>• Local Reservoir Authority – Reservoirs Act 1975</li> <li>• Safety – Duty of Care, H&amp;S AW Act, CDM Regs, (+ 25 Other Regs)</li> </ul> <p>In addition, these vacant posts deliver externally funded capital programmes of highway and transportation improvement work. The consequence of the unfilled vacancies is that the discharging statutory duties has taken priority over capital programmes and related improvement programmes are 6 to 12 months behind programme. The non-statutory duties of responding to MP, Member and public enquiries and complaints have also been negatively impacted risking reputational damage to the Council.</p> <p>The failure to progress capital programmes is putting the external grant funding at risk and undermining the Councils eligibility for further grant funding. As a further consequence it is likely that the £168m of capital grant funding available within the</p>	<p>Traffic authority, Lead Local Flood Authority, Civil Enforcement Authority and Reservoir Authority.</p> <p>b. The highway network is the most dangerous asset of the council with more than 700 injury accidents per year resulting in around 1,000 casualties including a few fatalities and dozens of life changing injuries each year. Failure to fully discharge statutory duties could escalate claims for compensation in the event of consequential road traffic accidents with the potential for criminal proceedings for potential negligence in the allocation of resources. Compensation claims for accidents on the public highway have been in the range £300,000 to £400,000 per year in recent years.</p> <p>c. Reputational damage in the event of a) and b)</p> <p>d. Vacancies urgently need to be addressed to mitigate the significant risk of failing to deliver existing capital programmes of improvement</p>	

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		<p>regeneration programme will be undeliverable and consequently would be lost to the Borough. The Workforce Plan would approve recruitment to 11 new posts to facilitate the management and delivery of the £168m capital programme. The new posts would be fully funded from external grant funding.</p> <p>The commissioning and management of consultants generates a significant internal resource requirement. The major scheme and large packages of route improvement programmes also require consultant workstream managers to coordinate the wide-ranging inputs and progress the planning and delivery of the work in line with the programmes, time, and funding constraints. Project implementation and coordination with all network functions can most efficiently and effectively be delivered for local stakeholders by Sandwell officers managing consultant commissions focussed on Sandwell requirements. This feeds into the principle that local democracy is important in ensuring that local operational policies reflect local preferences and local differences that need to be balanced within a framework of regional policies and strategies.</p>	<p>work that currently are not on programme to meet funding deadlines. This is putting the Council at risk of clawback and undermining the Council's ability to secure further performance related external grant funding.</p> <p>e. Ten new posts need to be urgently established to resource a £168m programme of highway improvement work associated with the Regeneration Pipeline. Sandwell need to commit to these resources in the business cases necessary to secure the funding and would be at risk of clawback of funding if delivery milestones are not achieved.</p>	

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		<p>Both Highway Services and the Transportation Planning Team are finding it a challenge to attract and recruit staff to join the Highway Services and Transportation Teams, particularly as roles require technically and professionally qualified and experienced officers. There is a scarcity of qualified and experienced Highways and Transportation officers within the West Midlands at a time of high regional demand.</p> <p>The employment of short-term Consultants on secondment requires market rates up to 50% higher than are currently paid to permanent staff. This inhibits personal development and seconded individuals occasionally leave at short notice after benefiting from extensive internal training and development. This also promotes disparity of pay across similar job roles and hence builds dissatisfaction from experienced Council officers.</p>		