



Agenda Council

You are hereby summoned to attend a meeting of the Sandwell Metropolitan Borough Council, to be held on Monday, 26 July 2021 at 6.00 pm for the purpose of transacting the following business:-

The Mayor of Sandwell, MayorExpectedList, In the Chair

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	To receive apologies for absence	11 - 12
2	Declarations of interest in any matters to be discussed at the meeting	13 - 14
3	To confirm as a correct record, the minutes of the annual meeting of Council held on 25 May 2021.	15 - 22
4	To consider any urgent business (with prior approval by the Mayor).	23 - 24
5	To receive announcements from the Mayor.	25 - 26
6	To receive petitions under Standing Order No. 5.	27 - 28
7	To consider written questions under Standing Order No. 6 to:-	29 - 30

- (a) the Mayor;
- (b) the Leader of the Council;
- (c) any other member of the Cabinet;
- (d) any person appointed to preside at a committee, sub-committee or panel;
- (e) the members of the Council nominated pursuant to Section 41 of the Local Government Act 1985, on the discharge of the functions of the following Joint Authorities:-
 - (i) West Midlands Combined Authority (the Leader);
 - (ii) West Midlands Fire and Rescue Authority (Councillor C Padda);
 - (iii) Transport for the West Midlands (Councillor Akhter);

(f) a nominated member appointed by the Council to the Board of Sandwell Leisure Trust;

(g) *a member of the Council who is, as a result of action taken by or on behalf of the Council, a member or director of any company.*

- | | | |
|----|--|-----------|
| 8 | Proposed Departure from the Development Plan at land to the rear of John Dando House, 235 Hamstead Road, Great Barr | 31 - 34 |
| | To consider an exception to the Development Plan in respect of planning application DC/21/65185. | |
| 9 | Annual Report of the Licensing Committee and Licensing Sub Committees 2019-20 and 2020-21 | 35 - 54 |
| | To receive the annual report of the Licensing Committee/ Licensing Sub Committees for the municipal years 2019-20 and 2020-21. | |
| 10 | Scrutiny Annual Report 2019-2021 | 55 - 90 |
| | To receive the Scrutiny Annual Report for the 2019-21 period. | |
| 11 | Extension to Six Month Attendance Rule | 91 - 94 |
| | To consider requests for an extension to the six month attendance rule. | |
| 12 | Constitution and Political Balance of Committees and Boards | 95 - 100 |
| | To consider the constitution and political balance of committees and boards following the recent by-election. | |
| 13 | Appointments to Vacancies on Committees, Boards and Other Bodies | 101 - 110 |

To consider any appointments required to vacancies on committees, boards and other bodies.

14 **Constitution Review - Cabinet Advisor Roles** 111 - 126

To consider the remit and role description in relation to Cabinet Advisor Roles.

15 **General Purposes and Arbitration Committee** 127 - 132

To receive the minutes of the General Purposes and Arbitration Committee held on 8 June 2021, and to consider the recommendations arising from the meeting.

16 **Cabinet** 133 - 236

To receive the minutes of the meeting of the Cabinet held on 8, 17 and 19 March, 24 May and 16 June.

17 **Budget and Corporate Scrutiny Management Board** 237 - 246

18 **Notice of Motions**

To consider the following motions received under Standing Order No. 7:-

(a) Right to Food

Proposer: Councillor Piper

Seconder: Councillor Rollins

“That this Council notes that approximately 11 million people in the UK are experiencing food insecurity;

Further notes that the use of food banks was increasing before the covid-19 pandemic, and has effectively doubled during the pandemic and all indications are that this situation will continue to get worse;

Is concerned that children in particular have been badly affected by the covid-19 crisis and the Trussell Trust that administers many of the nation's foodbanks reported that 2.5 million emergency food parcels were given to people in crisis in the year to March 2021 Acknowledges the profound and devastating consequences of food insecurity on the health, wellbeing and livelihoods of people in our communities;

This Council believes that the Government has a duty to ensure nobody in our communities goes hungry and requests that the Leader of the Council writes to the Minister for Environment, Food and Rural Affairs outlining the Councils view that the "Right to Food" should be enshrined in UK law in order to make clear this obligation; and calls on the Government to set positive targets and monitor progress accordingly and include the "Right to Food" in the Government's National Food Strategy white paper which is due to be published in 2021."

(b) SEND Transport

Proposer: Councillor Anandou

Secunder: Councillor Fisher

"That this Council welcomes an independent external review into the SEND transport procurement and the future delivery model for SEN Passenger Transport.

It also notes the respective work of the Audit and Risk Assurance Committee and relevant Scrutiny Boards into this matter so that all lessons are learned and recommendations on an effective and efficient future model are implemented."

(c) Brandhall

Proposer: Councillor Chapman

Secunder: Councillor Anandou

“This Council recognises the benefits of open space in relation to the wellbeing of current and future residents of the Borough. Access to open space has demonstrable links to health benefits alongside the broader positive impact that green space has on the climate.

The coronavirus pandemic saw an increase in the number of residents regularly using our green open space and there are significant local concerns around the potential loss of this space for redevelopment.

Brandhall as a former golf course has been identified as a site for redevelopment and the Council undertook a public consultation between November and December 2019 requesting views on three potential visions for the site which included a school which would be a replacement for Causeway Green Primary, housing to address the housing shortage, and a public park. In light of the increase in external recreation activities, it is an appropriate time for the Council to review and reconsider its position in relation to this space. This Council calls for the relevant scrutiny boards, to work closely with the local residents to consider and make recommendations to Cabinet on the outcome of the consultation and future of Brandhall recognising the Council’s Climate Change, Living Well agenda and the wishes of the local residents.”

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

Distribution

Councillor M Hussain

Councillors R Jones, Abrahams, Ahmed, Akhtar, Akther, Akpoteni, Ali, Allcock, Allen, J Anandou, Ashman, H Bhullar, Bostan, Carmichael, Chambers, Chapman, Chidley, E Costigan, Crompton, Davies, Dhallu, Fenton, Fisher, Gavan, E M Giles, E A Giles, L Giles, G Gill, M Gill, S Gill, W Gill, Hackett, Hadley, Hartwell, Hinchliff, M Y Hussain, Hussain, Hughes, Jalil, Jones, Jones, Kalari, Kaur, Kausar, Khatun, Mabena, Melia, McVittie, Millar, Millard, Moore, Owen, C Padda, I Padda, Phillips, Piper, Randhawa, Rollins, Rouf, Shaeen, A Shackleton, Simms, Singh, R Singh, S Singh, V Smith, Tagger, Taylor, J Webb, Williams and Henlan

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Apologies

To receive any apologies from members

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Declarations of Interest

Members to declare any interests in matters to be discussed at the meeting.

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Minutes of Annual Council

25th May 2021 at 6:00 pm
Sandwell Council House, Oldbury

Present: Her Worship The Mayor, Dr Ann Jaron;

Councillors Abrahams, Ahmed, Akhtar, Akpoteni, Ali, Allcock, Allen, Anandou, Ashman, Bhullar, Bostan, Chambers, Chapman, Chidley, Costigan, Crompton, Dhallu, Fenton, Fisher, Gavan, E M Giles, E A Giles, L Giles, M Gill, S Gill, W Gill, Hackett, Hartwell, Hinchliff, Hughes, M Hussain, Z Hussain, Jalil, O Jones, R Jones, S Jones, Kalari, Kaur, Kausar, Mabena, McVittie, Melia, Millar, Millard, Owen, C Padda, I Padda, Phillips, Piper, Randhawa, Rouf, Shackleton, Shaeen, Simms, K Singh, R Singh, S Singh, Smith, Taylor, Webb and Williams.

Also present: David Stevens – Chief Executive and Surjit Tour – Director of Law and Governance and Monitoring Officer.

53/21 **Apologies for Absence**

Apologies for absence were received from Councillors Akhter, Carmichael, G Gill, M Y Hussain, Khatun, Moore, Rollins and Tagger.

54/21 **Declarations of Interest**

Councillors R Jones and McVittie declared a personal interest in Minute No. 64/21 – Independent Remuneration Panel Review of the Deputy Mayoral Allowance and succession process and left the meeting during this item.



Election of Mayor

Dr Jaron, invited nominations for the office of Mayor of the Borough of Sandwell for the 2019/20 Municipal Year.

Councillor Mushtaq Hussain was nominated by Councillor Jalil and Councillor C Padda seconded the nomination.

On being put to the vote the motion was carried and it was

Resolved that Councillor Mushtaq Hussain be declared elected Mayor of the Borough of Sandwell for the ensuing Municipal Year 2021/22.

Councillor Mushtaq Hussain made and subscribed the Declaration of Acceptance of Office required by law and was invested with the Mayoral chain and badge of office.

Councillor M Hussain took the Chair and made his speech of acceptance. The Mayor announced that, during his term of office, his chosen charity would be St. John's Ambulance.

The Mayor announced that his son, Mr Amar Mushtaq, and family friend, Mr Ijaz Ahmad would act as Mayor's Consorts for the ensuing Municipal Year.

Mr Mushtaq and Mr Ahmad were invested with the chain and badge of office of Mayor's Consort.

His Worshipful the Mayor, Councillor Mushtaq Hussain, in the Chair.

Appointment of Deputy Mayor

The Mayor invited nominations for the office of Deputy Mayor of the Borough of Sandwell for the 2021/22 Municipal Year.

Councillor Richard Jones was nominated by Councillor Bostan and Councillor Taylor seconded the nomination.

On being put to the vote the motion was carried and it was

Resolved that Councillor Richard Jones be declared elected Deputy Mayor of the Borough of Sandwell for the Municipal Year 2021/22.

Councillor R Jones made and subscribed the Declaration of Acceptance of Office required by law and was invested with the chain and badge of office and made his speech of acceptance.

The Deputy Mayor announced that his partner, Councillor RichardMcVittie, would act as the Deputy Mayor's Consort for the ensuing Municipal Year.

Councillor McVittie was invested with the chain and badge of office.

57/21

Vote of Thanks to Retiring Mayor

Councillor Piper moved a vote of thanks to the retiring Mayor, Dr Jaron, on behalf of the Council, and Councillor Hinchliff seconded the motion.

In response, Dr Jaron thanked all members of the Council for giving her the opportunity to represent the Borough as Mayor andalso thanked her sister and Consort, the Deputy Mayor and Consort and the Members Services team.

58/21

Vote of Thanks to Retiring Deputy Mayor

Councillor Jalil moved a vote of thanks to the retiring DeputyMayor, Councillor Hartwell, on behalf of the Council, and Councillor Luke Giles seconded the motion.

In response, Councillor Hartwell thanked all members of the Council for giving her the opportunity to represent the Borough asDeputy Mayor, her partner and Consort and the Members Services team.

Resolved that the minutes of the meeting of Council held on 23rd March 2021 be approved as a correct record and signed by the Chair.

Urgent business

There were no items of urgent business.

Election of Leader of The Council

It was moved by Councillor Ali and seconded by Councillor I Padda that Councillor Rajbir Singh be appointed as Leader of the Council for the four year period commencing 25 May 2021.

No other nominations were received.

On being put to the vote, the motion was carried and it was

Resolved:-

- (1) that, pursuant to the Local Government Act 2000(as amended) and Articles 4.02(d) and 7.03 of the Council's Constitution, Councillor Rajbir Singh be appointed as Leader of the Council for a period of four years, ending with the Annual Meeting of Council in 2025, or for the remainder of his current term of office as councillor, subject to remaining as an elected member of the Council or otherwise not having been removed from office by a decision of the Council or resigned as leader;
- (2) that, pursuant to Local Government Act 2000 (as amended), Articles 7.04 and 7.06 of the Council's Constitution, it be noted that the Leader of the Council made the following executive appointments:
 - i. Councillor Maria Crompton be appointed to the position of Deputy Leader and Cabinet Member for Strong and Resilient Communities;

- ii. Councillor Wasim Ali be appointed to the position of Cabinet Member for Finance, Council Sustainability and Transformation;
 - iii. Councillor Karen Simms be appointed to the position of Cabinet Member for Best Start in Life;
 - iv. Councillor Danny Millard be appointed to the position of Cabinet Member for Governance and Democracy;
 - v. Councillor Iqbal Padda be appointed to the position of Cabinet Member for Strong and Inclusive Economy;
 - vi. Councillor Suzanne Hartwell be appointed to the position of Cabinet Member for Living and Ageing Well;
 - vii. Councillor Jackie Taylor be appointed to the position of Cabinet Member for Connected and Accessible Sandwell;
 - viii. Councillor Zahoor Ahmed be appointed to the position of Cabinet Member for Quality Homes and Thriving Neighbourhoods.
- (3) that Council note the Executive appointments to bodies;
- (4) that Council note the Scheme of Delegations to Officers (executive side functions).

62/21

Appointment to The Constitution of Committees, Boards and Other Fora for 2021/22

In accordance with the requirements of its Constitution, the Council considered proposals relating to the identification of the bodies it wished to carry out its function as a local authority and terms of reference for those bodies.

Consideration was given to the nominations to committees, boards and other fora which had been received from all political groups.

Resolved:-

- (1) that, taking into account proportionality, the constitution of committees, board and other fora for 2021/22 be approved;
- (2) that the revised terms of reference of the committees, boards and other fora, as set out in Appendix A to the report, be noted and that the remainder of the terms of reference as set out in Part 3 of the Constitution be reaffirmed;
- (3) that the Scheme of Delegations to Officers be approved;
- (4) that, in accordance with the provisions of the Localism Act 2011, one nomination from each of the Church of England Diocese and Roman Catholic Archdiocese and two nominations for Parent Governor representatives to serve as non-elected members on the Children's Services and Education Scrutiny Board be invited, with voting rights conferred only on any matter with regard to education, whether in respect of schools or wider educational issues;
- (5) that the appointment of members to committees, boards and other fora established by the Council, as set out in Appendix B to the report, be approved;
- (6) that the programme of meetings for the 2021-22 municipal year be approved;
- (7) that, in connection with (2) and (3) above, the Director of Law and Governance and Monitoring Officer be authorised to update the Council's Constitution.

63/21

Appointment of Representatives to Other Bodies

Consideration was given to the appointment or nomination of representatives to serve on outside bodies for the Municipal Year 2021/22. A schedule of nominations was circulated at the meeting.

The motion was put to the vote and carried.

Resolved that the appointments to outside/other bodies, as detailed in Appendix C to the report, be approved.

64/21 **Independent Remuneration Panel Review of Deputy Mayor Allowance**

Deputy Mayor Councillor R Jones and Councillor McVittie, having declared an interest, left the meeting.

In 2019 the Council invited the Independent Remuneration Panel to consider recommendations in respect of the reintroduction of the allowance for Deputy Mayor.

The Independent Remuneration Panel recommended that the Deputy Mayor allowance be set at 40% of the Mayor's allowance.

The motion was put to vote and carried.

Resolved:-

- (1) that the SRA for Deputy Mayor be set at 40% of the Mayor's allowance, including a clothing allowance;
- (2) that mayoral succession protocol be considered at a later date.

Meeting ended at 7.14 pm.

Contact: democratic_services@sandwell.gov.uk

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Urgent Business

To consider any urgent business (with prior approval by the Mayor).

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EVENTS ATTENDED SINCE 25TH MAY 2021

- West Midland Reserve Forces & Cadet Association 2021 AGM – Virtual Meeting
- Queens Awards for Voluntary Service – Virtual Meeting
- Armed Forces Day
- Opening of Khao Ji Restaurant
- Live Broadcast for Thank You Day at Holy Trinity Church, Smethwick
- Black Country Story Trail at Dartmouth Park
- Consultation with the West Midlands Lieutenancy – Virtual Meeting
- 12th Annual Peace Symposium
- Jazz Festival Launch

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Petitions

To receive any petitions under Standing Order No. 5 (strategic policy issues or which are of a Borough-wide significance if they are relevant to some matter to which the Council has functions and responsibilities, or which affects the Borough, or part of it, or its citizens or a number of them).

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Written Questions

To receive any written questions under Standing Order No. 6

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Report to Council

26 July 2021

Subject:	Proposed departure from the Development Plan at land to the rear of John Dando House, 235 Hamstead Road, Great Barr, Birmingham, B43 5EL
Director:	Tammy Stokes - Interim Director of Regeneration & Growth - Neighbourhoods
Contact Officer:	William Stevens Principal Planning Officer William_stevens@sandwell.gov.uk

1 Recommendations

- 1.1 That approval be given to an exception to the Development Plan in respect of planning application DC/21/65185 (Demolition of existing building at rear. Proposed building comprising of 18 No. residential dwellings along with 8. No residential dwellings in existing building with associated car parking).

2 Reasons for Recommendations

- 2.1 The proposal is on land allocated as community open space and as such is contrary to adopted Council policy. However, the land in question is private and is not accessible to members of the public and therefore on balance it is recommended that an exception to the Development Plan be granted. The proposal will also provide 26 new homes.



3 How does this deliver objectives of the Corporate Plan?



Quality homes in thriving neighbourhoods – The design of the proposal is acceptable in respect of national and local planning policy.



A strong and inclusive economy – the construction process will provide opportunities for job creation and apprentices.

4 Context and Key Issues

- 4.1 Planning Committee granted conditional approval on the meeting held on the 7th July 2021, which gave consideration to planning application DC/21/65185 for the demolition of existing building at rear of the site, proposed building comprising of 18 No. residential dwellings along with 8. No residential dwellings in existing building with associated car parking.
- 4.2 The application was publicised by neighbour notification letters, site notice and press notice without objections.
- 4.3 Planning Committee Members approved the application on the 7th July 2021, and now Council will need to approve the departure from the Development Plan before planning permission can be granted.
- 4.4 The rear of the site is currently allocated for Community Open Space under the Site Allocations and Delivery Plan Policies Map but has been in private ownership for a number of years. It is necessary for the Council to consider whether or not to grant an exception to adopted policy to allow the application to proceed.
- 4.5 The purpose of this report is to discuss the departure from the Development Plan only. It is not the role of Council to reconsider the wider planning merits of the application which have already been considered by Planning Committee.



4.6 The application has been publicised by neighbour notification letters, and site and press notice, without response. The Council’s Highways, Planning Policy, and Environmental Health teams have also been consulted on the proposal. No overall objections have been received from consultees which cannot be overcome by condition.

5 Alternative Options

5.1 Refusing the departure is an option, in doing so clear planning justification would have to be provided as any refusal of planning permission could result in an appeal and costs being awarded against the Council.

6 Implications

Resources:	The granting of exceptions to the Development Plan would not have any implications for the resources of the Council.
Legal and Governance:	The Planning Committee has delegated powers to determine planning applications within current Council policy. The decision to grant permission for this proposal would be contrary to the Development Plan. Consequently, the Committee has referred the application to the Council to consider whether or not an exception to the development plan should be granted.
Risk:	None Relevant.
Equality:	None Relevant.
Health and Wellbeing:	None Relevant.
Social Value	The proposal would create jobs and apprentices during the construction phase.

7. Appendices

7.1 None.

8. Background Papers

8.1 Planning application reference – DC/21/65185

https://www.sandwell.gov.uk/info/200197/councillors_committees_and_meetings/428/planning_committee_reports



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Report to Council

26 July 2021

Subject:	Annual Report of the Licensing Committee and Licensing Sub Committees for the 2019/20 and 2020/21 Municipal Years
Director:	Interim Director - Borough Economy Nicholas Austin
Contact Officer:	Service Manager, Nicola Plant Nicola_plant@sandwell.gov.uk

1 Recommendations



- 1.1 That Council receive the Annual Report of the Licensing Committee and Licensing Sub Committee activity and decisions for the municipal years 2019/20 and 2020/21.

2 Reasons for Recommendations

- 2.1 The Licensing Committee is responsible for exercising the powers and duties of the Council with regard to licensing matters under relevant legislation set out in section 6 of this report.
- 2.2 It is required to produce an annual report to Council detailing activities completed throughout the municipal year including the outcomes of the Committee. The Licensing Committee annual report for the 2019/20 and 2020/21 outlines the activity and responses to local issues. A copy of the annual report is provided at Appendix 1.



3 How does this deliver objectives of the Corporate Plan?

	<p>People live well and age well</p> <p>The Licensing Authority exercises its powers with regard to licensing matters under relevant legislation, with the purpose of licensing drivers, vehicles and operators to provide a safe and comfortable transport option to residents and visitors to Sandwell, and licensing premises whilst ensuring public safety is of paramount importance at all times.</p>
	<p>A strong and inclusive economy</p> <p>The Licensing Committee and the Licensing Authority seeks to ensure that taxis and private hire vehicles are a safe and viable transport option for residents and visitors to Sandwell,</p>

4 Context and Key Issues

- 4.1 The annual report of the Licensing Committee for 2019/20 and 2020/21 has been prepared and is provided in Appendix 1.
- 4.2 The report has been prepared and was agreed on 7 June 2021 by the Licensing Committee for submission to Council.
- 4.3 The Licensing Committee annual report for 2019/20 and 2020/21 is being submitted later than usual due to the demands and priorities faced as a result of the Covid-19 pandemic.

Consultation (Customers and Other Stakeholders)

- 4.5 Consultation is not required on this matter as the Annual Report provides a retrospective overview of the activity and responses undertaken by the Licensing Committee during the 2019/20 and 2020/21 municipal years.
- 4.6 The Licensing Committee have considered the report and agreed for it to be submitted to Council.



- 4.7 In the wider context the Sandwell Private Hire and Hackney Carriage Licensing Handbook was last adopted in 2017 following consultation on the proposed changes.
- 4.8 The Taxi Licensing Team have undertaken consultation on the implementation of the new Statutory Taxi and Private Hire Standards which closed on 12 March 2021. This will inform proposals to be presented to full Cabinet on amendments to the Policy towards the end of 2021.
- 4.9 The Taxi Licensing Team are next due to review the Sandwell Private Hire and Hackney Carriage Licensing Handbook in 2022. A full consultation will be undertaken on any proposed updates and changes to the handbook.
- 4.10 The General Licensing Team undertook consultation on the Gambling Act 2005 Statement of Principles in 2019 with adoption in 2020. The Gambling Act 2005 Statement of Principles is next due to be reviewed in 2022. A full consultation will be undertaken on any proposed updates and changes to the policy.
- 4.11 The General Licensing Team also undertook consultation on the Licensing Act 2003 Statement of Licensing Policy in 2019 with adoption in 2020. The next review of the Licensing Act 2003 Statement of Licensing Policy is due in 2024. A full consultation will be undertaken on any proposed updates and changes to the policy.

Sustainability of Proposals

- 4.7 The annual report provides an overview of the activity and decisions reached by the Licensing Committee during the municipal year. Therefore, there are no matters of sustainability to consider in relation to this report.

5 Alternative Options

- 5.1 There are no alternative options given for consideration as it is a requirement under the legislation that an annual report of the activities of the Licensing Committee is produced.



6 Implications

<p>Resources:</p>	<p>There are no strategic resource implications relating to this report.</p> <p>There are no implications in this report for council land or property.</p>
<p>Legal and Governance:</p>	<p>Licensing Committee is responsible for the exercising of the powers and duties of the Council , i.e. those matters that are not the responsibility of the Executive/Cabinet, with regards to Licensing matters under the Licensing Act 2003,the Gambling Act 2005 ,the Local Government (Miscellaneous Provisions) Act 1976 and the Town Police Clauses Act 1847 as extended by the Public Health Act 1875</p> <p>The Licensing Act 2003,(Alcohol Licensing)The Gambling Act 2005 (The Licensing of Gambling) and the Local Government Act 1972 ,(Licensing of Taxis) allow the Licensing Committee to arrange for the discharge of any of its functions by a sub-committee or an officer of the Licensing Authority in accordance with its terms of reference and officer scheme of delegation. Arrangements may provide for more than one sub-committee or officer to discharge the same functions concurrently.</p> <p>The membership of the Sub Committee is reviewed each year following the appointment of members to the Licensing Committee at the Annual Council Meeting</p> <p>The Licensing Committee has already delegated the majority of its licensing functions to the Sub Committee and/or Officers.</p> <p>A Data Protection Impact Assessment is not required as the proposals in this report do not include the processing of any personal or sensitive data.</p>
<p>Risk:</p>	<p>There are no risks identified in relation to crime and disorder from the recommendation of this report.</p>



	<p>The activity undertaken by Licensing Committee seeks to reduce instances of crime and disorder that may impact on residents and visitors to the Sandwell borough.</p> <p>Application of the 'Fit and Proper Person Test' is used as part of the Licensing process to safeguard the public.</p>
Equality:	An initial equality screening has been undertaken and no adverse impact on protected groups has been identified.
Health and Wellbeing:	The Licensing Committee undertakes its activities and reaches decisions in order to reduce the risk of harm posed to children and vulnerable adults and seeks to maintain high standards of public safety.
Social Value	The Licensing Committee undertakes its activities in the interest of public safety. The deliverables in turn result in increased public confidence of Sandwell licenced Taxis and private hire vehicles, licenced drivers and private hire operators.

7. Appendices

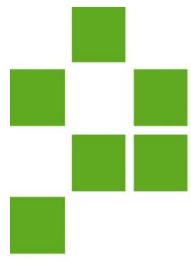
Appendix 1 – Annual report of the Licensing Committee 2019/20 and 2020/21.

8. Background Papers

Annual report of the Licensing Committee 2019/20 and 2020/21.



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Sandwell

Metropolitan Borough Council

Annual Report of the Licensing Committee 2019/20 and 2020/21

Foreword – Chair of the Licensing Committee

The 2019/20 and 2020/21 municipal years were distinctively different as the COVID Pandemic took hold. The operating of the Licensing Committee under its current structure was able to continue to discharge its functions swiftly moving to online hearings during the Pandemic.

Overcoming technical difficulties on the way, with some hearings being a mix of hearings open to the public and closed due to the restrictions on disclosure of personal information. The Committee and ALL of the officers managed all of the processes, exceptionally well.

The Licensing Committee is made up of 15 elected members including myself as Chair and two Vice Chairs. Under the provisions of the Licensing Act 2003, the main committee is supported by three sub committees to assist in the discharge of the licensing functions.

Three members of the Licensing Committee sit when considering matters in relation to the Licensing Act 2003 and Gambling Act 2005 and five members of the Licensing Committee when considering matters affecting applications for licenses and licenses previously granted under the terms of the Local Government (Miscellaneous Provisions) Act 1976.

In order to maintain the integrity of the service, it is essential that members of the public can feel confident and safe when engaging with licensed services throughout the borough. I am confident that the decisions made by the Committee make activities such as travelling in a hackney carriage or purchasing alcohol a safe and comfortable experience.

I would like to take this opportunity to thank fellow committee members and officers of the council involved in the licensing process for their work throughout the year and I look forward to the coming year when we can resume normal meetings and the challenges it presents in regulating licensable activity within Sandwell.



Cllr Pete Allen
Chair of Licensing Committee

1. The Licensing Committee

The Licensing Committee is established by Council each year. Its purpose is to determine all matters in relation to the Council's powers and duties under the following Acts and Regulations:-

- Town Police Clauses Act 1847;
- Local Government (Miscellaneous Provisions) Act 1976;
- House to House Collections Act 1939;
- Local Government (Miscellaneous Provisions) Act 1982;
- The Police, Factories etc. (Miscellaneous Provisions) Act 1916;
- Consumer Credit Act 1974;
- Safety of Sports Grounds Act 1975;
- Part II of the Local Government (Miscellaneous Provisions) Act 1972.

Membership of the Licensing Committee for 2019/20 was as follows:-

- Councillor Allen (Chair)
- Councillor Rouf (Vice Chair)
- Councillor S Davies (Vice Chair)
- Councillor Crompton
- Councillor Dhallu
- Councillor Downing
- Councillor Eaves
- Councillor E M Giles
- Councillor L Giles
- Councillor G Gill
- Councillor I Jones
- Councillor O Jones
- Councillor Mabena
- Councillor Moore
- Councillor Preece

Membership of the Licensing Committee for 2020/21 was as follows:-

- Councillor Allen (Chair)
- Councillor Rouf (Vice Chair)
- Councillor S Davies (Vice Chair)
- Councillor Dhallu
- Councillor E M Giles
- Councillor O Jones

Annual Report of the Licensing Committee 2019/20 and 2020/21

- Councillor Mabena
- Councillor Eaves
- Councillor L Giles
- Councillor I Jones
- Councillor Preece
- Councillor Downing
- Councillor G Gill
- Councillor Moore

The Committee receives officer support from Licensing Managers, Democratic Services and Legal Services.

The key objectives of the Licensing Committee are to: -

- protect the health and safety of the public; and
- the establishment of professional and respected hackney carriage and private hire trades.

Committee Member training

Training has been provided to all Committee members on the following topics:-

- Licensing Act 2003
- Taxi Licensing
- Gambling Act

Training included licensing procedures, natural justice, understanding the risks of child sexual exploitation, and disability equality, as well as any additional issues deemed locally appropriate.

2. Contribution to the 2030 Vision

The Licensing Committee delivers a range of activity which contributes to the delivery of the 2030 Vision, in particular the following ambitions:

Ambition 5: our communities are built on mutual respect and taking care of each other, supported by all the agencies that ensure we feel safe and protected in our homes and local neighbourhoods.

Ambition 8: our distinctive towns and neighbourhoods are successful centers of community life, leisure and entertainment where people increasingly choose to bring up their families.

The work of Licensing Committee enforces key council policies and provides an effective response to local issues as they arise.

3. Purpose of the report

The report outlines the activity of the Licensing Sub Committee for the municipal years 2019/20 and 2020/21. For the purpose of this report the activities have been separated into two parts:

- Private Hire and Hackney Carriage Licensing
- General Licensing

The Annual report of the Licensing Committee is ordinarily submitted early in the following municipal year to which it relates. The submission of the Annual report for 2019/20 has been delayed as a result of the priorities and demands placed upon both the Elected Members and Licensing Authority Officers in providing timely responses to the COVID 19 pandemic, whilst managing and maintaining continued service delivery in line with Government Guidelines throughout the pandemic. Therefore, a combined report reflecting the activities and outcomes of the Licensing Committee for 2019/20 and 2020/21 has been produced.

4. Private Hire and Hackney Carriage Licensing

Licensing Committee decisions

In the municipal year 1 April 2019 to 31 March 2020 the Committee considered 75 reports regarding the grant of new license applications or the renewal or review of existing licenses.

Date	Granted	Renewed	Suspended	Revoked	Refused	Adjourned/Deferred	Warned	No Action	Total
10/06/19			2	2		2	1		7
24/06/19	2	1			1		1		5
08/07/19	2			1	1	1			5
22/07/19				1	1	3			5
05/08/19				1		2	3		5
19/08/19		1	1	1	1		1		5

Annual Report of the Licensing Committee 2019/20 and 2020/21

02/09/19				2		2	1		5
30/09/19			1	1		1	2		5
14/10/19				1		2	2		5
28/10/19					1	2	1	1	5
11/11/19	1	1		1	1	1			5
25/11/19			1	1					2
13/01/20					1	2	1		4
27/01/20		1		1	1	1			4
24/02/20			1	1		1			3
09/03/20			1	1	1		1		4
Total	5	4	7	15	9	20	14	1	75

In the municipal year 1 April 2020 to 31 March 2021 the Committee considered 15 reports regarding the grant of new license applications or the renewal or review of existing licenses.

Date	Granted	Renewed	Suspended	Revoked	Refused	Adjourned/ Deferred	Warned	No Action	Total
15/06/20				1		1			2
29/06/20	1								1
27/07/20	1						1		2
21/09/20						1			1
02/11/20			1						1
30/11/20				1		1			2
11/01/21							1		1
08/02/21			1				1		2
08/03/21					1				1
22/03/21				2					2
Total	2	0	2	4	1	3	3	0	15

Delegated officer decisions

During the same period the following delegated officer decisions were made by the Taxi Licensing Managers which resulted in fewer reports being taken to Committee for member consideration and decision:

	Municipal year 2019/20	Municipal year 2020/21
Licensed drivers who had their licence revoked or suspended with immediate effect on the grounds of public safety	11	2
Licensed drivers who had their licence suspended with immediate effect as their DBS certificate had expired	164	37
Licensed drivers who were issued with a 21 days suspension notice for failure to sign up to the DBS update service	48	0
Licensed Drivers who had their licence suspended with immediate effect as their Medical certificate had expired	161	51
Licensed drivers who had their licence suspended with immediate effect as they were not medically fit	13	5
Driver Applications refused due to the applicant failing to pass the knowledge test within 3 attempts	0	0
Warning letters issued due to failing to declare minor road traffic endorsements on application or within the designated period	6	1
Drivers issued with an exemption certificate from carrying guide and assistance dogs due to a medical condition	0	0
Warning Letters issued at conclusion of complaint Investigation	12	0

Licence numbers

The numbers below are the current registered licences for both municipal year of 2019/20 and 2020/21 broken down by licence type.

Licence type	Total number of current licences 2019/20	Total number of current licences 2020/21
Private Hire Operator	40*	43*
Private Hire Driver	967*	952*
Hackney Carriage Driver	23*	27*
Dual Licence Holder	350*	402*
Private Hire Vehicle	1294*	1018*
Hackney Carriage Vehicle	129*	99*

*the figures quoted are extracted from the system retrospectively. Any licence that was current during the municipal years of 2019/20 or 2020/21 but which has not renewed since that year cannot be reported on retrospectively as once a licence lapses and is not renewed the system archives that licence and it can no longer be reported on.

Policy position

The current policy handbook was last reviewed October 2017 with subsequent amendment in August 2018. The policy handbook is due for review at least every three years and is therefore due for review again in 2021.

During 2019/20 no amendments were made to the policy handbook.

During 2020/21 interim variations were approved for a time limited period to specific elements of the Private Hire and Hackney Carriage Licensing Handbook to ensure licensed drivers and operators were able to continue working.

These interim variations to the policy handbook were in response to the Covid-19 pandemic and the interruption of many services essential to the licensing process including MOTs, Medicals and DBS.

On 21 July 2020 the Department for Transport's Statutory and Private Hire Vehicle Standards were published. Licensing Authorities are required to consider these standards and a 12-week consultation, which closed on 12 March 2021 has been undertaken.

Annual Report of the Licensing Committee 2019/20 and 2020/21

The standards and outcome of the consultation will be considered by the Licensing Committee and may result in recommended changes to the Private Hire and Hackney Carriage Licensing Handbook in the 2021/22 municipal year.

Service Improvement

During the course of the 2019/20 municipal year work had continued on the digital transformation of the licensing activity. The aim of the change is to offer the customer greater flexibility and control about when they engage with the Licensing Department. The change in approach will improve efficiency and accessibility of service. In addition, information will be more readily available for the Committee and the Licensing Team in order to meet both the Legal requirements of Licensing and its contribution to the delivery of the 2030 Vision. Work on digital transformation will continue into the next municipal year.

Some delays to this work were seen during 2020/21 due to the Covid-19 pandemic and the unprecedented pressures placed upon the Council to continue the delivery of essential services in a timely and efficient manner, whilst implementing Covid-19 secure measures in line with Government guidance, to protect both our customers and our team. The service has now embedded several measures into service delivery and is again focused on service improvement, specifically the work around digital transformation of the service.

Enforcement activity

Between 1 April 2019 and 31 March 2020, the Taxi Licensing Enforcement Team conducted 12 multi-agency safety operations (MASO) together with officers from the Driver & Vehicle Standards Agency (DVSA), West Midlands Police, and Her Majesty's Revenue & Customs (HMRC) Fuel testers at locations across the borough.

On average 20 vehicles were checked on each operation. Findings have been that approximately 70% due to VOSA failure for mostly issues such as defective lights which are generally rectified on site or for defective tyres where a fixed penalty is issued followed up by an appearance at the Licensing Sub Committee. Poor compliance has also been found with taxi drivers licenced out of area. Any findings of this nature are reported to the relevant licensing authority within one working day of being identified.

Due to the Covid-19 pandemic only one MASO took place between 1 April 2020 and 31 March 2021 due to the limited resources available both for the partner agencies and from within the Taxi Licensing Team, due to the focussed response to Covid related matters. The one MASO undertaken was with

Annual Report of the Licensing Committee 2019/20 and 2020/21

officers from the Driver & Vehicle Standards Agency (DVSA) and West Midlands Police. This was conducted in a Covid secure manner with several control measures in place to protect both officers and the trade. The service has now embedded those control measures into practice and has started conversations with partner agencies including DVSA and West Midlands Police and HMRC to agree future dates to undertake MASO activities.

Focus of Enforcement activity during 2020/21 has been on response to complaints and ensuring the trade have operated both in full compliance with the Private Hire and Hackney Carriage Licensing Handbook and following Covid control measures required of the industry type as outline by Government guidance throughout the Covid-19 pandemic.

5. General Licensing

Licensing Committee decisions

Detailed in the table below is a breakdown of the type of applications considered by the Licensing Sub Committees in the municipal year 1 April 2019 to 31 March 2020 together with further information on the responsible authority requesting the review for the same period:

Reviews

Agency triggering review	Total 2019/20	Total 2020/21
Trading Standards	5	0
Police	4	4
	Total 9	Total 4

Reasons for review	Total 2019/20	Total 2020/21
Serious Crime and Disorder	4	2
Crime, disorder and Public Safety	5	2
	Total 9	Total 4

Other hearings	Total 2019/20	Total 2020/21
Grant application	4	1
Vary premises licence application	2	0
Sex Establishment applications	3	3
Temporary Event notices	1	0
Expedited review	0	1
	Total 10	Total 5

Delegated officer decisions

The table below states the total number of delegated officer decisions on Licensing applications for both the 2019/20 and 2020/21 municipal years which negated the need to seek member consideration and decision via a Committee hearing:

Decision Type	2019/20	2020/21
New Premises licences	30	28
Minor Variations	23	18
Full Variation	1	12
Vary Designated Premise Supervisor	240	150
Transfer Premise Licence Holder	250	84
Licences surrendered	25	1
Licences suspended	20	55
Change of name/address Premises Licence	20	34
Personal licences	195	148
Change of name/address Personal Licence	60	83

Licence numbers

The numbers below are the current registered licences for the municipal years 2019/20 and 2020/21 broken down by licence type.

Licence type	Total number of current licences for 2019/20	Total number of current licences for 2020/21
New Premises licences	915	941
Personal licences	4131	4295
Casino	2	2
Bingo	5	8
Alcohol Licenced Gaming Machine Permit (ALPGM)	31	31
Adult Gaming Centre (AGC)	11	11
Betting (BET)	46	46
Betting Premises (TRACK)	1	1
Unlicensed Family Entertainment Centre (UFECF)	3	3

Annual Report of the Licensing Committee 2019/20 and 2020/21

Family Entertainment Centre (FEC)	0	0
Club Machine Permit (CMP)	40	37
Sexual Entertainment Venues) (SEV)	3	3
Scrap Metal	35	68
Temporary event notice (TEN)	180	16

Policy position

The committee supported the review of the existing Licensing Act 2003 Statement of Licensing Policy and the Gambling Act 2005 Policy including the undertaking of Public consultation processes on both policies during 2019/20. Both policies were carried forward into the municipal year 2020/21 for approval of implementation once feedback was taken into consideration following the completed public consultation.

No further amendments were made to existing policies during 2019/20 nor 2020/21.

Service Improvement

Over the course of the 2019/20 municipal year work has continued on the digital transformation of the licensing activity. The aim of the change is to offer the customer greater flexibility and control about when they engage with the Licensing Department. The change in approach will improve efficiency and accessibility of service. In addition, information will be more readily available for the Committee and the Licensing Team in order to meet both the Legal requirements of Licensing and its contribution to the delivery of the 2030 Vision. Work on digital transformation will continue into the next municipal year.

Delays to this work were seen during 2020/21 due to the Covid-19 pandemic and the unprecedented pressures placed upon the Council to continue the delivery of essential services in a timely and efficient manner. Work on digital transformation runs in unison across both of the Licensing functions. As with the Taxi Licensing Teams position focus has returned to service improvement activities, specifically the work around digital transformation of the service.

Enforcement activity

The Licensing Team are committed to delivering against the Councils 2030 Vision. Their decisions ensure that businesses operate legally and responsibly so that Sandwell residents feel safe and protected in their neighbourhoods and have a good quality of life.

The General Licensing Team has conducted enforcement and compliance visits to 60 Licensed premises during 2019/20 and 47 premises during 2020/21, following up on complaints received as well as undertaking compliance and enforcement visits. The team works closely with various partners and responsible authorities such as West Midlands Police, Trading Standards, Environmental Health, Planning and West Midlands Fire Service to visit 'problem' premises to ensure licence holders are compliant with the operating schedule and conditions of their licence.

Temporary Event Notices

TEN's permit licensable activities on unlicensed premises, or outside the hours of an existing licence, for short periods of time and are subject to restrictions on the number that can be given for premises or to an individual during a specified period.

A notice given more than ten working days before the event is a standard notice, when given between nine and five working days before the event it is a late notice.

Only the Police or Environmental Health may object. Objections to a standard notice may result in a hearing, for a late notice a counter notice is given and the event cannot then go ahead.

There is a limit to the number of temporary events that can be held at a premise in any given year of 15 per year with effect from 1 January 2016.

During the course of 2019/20 there were 180 TEN's, 46 of these were late notices, and a total of 3 Counter notices were issued.

In 2020/21 there have been 16 TEN's, 8 of which were late notices. TEN numbers have seen a significant decrease over the course of 2020/21 as a result of the hospitality closures during lockdown periods in response to the Covid-19 pandemic.

6. Conclusion

The Committee carries out its role with a view to ensuring the public are kept safe from harm. In making its decisions, the Committee puts this perspective at the forefront of its decision making. This should provide further assurance to the public that the Council views the safety of its citizens as paramount in carrying out this function.

Members and officers are constantly reviewing Council Policy and delegations to reduce committee time and further improve the level of service offered to license holders. During the course of the municipal year 2019/20 the following activities were started and continued into 2020/21:

- Completion of the review of the Alcohol Licensing Policy
- Completion of the review of the Gambling Policy
- Development and introduction of a new ICT system for use across the both the Taxi Licensing and General Licensing Teams.

The new ICT system and move of operational activity online aims to offer the customer greater flexibility and control and improve accessibility when they engage with the Licensing Department and provide them with a more efficient service. Information will be more readily available for the Committee and the Licensing Team in order to meet both the Legal requirements of Licensing and its contribution to the delivery of the 2030 Vision. Work will continue on the new ICT system into 2021/22.

Council

26 July 2021

Subject:	Scrutiny Annual Report 2019 - 2021
Director:	Surjit Tour - Director of Law and Governance and Monitoring Officer
Contact Officer:	Statutory Scrutiny Officer, Suky Suthi-Nagra Suky_suthi-nagra@sandwell.gov.uk







1 Recommendations

- 1.1 That Council receive the Scrutiny Annual Report 2019 – 2021 as set out in the Appendix.

2 Reasons for Recommendations

- 2.1 In accordance with Article 6.03 (d) of the Council’s Constitution, Scrutiny is required to report annually to the Council on its work.

3 How does this deliver objectives of the Corporate Plan?

		Effective scrutiny and governance arrangements support the delivery of all corporate objectives
		
		



4 Context and Key Issues

- 4.1 The attached annual report outlines work undertaken by Sandwell Council's scrutiny function in 2019 - 2021 and highlights a number of activities and outcomes that contributed towards the objectives of the Corporate Plan.
- 4.2 Scrutiny Boards delivered the work programme using a variety of methodologies outlined in the report. Evidence was provided by a range of witnesses from the Council and partner organisations, and there was engagement with service users and providers.

5 Alternative Options

- 5.1 The Constitution requires Scrutiny to report to Council annually.

6 Implications

Resources:	There are no strategic resource implication arising directly from this report. Scrutiny Boards are obliged to take into consideration the financial implications of the matters they consider.
Legal and Governance:	Scrutiny Boards discharge the functions conferred by section 12 of the Local Government Act 2000 and the subsequent legislation. The report has been produced in accordance with Article 6.03 (d) of the Council's Constitution, which states that the Scrutiny Function will report annually to the first meeting of the Council in the Municipal Year after the Annual Meeting.
Risk:	There are no risk implications arising from this report.
Equality:	There are no equality implications arising from this report.
Health and Wellbeing:	There are no health and wellbeing implications arising directly from this report. Scrutiny reports and reviews consider added value when scoping topics and items to be considered.
Social Value	There are no social value implications arising from this report.



7. Appendices

Scrutiny Annual Report 2019 - 2021

8. Background Papers

None



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Scrutiny Annual Report 2019 - 2021



Good governance and scrutiny is at the heart of what we do.

It is about how the council ensures that it is doing things right, in the right way, for the right people, in a timely, inclusive, open, honest and accountable way.

Budget and Corporate Scrutiny Management Board

One Council One Team - a modern council, one where our organisational structure, business systems, process and people and cultural working practices are fully aligned to deliver our strategic outcomes.



Children's Services & Education Scrutiny Board



Best start in life for children and young people

Health and Adult Social Care Scrutiny Board



People live well and age well

Economy Skills Transport and Environment Scrutiny Board



A Strong Inclusive Economy and a connected and accessible Sandwell







Safer Neighbourhoods and Active Communities Scrutiny Board



Strong Resilient Communities and Quality homes in thriving neighbourhoods



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 -  Quality homes in thriving neighbourhoods
 -  A Strong Inclusive Economy
 -  A Connected and Accessible Sandwell
7. Work Programme 2021-22 - Looking forward
8. Appendix 1 - Summary of Topics Considered 2019-2021



Introduction



Cllr Luke Giles –
Chair of Budget and Corporate Scrutiny Management Board



Cllr Elaine Giles
Chair of Health and Adult Social Care Scrutiny Board



Cllr Paul Moore
Chair of Safer Neighbourhoods and Active Communities Scrutiny Board



Cllr Laura Rollins
Chair of Economy, Skills, Transport and Environment Scrutiny Board



Former Cllr Liam Preece
Vice Chair of Children's Services and Education Scrutiny Board





I am pleased to present this report describing the work of Scrutiny during 2019 – 2021. It includes a wide range of information about the work elected members have undertaken and the impact this has had.

Scrutiny continues to play a vital role in Sandwell by holding decision makers to account; developing and reviewing policy and monitoring the performance of key services.

Over the past year, all Scrutiny Boards have welcomed the opportunity to work closely with the Cabinet and Officers as they lead the Council, particularly during this past year during the pandemic.

The Boards have sought to focus on the critical issues for the Council and provide constructive input in finding ways to improve outcomes for residents.

I thank all Chairs and Vice Chairs for their help and support and working together on cross cutting issues and providing constructive challenge to the Cabinet, Directors and partners. I would in particular like to thank Councillor Rollins who worked determinedly to bring Climate Change to the forefront in Sandwell and to former Councillor Liam Preece, who as Vice Chair of Children’s Services and Education Scrutiny Board, made a significant contribution to the work of scrutiny within children’s services and led the Board in the absence of a Chair.

I would also like to thank the wide range of officers who support all the Boards and thank those external to the Council who gave up their time to attend meetings and who have contributed to the work of overview and scrutiny.

I look forward to another year of working through scrutiny to help ensure improved outcomes for all residents of Sandwell.

Cllr Luke Giles

Chair of Budget and Corporate Scrutiny Management Board



Foreword

The last two years have brought challenges and a period of unprecedented change that no one could have foreseen, this included the General Election in December 2019, national lock down, restrictions and changes to services starting in March 2020 due to coronavirus pandemic.

This Annual report gives you an insight into the work of the Council's five Scrutiny Boards and in depth working groups over 2019-21 municipal years. We are proud of the way the Council and Members have adapted to meet the challenges and to work through the problems faced as one-council.

Our 2019 -20 scrutiny year started with a review of the scrutiny function and explored new focus, structures and mechanisms for scrutiny, this report highlights some of the tools and techniques used and details some of the successes from new ways of working and the refreshed approach. Scrutiny is about making better decisions and relationships across Sandwell and this report aims to highlight what scrutiny has achieved and what it has changed.

In March 2020, Councils across the country had to lockdown services, send staff home, reprioritise staffing allocation and adapt and change the way Local Government services and decision making worked. The huge change paused Scrutiny Boards work until a change in legislation allowed remote scrutiny meetings to commence in June 2020. Members trained and adapted to new ways of working and began to engage in Microsoft Teams meetings and live events. Chairs reprioritised work programmes to respond to emerging priorities.

Remote meetings have allowed decision making and scrutiny to continue and resulted in improved attendance and participation at Scrutiny Meetings. Working groups have flexibility to reach out to a wider audience, visit sites virtually, share information on screen and engage with parents and partners in discussion forums. Whilst remote meetings legislation has now lapsed, it is hoped that a hybrid solution to informal meetings such as workshops and working groups will enable continued engagement and participation of partners and members of the public.

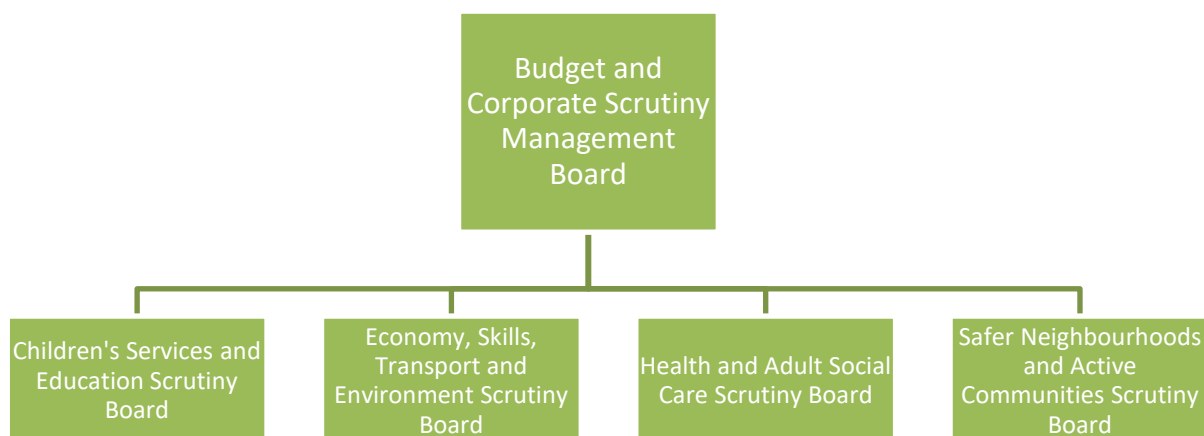


Introduction to Scrutiny

Overview and scrutiny is a key aspect of this Council's governance framework and is integral to decision making.

Scrutiny Boards fulfil the statutory responsibility placed on local authorities to review and scrutinise decisions and actions taken in relation to the delivery of services, policy making and service shaping to deliver the Sandwell Vision 2030 ambitions and the Councils Corporate Plan '[Big Plans for a Great Place for the people of Sandwell](#)'.

Each year the Council appoints members to a Scrutiny Management Board and four thematic Scrutiny Boards, each Board has its own area of responsibility which are themed around the Council directorates.



The Management Board consists of a Chair and 4 Chairs of the thematic Boards, and each Board is made up of 11 non-executive members. Both Children's Services and Education and Safer Neighbourhoods and Active Communities Boards also include co-opted members who serve on the Boards alongside elected members. You can see more about the Scrutiny Boards membership and activity [here](#).

The Scrutiny Boards terms of reference are approved by Council and set out in the Council's Constitution. They are designed to support and enhance the Council's decision-making processes. Scrutiny Boards are expected to make a positive impact by supporting the development of policy, monitoring performance and making important recommendations to support improvement.



The Boards are able to review and scrutinise the whole range of the Council's functions and responsibilities including those delivered in partnership with other agencies and organisations. Partnership working is an integral part of the scrutiny process and good governance. It creates an environment and a platform to question, shape and develop policies and services with our key strategic partners for the people and communities in Sandwell.

How scrutiny works

Scrutiny Members can ask people to attend Board meetings or Inquiry sessions to provide information and respond to questions and through working groups which carry out in-depth reviews into issues that are important to local residents and businesses. Scrutiny represents the public voice in decision making.

Boards normally agree a work programme of activity each year based on issues that Members feel are really important to local residents and where they believe they could add value and make a difference. This is a two-year report due to the unprecedented circumstances the work programme was rolled forward.

Scrutiny Chairs attend Cabinet meetings to ask questions and challenge the key decision makers in relation to items on the agenda. Scrutiny Boards also carry out pre-decision scrutiny of key decisions and refer comments or recommendations to Cabinet to consider. It is important for scrutiny members to be involved in decisions at an early stage to ensure they influence the decision-making process and play an important role of 'critical friend'.




The Chairs and Vice-Chairs of the Scrutiny Boards have met virtually since March 2020 to receive high level briefings from officers to strengthen decision making and prioritise agenda and work programming items on emerging issues and matters of urgency.

A Working Group was set up in July 2019 to consider the scrutiny function, the group was made up of Executive and Scrutiny members and reported back to the Scrutiny Management Board in October 2019 about the structure, ethos, engagement of members and methodology. Some suggestions were made to improve the scrutiny model and clarify the role of scrutiny.



Since the review, scrutiny has continued to develop approaches and imbed them into the scrutiny function. These include the Chair and Vice Chair sessions, refresh of the review process and tools used, Question Time session and better use of social media campaign and surveys to engage the public.

Scrutiny Activity Spotlight - 2019-21

	What we did	2019-20	2020-21
	Scrutiny Board meetings	34	38
	Joint Health Overview and Scrutiny meetings held with Birmingham City Council	4	2
	Review Working Group meetings Site visits & meeting service users Virtual forum with parents and children Inquiry Session – Health Partners	4 6	6 1 1
	Topics considered Councillor Call for Action Question Time	49 1 1	60
	Pre-decision items Boards made recommendations to Cabinet	15 2	15 2

Later in this report tables are provided to summarise all of the matters considered in Scrutiny Board meetings over the two-year period (see appendix 1).

You can read more about the work of each of the Scrutiny Boards, the reports, presentations and minutes can be viewed [here](#) on the Councils website.



How does Scrutiny make a difference?

There are many ways Scrutiny has had impact and added value over the last two years, some physical changes and actions and some cultural changes.

Scrutiny has investigated a range of issues and every time it starts to look at an issue it starts to make a difference. How?

Holding a matter up for to scrutiny raises awareness...

tells us why we do something; the way things work and how we perform.

questions the issues, barriers or blockages.

identifies good practice and share this more widely

initiates 'the difficult conversation' between interested parties

helps to develop relationships between services and partners, public and officers

invites people into the same space to hold an open and transparent discussion

Makes comments and recommendations to decision makers based on evidence gathered

Monitors and maintains oversight of issues that impact on residents and businesses of Sandwell



What difference have we made?



Best start in life for children and young people

Commissioning of Children's Centres – *Influence Service shaping*

In March 2021 Scrutiny considered the proposal to Cabinet for the Recommissioning of Children's Centres. The debate highlighted that parents wanted the centres to reflect family and community and to be a space where the community can engage with each other, access Council Services, access provider/voluntary provision and develop community relationships.

The board Highlighted to Cabinet that the centres should be a place for young mothers and families that was not intimidating and that they feel comfortable accessing a range of services.

Cabinet agreed to note the comments and to consider broadening the commissioning arrangements for Children's Centres to orientate the provision towards the development of a 'Family Centre'.

SHAPE Programme – *Participation in Decision Making*

Scrutiny welcomed young people from the SHAPE Youth Forum to a meeting to share about the work they do and why they participate in the activities and consultation in their own time. The Board recognised the need to promote their work and to get all Members of the Council involved. They highlighted the development opportunity and confidence that the forum gave them through the programme of events, activities and projects

The debate highlighted that young people want their voices to be heard and to be involved in consultations, decision making process, scrutinising policy and any matters that affect them and influence their future.

As a result of this discussion SHAPE members were invited to participate in the Youth Facilities Scrutiny Review and participate as the audience at a Question Time Session with the working group members and officers.





Youth Facilities Review - *Protecting Services for Young People*

The Children's Services and Education Scrutiny Board set up a working group January - April 2020 to consider if the current local youth provision was sufficient and to explore what young people 'have, need and want'.

Youth facilities across the Country had been significantly depleted over a decade but Sandwell Council had protected important services for young people that others had not managed to. The Group gathered evidence from service users, parents and providers using a range of methods included a survey, site visits, forums and 'Question Time' session with young people. The group reached out to service users, parents and providers, out of 92 young people involved in the review work 26 (28.3%) were registered as BAME young people.

Their findings led to seven recommendations to inform service shaping, resource requirements and future youth facilities provision, they highlighted:

- a need for better information and communication;
- that young people wanted Wi-Fi and a place of their own;
- to consider transport to youth facilities for vulnerable young people;
- to identify future funding;
- to consider the sufficiency of Sandwell Youth Offer;
- to consider youth worker capacity;
- to involve young people in decision making.

The report highlighted the importance of protecting the future of youth services in Sandwell, the need for multi-agency working and its impact on youth crime. The pandemic highlighted the need to change how we deliver services in an environment of change and increasing demand and resource pressures.





Elective Home Education Working Group – *Improving support for families*

Childrens Services and Education Scrutiny Board received an update which highlighted that there had been an increase in numbers of elective home education cases and it was questioned why parents were choosing to home educate and whether current support provision was sufficient.

The Board agreed to establish a working group to receive further analysis of data consider the range of ways to carry out education out of the school system and to hear the child’s voice about home education.

The working group has met four times to gather evidence through a range of mechanisms, including data analysis, surveys and focus group with parents and EHE advisory teachers.

There are several areas of concern emerging from the evidence gathered so far that require further investigation and that will inform recommendations to Cabinet in the spring 2021. Further sessions are planned January - March 2021, including a focus group with teachers and head teachers.

The Children’s Services and Education Board has received update reports from the working group and invited the DfE Regional Advisor to provide an update relating to the Select Committee Inquiry into Elective Home Education which commenced in October 2020. It is anticipated that the working group evidence will contribute to the Select Committee work in 2021





People live and age well

Harmonisation of treatment policies Phase 3 – *Statutory health scrutiny*

Health and Adult Social Care Scrutiny Board approved the 13 Phase 3 clinical treatment policies to be implemented from 1st April 2020. They considered whether the 13 draft NHS policies reflected contemporary clinical evidence and ensured that policies incorporated the most up-to-date published clinical evidence so that the prioritised funded treatments were proven to have clinical benefit for patients.

The development of the 13 policies helped to stop variation in access to NHS funded services across Birmingham, Solihull and the Black Country (sometimes called the 'postcode lottery' in the media) and allow fair and equitable treatment for all local patients.

Mental Health Support - *collaborative Partnership working*

Health and Adult Social Care Scrutiny Board on 14 September 2020 received presentations relating to the different tiers of mental health services available and the sufficiency of support from Council and Partners. The Board agreed to continue the evidence gathering at a joint meeting with Children's Services and Education Scrutiny Board which was held on 2 December 2020 to scrutinise Mental Health Support.

The Inquiry session received evidence from Children and Adult Services, Black Country Health Foundation Trust, CCG, Public Health and Human Resources. The Joint Board considered the breadth and depth of well-being and mental health support across Sandwell and in the workforce.

Several matters were identified for further scrutiny by the Health and Adult Social Care Scrutiny Board and the Budget and Corporate Scrutiny Management Board in 2020-21.





Strong Resilient Communities

Legacy Plans for the Aquatics Centre and Commonwealth Games 2022 *Shaping Community Facilities for future families*

The Safer Neighbourhoods and Active Communities Scrutiny Board reviewed the proposals for the development of a Legacy Plan for the new Aquatics Centre and the Commonwealth Games 2022. The Legacy work was based around five key themes:

- Sport Development and Clubs;
- Public Health and Physical Activity;
- Skills and Education;
- Regeneration, Job, Tourism and Place Building; and
- Culture and Communities.

Significant consultation and engagement had taken place to develop the Legacy for this community facility. The Scrutiny Board had maintained a watching brief since 2019 in relation to progress against the project phases, including a virtual drone visit to site in November 2020. There had been some impact to the programme during Covid-19 but this had been limited due to the pro-active approach by the Council and Wates Construction Ltd and the support of Games Partners. the project was on track with Highways works to be completed by May 2021.and the timescales required to host the swimming and diving events at the Birmingham 2022 Commonwealth Games.





Town Deal Fund – *Bringing priorities under the spotlight*

Scrutiny considered the Government's Town Deal in February 2020 and the process and governance arrangements for a Super Board and Town Boards for Smethwick, Rowley Regis and West Bromwich Towns to develop Town Investment Plans (TIPs) to bid for funding.

The funding would be allocated on the strength of TIPs, up to £25m per town, scrutiny made recommendations for each Town Deal Board to develop their TIPs to attract the maximum possible level of funding available from the Town Deal. To do this they further endorsed that capacity funding be used to procure consultancy services and suggested that local Members should be involved in the Town Deal Boards with a wide range of key stakeholders from community, business, voluntary, public-sector and faith organisations.

The TIP's were submitted to Government on 30th October 2020.

Government announced on 3 March 2021 Sandwell's bids to the Government's Towns Fund had been granted, with the borough on course to secure £67.5 million of investment. This is the largest amount to any local authority area. The announcement means Rowley Regis is set to be allocated £19 million, Smethwick £23.5 million and West Bromwich £25 million.





Councillor Call for Action Bexley Gate – *Act for the community*

A Councillor Call for Action was raised by a member speaking on behalf of a local community to make a difference. In 2017 a request was made to gate an access way, to stop anti-social behaviour occurring, but the issue had not been fully resolved, some communication between members and the local office had taken place but it was found that information should have been provided that the gating of Bexley Grove was not in the jurisdiction of the Highway Authority anymore, and that proposals by Housing and Communities service for further discussions was underway.

Scrutiny found that a that protocol had been put in place to ensure that all enquiries from MPs, Cabinet Members and Councillors were answered in a timely manner, even if this was simply to direct the enquirer to the correct team for action and that there was a clear gating policy and a process to follow.

The Councillor Call for Action resulted in an initial meeting with residents and councillors to offer assurances that there was a clear gating policy in place and to discuss how to address anti-social issues affecting this area. Assurances were given that residents would be supported to form a Committee, to manage the setting up of the gating scheme and its future maintenance, including LAB funding for the supply and fit of the gates, if the community wanted to proceed.





Climate Change Implementation – *Creating a greener and sustainable borough*

Following the establishment of an Economy Skills Transport and Environment Working Group to examine the Climate Change Programme, the Scrutiny Board received a presentation on Climate Change, setting out the main challenges and areas of activity.

The challenges of developing a strong corporate focus and leading Sandwell by example to tackle climate change were recognised. At the meeting, it was agreed that the Board would actively consider how climate change is being embedded into all council decisions, in support of the 2030 target for carbon neutrality and to encourage behavioural change in the borough.

In light of the threats to the well-being of residents, posed by climate change, the Board recommended to Cabinet that it considers how to embed climate change in all council decisions, to help meet the 2030 target and to maintain the credibility of Sandwell's role as an advocate of climate change action.





Quality homes in thriving neighbourhoods

Housing Allocation Policy - *Shaping policy for residents*

Scrutiny considered Housing Allocations Policy on two occasions, it identified challenges that affordability within the Private Rented Sector was becoming a significant issue in Sandwell, as there was a weekly affordability gap of between £16-18 for properties of all sizes.

It was further noted that the five-year residency test could cause some households to be excluded from the housing register because of the test itself, or their inability to provide proof of residency even when they had been resident within Sandwell for the required length of time.

The Cabinet Member for Homes and Director – Homes and Community agreed to consider including specific reference to the use of Local Lettings Plans for new build housing and areas experiencing anti-social behaviour in the Housing Allocations Policy and to review the support offered to households on the housing register who may have difficulty accessing information or bidding processes due to technological or language barriers.

The public highlighted key themes from a public survey relating to frustration at lack of housing supply and perceived excessive length of time on the housing register. It was noted that these issues of stock supply were due to national policies such as Right to Buy, welfare reform and the overall national decline in social housing lettings rather than local policy.

Cabinet was asked to take scrutiny comments on board in relation to the revised policy, specifically to consider for inclusion in the Housing Allocations Policy the use of local lettings plans for new build housing and areas experiencing anti-social behaviour; and the need to review the support offered to households on the housing repair list who may have difficulty accessing information or bidding processes due to technology or language barriers.





Tenant Engagement and Participation – *representing the service user*

The Safer Neighbourhoods and Active Communities Scrutiny Board considered this matter and requested that as part of the review of Sandwell's Development Plan, further work should be undertaken on a Policy and Supplementary Planning Document on Houses in Multiple Occupation and that further information on how to raise concerns about Houses of Multiple Occupation should be sent to all members.

Officers were reviewing the policy and consultation was being carried out with a wide range of organisations including the Tenant Review Panel, Tenant Management Organisations, the Housing Management Partner for the Sandwell PFI and Sandwell Community Information and Participation Service (known as SCIPS). It was agreed that scrutiny members were represented on the Tenant Engagement and Participation Working Group and that consultation carried out during the review of Tenant Engagement and Participation was accessible and sought views that were representative of Sandwell's population.

The Board recognised the importance of this work and specified that the outcomes of the review of Tenant Engagement and Participation were considered as a pre-decision scrutiny report particularly relating to the Council's role, responsibilities, challenges and future plans in relation to Houses in Multiple Occupation in the borough.

The Board received the Governance and Tenant Engagement pre-decision report to its meeting 1 April 2021.

The report took account of the need to develop tenant involvement and participation and strengthen the tenants voice within the Council and wider neighbourhoods and recommended a review is undertaken every 3 years.





Housing Ombudsman Complaint Handling Code – *The Public Voice*

Scrutiny considered the Council's work to self-assess against the Housing Ombudsman Complaint Handling Code and report before 20 December 2020. Work had been carried out including the establishment of a working group and virtual meetings with Sandwell Community Information Participation Services (SCIPS) to get residents' feedback and ideas. It was confirmed that no policies or procedures were being amended, but that elements were being brought together in one place, which would make things easier for residents.

Scrutiny sought clarification on the wording in the Customer feedback guide and recommended that there should be wider consultation with community groups including those who may be digitally excluded, and officers should consult with the Tenant Review Panel on the Customer Feedback Guide and associated processes.





A Strong Inclusive Economy

Inclusive Economy Deal – *Growing the local economy*

The Economy, Skills, Transport and Environment Scrutiny Board wanted to understand the principles of an inclusive economy deal to robustly check and challenge the consultation and engagement co-development phase of developing a Sandwell Inclusive Economy Deal. The Board found that developing and shaping the deal would ensure that everyone in Sandwell could benefit and that Metro Dynamics had been engaged to prepare a 'State of the Borough' report relating to the health, economy and demographics of Sandwell. The understanding was that the level of deprivation in the Borough had resulted in many of the performance indicators not being met for a number of years and that the Council needed to take a different strategic approach.

Members highlighted the need to focus on high technical skills and automated manufacturing because the traditional metal and heavy industry in the area was declining. They also recognised the need to link into the WMCA Industrial Strategy and to focus on skills and investment in new industry such as in the giga factory for making batteries for electric vehicles.





West Midlands Combined Industrial Strategy and the Local Industrial Strategy

Scrutiny invited the Black Country Local Enterprise Partnership (LEP) to provide an overview of the Industrial Strategy at a sub-regional level and from a Sandwell perspective.

The Board noted the approach taken for the implementation of the West Midlands Local Industrial Strategy (LIS) and the integral role of the Black Country Consortium LEP in providing and co-ordinating the evidence that underpinned the strategy. The Chair welcomed the Industrial Strategy that had taken information into account about economic and environmental factors and the positive messages around growth but recognised that there were still challenges such as youth employment and affordable housing to consider, and the importance of local needs.

The Board welcomed that the Black Country LEP led on aerospace, construction, metals & materials and rail and continued to provide data to the Overall LIS across the region. Understanding the current and future sector strengths was important to take forward economic opportunities in Sandwell and the Board welcomed that development of the strategy placed the West Midlands in a good position for future Government Investment, to have detailed information relating to health, economy and demographics available to bid for funding would speed up the bid submissions provide the actions needed to help businesses deliver and overcome barriers and to be ready for opportunities to secure the right deal from any future replacement for existing EU funding.





Sandwell Guarantee – *Recognise success and invest in young people*

The Sandwell Guarantee began in September 2014 to respond to high youth unemployment in the area and limited external support for this age group. The Sandwell Guarantee represented access routes for Sandwell residents to Employment support including Work Experience, the Connexions Service, Youth Services and Sandwell College. The Sandwell Guarantee had been successful and had helped fund 700 young people in the Borough to find training opportunities and work, with 368 organisations being supported by the programme. The funding for the programme was one off funding from Council reserves and funded wage subsidies for local employers to employ an apprentice or provide a job opportunity.

The Board was proud of what the Sandwell Guarantee had achieved to reduce youth unemployment in Sandwell and recommended that performance data was reviewed at the end of the programme to establish the impact and the potential for the Council to continue specific services when costs, revised budget and the Government settlement figure were confirmed in March 2020.





Vocational Qualifications – Consultation response to Government

The Principal and Deputy Principal of Sandwell College presented the proposed change to vocational qualifications and its implications for the future of the College to the Board.

In recent years there had been an increase in the number of young people progressing from Level 1 and 2 qualifications to Level 3, with a number of these students progressing to university. There had been a large increase in young people undertaking BTEC qualifications in Sandwell which had widened their future opportunities.

Government was consulting on proposals to remove funding for BTECs and instead introduce T Levels, which were new qualification which would restrict the choice for many young people, predetermine educational pathways and may result in them not being able to progress to university. T Levels included a requirement for young people to undertake 300-900 hours of unpaid work as part of the qualification, for many young people in Sandwell this would not be a viable option.

There was the consensus of the Board that a response should be made by the Local Authority to voice concerns to the Government consultation in terms of the potential impact on young disadvantaged people in Sandwell and their future opportunities.





A Connected and Accessible Sandwell

Cycling Infrastructure Programme – *Policy development*

Scrutiny had monitored the development of the Sandwell Cycling and Walking Infrastructure Programme SCWIP from inception in 2018 and was very pleased that it developed and supported the West Midlands Strategic Transport Plan—Movement for Growth and contributed to the provision of a high-quality transport system linking homes and communities to jobs and facilities. The policy would put Sandwell in a good place to submit bids, get projects going and to develop the cycle and walking routes in the plan.

The Boards comments and scrutiny strengthened the policy and decision making relating to the programme of cycle infrastructure improvements. Scrutiny agreed to monitor future developments in the Local Cycle and Walking Infrastructure Plan.

Air Quality Action Plan – *Monitoring Implementation of Action Plans*

Projects delivered through the last AQAP included promoting health initiatives that support sustainable transport and behavioural change; traffic management and highway improvements and improving understanding of pollutant behaviour.

The Council has a statutory duty to have an AQAP and that the approach to tackling air quality had become integrated with the Councils Climate Change Strategy. The emissions that pollute the air and those that warm the planet have common sources, vehicles, buildings, power generation and industry. In Sandwell the principal source of air pollution is vehicle exhaust.

Scrutiny endorsed seven priority actions to reduce emissions and agreed to monitor progress against the implementation of the AQAP.





Big Plans for a Great Place for the People of Sandwell

The Sandwell Plan 2020-25 set out how the Council would deliver its part of Vision 2030 for the next five years focussing on six strategic outcomes: -

- The best start in life for children and young people;
- People live well and age well;
- Strong, resilient communities;
- Quality homes in thriving neighbourhoods;
- A strong and inclusive economy;
- A connected and accessible Sandwell.

The outcomes could not be delivered by one directorate alone, so would be delivered using a 'One Team, One Council' approach. This approach moved away from the previous system of individual directorate business plans and sought to unite the Council as one team to deliver on the strategic outcomes.

Scrutiny fed comments and observations relating to 'Big Plans for a Great Place...For the People of Sandwell' to the Cabinet and agreed that scrutiny Boards would align work programmes to the strategic outcomes.

Reset and Recovery – *public awareness, risks and re-opening services*

All Scrutiny Boards in 2020-21 have focused on the implications of the pandemic on services and the needs of residents, staff and businesses.

Regular updates about the reset, restoration and recovery plans for the Council and Health organisations highlighted how well partners were working together, to support, adapt and redeploy resources and staff where it was needed most. Public concerns were raised through Healthwatch and Councillors on matters like access to services. to raise awareness and give assurances to the public about matters that were of concern to them.

Health and Adult Social Care Board has been proactive and flexible in inviting Health Partners to each meeting to update on the progress and challenges for health providers and to inform and reassure about Covid infection rates, hospital admissions and vaccination roll out. We had to change, be flexible, adapt, redeploy, reprioritise and educate to meet the public need and government guidelines and directives.





The Budget - *Monitoring the Corporate Purse*

The Budget and Corporate Scrutiny Management Board has maintained overview and challenge of the Council's budget monitoring, business plans, outturns and proposed budgets throughout the year. This work has proven ever more vital in the face of the Government's continued austerity programme and the cost of Covid-19. The Scrutiny Management Board made a number of recommendations arising from its regular monitoring and has identified topics for in-depth review as part of the Scrutiny Work Programme in 2019/20 and 2020/21.

Brexit - *Promote the EU Settlement scheme for EU Nationals*

The Economy Skills Transport and Environment Scrutiny Board received a report from, designated Brexit Lead Officer, that provided an overview of the plans that had been put in place regarding Brexit and any mitigations that could be actioned. The Brexit Lead Officer had set up a Brexit Working Group with officers from the Council which had met to consider the risk register and risk areas, and to prepare a Communications Plan to inform residents about Brexit preparation.

The Board requested a briefing to set out what voluntary services support was available in Sandwell for people in hardship or with no recourse to public funds, or those needing help with applying for EU settled status. The council's corporate communications team promoted the EU settlement scheme to EU nationals via a wide range of channels as outlined in the attached communications plan.



Work Programme 2021-22 and Looking Forward

Covid has had a big impact on the way services are provided, the way people access services, the finances of the Council and on our residents and businesses.

The scrutiny work programme this year and over the next few years will focus on some big topics as the Council and Cabinet have to make some difficult decisions on what services are provided and how they are provided.

New policies will be required, and old policies will need to be reviewed and refreshed in light of changes post Covid.

There will be a need to maintain oversight and monitor the finances, performance and risks to the Council Services.

Big issues on the horizon:

- The Impact of Covid on the Council and Health Services
- NHS and Social Care Reform – White Paper
- Climate Change Strategy Implementation
- Education Excellence Everywhere – White Paper
- Elective Home Education
- Children’s Mental Health

Some topics will also be rolled forward from previous work programmes and a public consultation exercise highlighted matters that are of concern to the public and businesses in Sandwell to be considered for inclusion in the work programme.

Good governance and scrutiny is at the heart of what we do.

It is about how the council ensures that it is doing things right, in the right way, for the right people, in a timely, inclusive, open, honest and accountable way.



Summary of Topics Considered 2019-2021

This update provides a summary of activity since the start of the municipal year 2020-21 which commenced in June 2020.

The following meetings have been held and topics considered: -

Budget and Corporate Scrutiny Management Board

<p>2019-20</p> <p>BCMSB Work programme; Scrutiny Work programme 2019-20; Draft Annual report 2018-19; Scrutiny Review; Financial Outturn 2018-19; Quarter Budget monitoring 2019/20; Revenue and Benefits Service Update; ICT Update; Budget provisional settlement; Corporate Plan 2020-25 and Budget.</p>	<p>2020-21</p> <p>COVID-19 Reset and Recovery Budget Monitoring and Updates Update on Members ICT and Remote Meetings Leisure Provision in Sandwell 2019-20 Financial Outturn Future Use of 1 Providence Place and other assets in West Bromwich Town Centre Reset and Recovery Phase 1 Findings Senior Management Restructure Towns Fund Update Medium Term Financial Strategy Leisure in Sandwell – External Consultants Findings Medium Term Financial Strategy Street Cleaning Update</p>
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Children’s Services and Education

<p>2019-20</p> <p>Work Programme 2019-20; Education Services, Child Health Services; Sandwell Children’s Trust Annual Review 2018/19 and Improvement Plan 2019/22; Sandwell Childcare Sufficiency Report 2019-20; Adverse Childhood Experiences (ACEs); SHAPE Programme; Regional Adoption Agency; Annual Admissions; Exclusions and Alternative Provision; Youth Facilities Review.</p>	<p>2020-21</p> <p>Phased return of pupils to Sandwell Schools Youth Facilities Review Working Group Report Sandwell Children’s Trust Update Elective Home Education Reset and Recovery Update Sandwell Childcare Sufficiency Report 2020-21 Youth Facilities Review- Executive Response Reset and Recovery Update Adoption@Heart Annual Report Elective Home Education Working Group Update Reset and Recovery Update Vocational Qualifications Examination – A level and GCSE moderating Recommissioning Children’s Centres Holiday Activity and Food Scheme.</p>
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Economy Skills Transport and Environment

2019-20;
 West Bromwich Indoor Market Redevelopment Proposals and Investment Opportunities;
 Inclusive Economy Deal;
 Our Waste Our Resources – Strategy for England;
 Sandwell Guarantee;
 Unified Careers Offer for 15-29 year olds;
 Sandwell Cycling and Walking Infrastructure Plan (SCWIP);
 West Midlands Combined Industrial Strategy and the Local Industrial Strategy;
 Brexit Update;
 Towns Fund;
 Re-wilding Grass verges and Open Spaces in Sandwell.

2020-21
 Moving to Reset and Sustain an Inclusive Economic Recovery in Sandwell
 Re-wilding Inquiry Update
 Reset and Recovery Updates
 Community Wealth Building and Inclusive Economy Action Plan
 Planning White Paper- Planning for the Future
 Draft Sandwell Skills Strategy
 Climate Change Strategy - Implementation
 Air Quality Action Plan

Health and Adult Social Care

2019-20
 Harmonisation of Treatment Policies;
 Minor Surgery and Non-Obstetric Ultrasound Scan (NOUS);
 Re-establishment of Joint Health Scrutiny Arrangements with Birmingham City Council;
 Reconfiguration of Inpatients Respiratory Medicines; System Changes;
 Tackling loneliness and Isolation- social prescribing;
 Black Country and West Birmingham Long Term Plan; Care Alliance;
 Sandwell Safeguarding Adults Board Annual Report;
 Deprivation of Liberty Safeguards (DOLS) mental capacity;
 Proposed Change of location for Dental Services under General Anaesthesia for Children;
 Walk in Centre.

2020-21
 Sandwell Council's Covid-19 Reset and Recovery Planning
 NHS Restoration and Recovery Plan – Black Country and West Birmingham CCGs
 Draft Quality Account Sandwell and West Birmingham Hospitals NHS Trust
 Mental Health Support
 5G Communication Technologies Public Health
 Focussed Session on Mental Health Support in Sandwell
 Primary Care Access
 Restoration, Recovery and Reset Plans – Sandwell MBC and Birmingham and Black Country Clinical Commissioning Group (CCG)
 Sandwell and West Birmingham Hospital Trust Covid-19 Update
 Sandwell Safeguarding Adults Board Annual Report and Update
 White Paper – NHS and Social Care Reform
 Sandwell's Air Quality Action Plan



Joint Health Overview and Scrutiny Committee

2019-20
 Solid Tumour Oncology Services and Specialised Cancer Surgery Services in Sandwell and West Birmingham
 Midlands Metropolitan Hospital
 Proposed Changes to Some GP Practices in Sandwell and West Birmingham
 Measures to Address Waiting Times at Sandwell and West Birmingham Hospitals
 Recommissioning of Gynae-oncology Services

2020-21
 Midlands Metropolitan University Hospital Update
 Primary Care Networks in Sandwell and West Birmingham
 Merger of the Provider Trust Update (Royal Wolverhampton Trust Walsall Healthcare Trust and the Dudley Group Foundation Trust)
 Diabetic Eye Screening Procurement – Black Country, Birmingham and Solihull

Safer Neighbourhoods and Active Communities

2019-20;
 Sandwell Playing Pitch Strategy Refresh;
 Review of Tenancy Conditions;
 Commonwealth Games – Sandwell Aquatics Centre; Commonwealth Games Legacy; Discussion with Cabinet Member for Safer Neighbourhoods;
 Discussion with Cabinet Member for Homes;
 Impact of burials of non-Sandwell residents in the Borough;
 Tenant Engagement and Participation;
 Houses of Multiple Occupation in the Borough;
 Sandwell Green Space Strategy;
 Adoption of Revised Housing Allocations Policy;
 Brandhall Golf Course - Proposed closure and future use.
 Councillor Call for Action – Bexley Grove West Bromwich Gating

2020-21
 COVID-19 Reset and Recovery – Neighbourhoods
 COVID-19 Phase 1 – Communities Findings
 Homelessness Update
 Discussion with Deputy Leader
 Appointment to the Building Safety Board Sandwell Aquatics Centre
 Housing Ombudsman Compliant Handling Code
 Trading Standards
 Libraries Service
 Governance and Tenant Engagement Arrangements
 Discussion with Cabinet Member for Homes

Joint Health and Adult Social Care and Children’s Services and Education Scrutiny Board

2020-21
 Mental Health Support in Sandwell



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Report to Council

26 July 2021

Subject:	Extension to Six Month Attendance
Director:	Surjit Tour – Director of Law and Governance and Monitoring Officer
Contact Officer:	Trisha Newton Senior Democratic Services Officer Trisha_Newton@sandwell.gov.uk

1 Recommendations

- 1.1 Having regard to the circumstances of the absence of Councillor Khatun from Council meetings, consideration be given to the waiving of the requirements of Section 85 of the Local Government Act 1972 and to approve an extension of the six-month rule for Councillor Khatun for a period of six months, with effect from 27 July 2021 expiring 28 January 2022.
- 1.2 Having regard to the circumstances of the absence of Councillor Tagger from Council meetings, consideration be given to the waiving of the requirements of Section 85 of the Local Government Act 1972 and to approve an extension of the six-month rule of Councillor Tagger for a period of six months, with effect from 2 September 2021 expiring 3 March 2022.



2 Reasons for Recommendations

- 2.1 An extension of the six-month attendance rule is sought to excuse the non-attendance of Councillor Khatun at Council meetings for a period of six months, with effect from 27 July 2021 expiring 28 January 2022 and Councillor Tagger for a period of six months, with effect from 2 September 2021 expiring 3 March 2022, due to ill-health.

3 How does this deliver objectives of the Corporate Plan?

- 3.1 This is a statutory matter for consideration by Council that is not directly linked to the delivery of the corporate plan.

4 Context and Key Issues

- 4.1 Due to Councillor Khatun suffering ill-health, a formal request has been received for an extension to the six-month rule to be approved on the grounds that Councillor Khatun's non-attendance has been due to ill-health and ongoing recovery. Council can only consider such a request where approval is given in relation to the reasons for non-attendance before the end of the relevant six-month period, which will be on the 27 July 2021.
- 4.2 Under the circumstances, it is requested that Council approve an extension of the six-month rule for Councillor Khatun and that Council's best wishes be conveyed to Councillor Khatun for a speedy recovery. If approved, the extension of time would be effective for a six-month period from 27 July 2021 expiring on 28 January 2022. This does not, of course, prevent Councillor Khatun from returning to meetings at any time if her health improves sufficiently.



- 4.3 Due to Councillor Tagger suffering ill-health, a formal request has been received for an extension to the six-month rule to be approved on the grounds that Councillor Tagger’s non-attendance has been due to ill-health and ongoing recovery. Council can only consider such a request where approval is given in relation to the reasons for non-attendance before the end of the relevant six-month period, which will be on 2 September 2021 expiring 3 March 2022.
- 4.4 Under the circumstances, it is requested that Council approve an extension of the six-month rule for Councillor Tagger and that Council’s best wishes be conveyed to Councillor Tagger for a speedy recovery. If approved, the extension of time would be effective for a six-month period from 2 September 2021 expiring 3 March 2022. This does not, of course, prevent Councillor Tagger from returning to meetings at any time if his health improves sufficiently.

5 Alternative Options

- 5.1 There are no alternative options. A formal request has been received and the Council is required to consider it.

6 Implications

Resources:	There are no specific resource implications arising from the contents of this report.
Legal and Governance:	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.



	<p>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.</p> <p>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.</p>
Risk:	If the Council decided not to approve an extension a casual vacancy would arise.
Equality:	There are no equality implications arising from the contents of this report.
Health and Wellbeing:	There are no health and wellbeing implications arising from the contents of this report.

Surjit Tour

Director of Law and Governance and Monitoring Officer



Report to Council

26 July 2021

Subject:	Constitution and Political Balance of Committees and Boards
Director:	Surjit Tour Director of Law and Governance and Monitoring Officer
Contact Officer:	Surjit Tour Surjit_tour@sandwell.gov.uk







1 Recommendations

- 1.1 To approve the political balance of the committees, boards and other fora for 2021-22, as set out in Appendix A.

2 Reasons for Recommendations

- 2.1 A by-election for the Tividale Ward took place on Thursday 15 July 2021. It is therefore necessary for the Council to consider the constitution and political balance of committees and boards for the 2021-22 Municipal Year following the outcome of the Election.

3 How does this deliver objectives of the Corporate Plan?

		The Council's decision-making structures are designed to support the delivery of Sandwell's Vision 2030.
		
		



4 Context and Key Issues

4.1 Section 15 of the Local Government and Housing Act 1989 provides, amongst other things, that where a local authority is divided into different political groups, it will have regard to the allocation to the different political groups on the Council, of all of those seats on any ordinary committee, sub-committee and Joint Authorities established pursuant to Part IV of the Local Government Act 1985.

4.2 The regulations provide for a political group to comprise two or more elected members of a local authority.

4.3 Notification has been received of 3 groups –

Labour	60
Conservative	10
Sandwell Together	2
	—
	72

The seats on committees have been allocated according to proportionality rules (as set out in Appendix A).

4.4 A political group represented on the Council may choose to allocate a proportion of its allocation of seats to an elected member who is not in a political group on the Council, without affecting proportionality.

5 Alternative Options

5.1 There is no alternative option, the Council has a duty to allocate seats according to political party, in accordance with the Act.



6 Implications

Resources:	There are no direct resources arising from this report.
Legal and Governance:	There is a duty on the Council to allocate seats to political groups, as per the Local Government and Housing Act 1989.
Risk:	There are no direct implications arising from this report.
Equality:	
Health and Wellbeing:	
Social Value	

7. Appendices

Appendix A – Political Balance of Committees and Boards.

8. Background Papers

None



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**Constitution and
Political Balance
of the Executive,
Committees, Panels
and Other Fora
2021/22**

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**Sandwell Metropolitan Borough Council
Constitution of Boards, Committees and
Other Fora 2021/22**

	Labour	Conservative	Sandwell Together	Total
Scrutiny Boards				
Budget and Corporate	5	1	0	6
Health and Adult Social Care	9	1	1	11
Economy, Skills, Transport and Environment	9	2	0	11
Safer Neighbourhoods and Active Communities	10	1	0	11
Children's Services and Education	8	2	1	11
				50
Constitutional and Quasi-Judicial Committees/Panels				
Select Committee for Electoral Participation	4	1	0	5
Select Committee for Policy Review	5	1	1	7
Audit and Risk Assurance Committee	6	1	0	7
Planning Committee	14	2	0	16
Licensing Committee	12	2	1	15
General Purposes and Arbitration Committee	6	1	0	7
Governance and Constitution Review Committee	7	1	0	8
Land and Asset Management Committee	6	1	0	7
Ethical Standards and Member Development Committee	7	1	0	8
Chief Officer Terms and Conditions Committee	6	1	0	7
Emergency Committee	6	1	0	7
				94
	120	20	4	144

Report to Council

26 July 2021

Subject:	Appointment to Vacancies on Committees/Boards and Other Bodies
Director:	Surjit Tour – Director of Law and Governance and Monitoring Officer
Contact Officer:	Trisha Newton Senior Democratic Services Officer Trisha_newton@sandwell.gov.uk

1 Recommendations







- 1.1 To receive and consider nominations for vacancies on committees, boards and other fora established by the Council, as set out in Appendix A.
- 1.2 To receive and consider nominations for vacancies on outside/other bodies, as set out in Appendix B.
- 1.3 To approve the appointment of the co-opted representatives to the Children’s Services and Education Scrutiny Board, as set out in Appendix A.
- 1.4 That subject to 1.1 and 1.2 above, the nominations received be approved and appointed to those vacant bodies with immediate effect.

2 Reasons for Recommendations

- 2.1 To consider nominations to vacant positions on committees/boards/other bodies.
- 2.2 To approve the appointment of co-opted representatives to the Children’s Services and Education Scrutiny Board.



3 How does this deliver objectives of the Corporate Plan?

		The Council's decision-making structures are designed to support the delivery of Sandwell's Vision 2030.
		
		

4 Context and Key Issues

4.1 The Council's Constitution sets out the executive, scrutiny and constitutional functions and the rules and procedures for how the Council operates, it also prescribes the issues that the Council should address at its Annual Meeting in identifying the person(s) or bodies it wishes to carry out its functions as a local authority and the portfolios and terms of reference for those persons and bodies.

Co-opted Representation on Committees dealing with Educational Matters

4.2 Guidance in relation to the implementation of the Local Government Act 2000 and Localism Act 2011 advises that Church and Parent Governor representatives must be appointed to the relevant overview and scrutiny committee(s) where education matters are being discussed.

The Council's Constitution therefore provides that the Children's Services and Education Scrutiny Board shall include in its membership the following voting representatives:-

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



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

- 4.3 In view of the limitation on voting rights and as more schools have moved away from local authority control, which has resulted in difficulties in making appointments because of the diminished benefits for certain of the interest groups and the diminished input in to the work of scrutiny, it is not considered necessary to have a wider range of co-opted members than is required by law.

5 Alternative Options

- 5.1 There is no alternative option. Appointment of elected members to committees and other/outside bodies can only be made by full Council.

6 Implications

Resources:	There are no direct resource implications arising from this report.
Legal and Governance:	Council can determine the making of non-executive appointments to committees and other fora. Council is under a legal and constitutional obligation to make appointments to its committees, boards and other fora to ensure the effective operation of the Council's functions and other obligations, duties and responsibilities.
Risk:	A risk assessment is not required.
Equality:	An equality impact assessment is not required.
Health and Wellbeing:	The proposals have no direct implications. The remit of several roles would contribute to the health and wellbeing of our communities.
Social Value	The proposals have no direct implications. The Council's decision-making structures are designed to support the delivery of Sandwell's Vision 2030. The remit of several roles would contribute to enhancing social value.



7. Appendices

Appendix A – Appointment to Committees/Boards.
Appendix B – Nominations to Other Bodies.

8. Background Papers

None.



Changes to Appointments to Committees/Boards

Committee	Member
Children's Services and Education Scrutiny Board	Add Councillor W Gill (C)
Economy, Skills, Transport and the Environment Scrutiny Board	Councillor Henlan (C) (to replace Councillor Phillips (L))
Health & Adult Social Care Scrutiny Board	Councillor Piper (L) (to replace Councillor Dhallu (L))
Select Committee for Electoral Participation	Remove Councillor Chidley (L)
Licensing Committee	Councillor Williams (C) (to replace Councillor W Gill (C))
Children's Services and Education Scrutiny Board	Church of England Diocese representative - Charlotte Ward-Lewis 1 Roman Catholic Archdiocese representative - vacant 2 Parent Governor Representatives: Kelly Heeley - The Orchard School (Primary rep) Katarzyna Kujawa-Sogbesan - St Michael's CoE High School (Secondary rep)
Executive appointment Health & Wellbeing Board	Deputy Leader instead of Leader

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Sandwell Metropolitan Borough Council

Appointments to Other Bodies – Nominations

Appointments to Other Bodies

Organisation	Term of Office	Current Representative(s)	Nomination(s)	Notes
PATROL Adjudication Joint Committee (Parking and Traffic Regulations Outside London)	1 year expiring annual meeting	Cabinet Member for Connected and Accessible Sandwell Substitute member - Vacant	Cabinet Member for Connected and Accessible Sandwell Substitute member – Councillor Mabena	Portfolio holder – Highways (ex officio)
Pensions Committee and Investment Advisory Sub-Committee	1 year expiring annual meeting	Vacant Nominee: Councillor Allen	Councillor Allen	No longer require nominee
Black Country LEP Employment and Skills Theme Advisory Group	1 year expiring annual meeting	-	Cabinet Member for Best Start in Life	Must be Cabinet Member

Organisation	Term of Office	Current Representative(s)	Nomination(s)	Notes
Inclusive Economy and Community Wealth Board	1 year expiring annual meeting	Cabinet Member for Growth Lead Member for Commonwealth Vacant Director – Regeneration and Growth	Cabinet Member for Strong and Inclusive Economy Lead Member for Commonwealth Councillor C Padda Director – Regeneration and Growth	
River Trent Regional Flood and Coastal Committee	1 year expiring annual meeting	Vacant	Councillor Taylor	
Sandwell Local Access Forum	1 year expiring annual meeting	Councillor R Jones Vacant Vacant	Councillor R Jones Councillor McVittie Councillor M Gill	
SIPS Education Board	3 years expiring annual meeting 2024	Vacant Director – Business Strategy & Change	Councillor Shackleton Director – Business Strategy & Change	

Organisation	Term of Office	Current Representative(s)	Nomination(s)	Notes
Town Deal Local Board West Bromwich	1 year expiring annual meeting	Cabinet Member (Councillor Taylor) Cabinet Member Cabinet Member Town Lead Member	Cabinet Member (Councillor Taylor) Cabinet Member (Councillor I Padda) Cabinet Member (Councillor Hartwell) Town Lead Member	Local Cabinet Members + Town Lead Member
Town Lead Local Board Smethwick	1 year expiring annual meeting	Cabinet Member (Councillor Ali) Cabinet Member Town Lead Member	Cabinet Member (Councillor Ali) Cabinet Member (Councillor Ahmed) Town Lead Member	Local Cabinet Members + Town Lead Member
W2R Contract Management Board	1 year expiring annual meeting	Vacant Director	Councillor Crompton	
West Midlands Combined Authority Strategic Economic Delivery Board	1 year expiring annual meeting	Cabinet Member for Strong and Inclusive Economy	Cabinet Member for Governance and Democracy	

Organisation	Term of Office	Current Representative(s)	Nomination(s)	Notes
Safer Sandwell Partnership	1 year expiring annual meeting	Cabinet Member for Strong and Resilient Communities Chair of Licensing Committee Vacant	Cabinet Member for Strong and Resilient Communities Chair of Licensing Committee Councillor McVittie	Cabinet Portfolio Holder for crime and disorder issues/ Chair of Licensing Committee (ex officio)
Climate Change Working Group	1 year expiring annual meeting	Councillor Ali Councillor Crompton Councillor R Jones Councillor McVittie Councillor Piper Councillor Randhawa Councillor Taylor Councillor S Gill Councillor Allcock	Councillor Padda Councillor Crompton Councillor R Jones Councillor McVittie Councillor Piper Councillor Randhawa Councillor Taylor Councillor S Gill Councillor Allcock Councillor P Hughes	
Harborne Parish Lands Charity	4 years expiring July 2025	Vacant	Councillor Hinchliff	

Minutes of The Cabinet

**Monday 8 March 2021 at 4.30pm
Online Virtual Meeting**

- Present:** Councillor Ali (Chair);
Councillors Allcock, Millard, Padda, Shaeen, Taylor,
Underhill.
- In attendance:** Councillors L Giles, E Giles, Moore and Preece.
- Officers:** David Stevens (Chief Executive), Rebecca Maher (Acting
Section 151 Officer), Tammy Stokes (Interim Director –
Regeneration and Growth), Surjit Tour (Director - Law and
Governance and Monitoring Officer), Chris Ward (Director –
Education, Skills and Employment), Katharine Willmette
(Interim Director of Adult Social Care), Elaine Newsome
(Service Manager – Democracy) and Suky Suthi-Nagra
(Democratic Services Manager).

49/21 **Apologies for Absence**

Apologies were received from Councillors Crompton, Singh and Rollins.

50/21 **Declarations of Interest**

There were no interests declared at the meeting.



51/21 **Additional Item of Business**

There were no additional items of business to consider.

52/21 **Signing of the Public Sector Decarbonisation Scheme Grant Offer Letter**

Approval was sought for the Head of Finance and Acting Section 151 Officer to sign the Section 31 Grant Offer Letter for the Public Sector Decarbonisation Scheme (PSDS). The Scheme was approved by the Cabinet on 9 December 2020 (see Minute No. 112/20), however, further Cabinet authority was required as the grant value had been increased for additional requirements for electrical upgrades, the addition of solar PV and increased carbon reduction as outline designs had developed.

The use of solar PV would reduce electricity costs by £23,000 per year. This would offset potential increases in running costs from switching to electric heating and contribute towards paying back additional installation costs, in addition to providing net zero carbon electricity.

The application for PSDS was submitted in January, funding was offered to the council on 26th February 2021 at the sum of £2.573 million to install low carbon heating solutions in 5 Council buildings. The PSDS Grant offer would reduce the Property Maintenance Account funding source to £190,000. The Department for Business, Energy and Industrial Strategy would be unable to accept documents and the grant offer would be revoked if Cabinet were unable to approve this report by 9th March.

Whilst Scrutiny Chairs were in support of the scheme, they expressed concerns at the short time frames in which this meeting had been set up and requested that in future, a briefing from officers or cabinet members should be undertaken with them.



Reason for Decision

If the Council were unable to accept the grant offer by 9 March, the Department for Business, Energy and Industrial Strategy (BEIS) would not be able to process all documents in time and therefore would not accept the submitted documents and would remove the funding offer.

Alternative Options Considered

The alternative option would result in the Council not receiving funding to install more carbon intensive gas fired boilers. Projects would need to be cancelled and could result in a planning rejection or an increase in project costs making projects unviable. The grant value would then be recalculated, excess funds returned to BEIS and gas fired heating systems would most likely be used instead.

Agreed that approval be given to the Section 31 Grant Offer Letter for the Public Sector Decarbonisation Scheme (PSDS).

Meeting ended at 4:42pm

Contact: democratic_services@sandwell.gov.uk



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Minutes of The Cabinet

**Wednesday 17 March at 3.30pm
Virtual Online Meeting**

Present: Councillor Crompton (Chair);
Councillors Ali, Allcock, Millard, Padda, Shaeen, Singh,
Taylor and Underhill.

Also present: Cllrs E M Giles and Preece.

Officers: David Stevens (Chief Executive), Alan Caddick (Director - Housing and Communities), Lesley Hagger (Executive Director – Children’s Services), Rebecca Maher (Acting Section 151 Officer), Sue Stanhope (Interim Director – Human Resources), Katharine Willmette (Interim Director of Adult Social Care), Chris Ward (Director – Education, Skills and Employment), Tammy Stokes (Interim Director of Regeneration and Growth), Lisa McNally (Director – Public Health), Surjit Tour (Director - Law and Governance and Monitoring Officer), Elaine Newsome (Service Manager – Democracy), Jayne Maull (Communications Officer), Sue Knowles (Head of ICT & Revenues and Benefits) and Suky Suthi-Nagra (Democratic Services Manager).

53/21 **Apologies for Absence**

Apologies for absence were received from Councillors L Giles, Moore and Rollins.



54/21 **Declarations of Interest**

There were no interests declared at the meeting.

55/21 **Minutes**

The minutes of the meetings held on the 17 and 24 February 2021 were confirmed as a correct record.

56/21 **Additional Item of Business - The Construction of 20 Houses at Church Hill Street, Smethwick – Acceptance of Tender**

Approval was sought for the acceptance of a tender by J Harper and Sons Ltd which had come in second for the provision of 20 new council-owned affordable homes in Smethwick.

As a result, there would be an increased build cost of £4,392,913.00 for this scheme.

Subject to the approval and completing contractual arrangements, it was envisaged that works could commence June/July 2021 and complete Spring 2022.

Reason for Decision

The Cabinet on 10 February 2021 gave approval to change the funding source and award a contract for this scheme (see Minute No. 18/21). Following the approval, officers offered the successful tender to Keon Homes Ltd. However, on 26 February 2021, Keon Homes Ltd sent a formal withdrawal from the procurement process stating that they did not wish to proceed with the scheme as they did not include a price for a section of work within the tender documents in their tender submission and could not complete the works for the price they submitted.

The second placed tenderer J Harper and Sons Ltd had been contacted and they had given formal notification that they were prepared to enter into contract to deliver the scheme as per their submitted tender sum. The build cost budget estimate for this scheme was now £3,812,118 which would result in an overall scheme development value of £4,392,913.00.



The tender of J Harper & Sons Ltd, in the sum of £3,812,118.00 had been checked and found to be technically and arithmetically correct.

Alternative Options Considered

If the contract was not awarded to J Harper and Sons Ltd, the alternative would be to go back out to tender. This would likely incur further delays of 4-5 months and would likely result in higher tender sums than the current offer. Further delays to the Council's new build programme could impact on the financial modelling in relation to expenditure.

Agreed: -

- (1) that the Director Regeneration and Growth be authorised to accept the tender and award a contract to J Harper & Sons Ltd, in the sum of £3,812,118.00, for the construction of 20 Houses at Church Hill Street, Smethwick as tendered using the Council's Procurement Services In-Tend portal;
- (2) that approval be given to the increase in build cost budget estimate for this scheme to £3,812,118 resulting in an overall scheme development value of £4,392,913.00;
- (3) that the Director of Law and Governance and Monitoring Officer be authorised to enter into or execute under seal any documentation in relation to award of the contract and/or other agreements as may be deemed necessary.

57/21

Sandwell MBC Programme of Insurance

Approval was sought for a compliant procurement process to be undertaken to award various contracts (where appropriate), for the provision of insurance cover for periods ranging from a commencement date of 1 October 2021 to 1 October 2022 for periods of up to three years with an option to extend for up to a further two years.



This was to ensure there was sufficient cover when various insurance policies and Long Term Agreements (LTAs) expired between 30 September 2021 and 30 September 2022 respectively.

Reason for Decision

As quotes and tenders from the insurance market were only valid for a short period of time, it was necessary to ensure that the evaluation process and award of contracts was completed within the relevant period. As a result, delegated authority and exemption from contract procedure rules where necessary, was also sought.

Alternative Options Considered

Option 1 - Carry out a tender for casualty cover only. This was not the preferred option.

Option 2 - To not procure casualty cover and retain the risk internally. Given the insurance cover was for catastrophic loss, this would leave the council's taking on a level of risk which was in excess and outside of the council's appetite for risk and would have significant financial implications if such events materialised.

Option 3 – Carry out a tender exercise for the main programme of insurance which expired on 30 September 2021.

Agreed: -

- (1) that the Acting s151 Officer be authorised to engage with the insurance market to review and agree the council's insurance policies/contracts with a view to securing new Long-Term Agreements (LTAs) commencing between the period from 1 October 2021 and 1 October 2022;
- (2) that the Chief Executive and Acting s151 Officer be authorised to award contracts to the successful supplier(s) for the council's insurance programme for a period of up to three years with an option to extend for up to a further two years, following the procurement process;



- (3) that any necessary exemptions be made to the council's Procurement and Contract Procedure Rules to enable the actions proposed in (2) above to proceed.

58/21

Contract Award for Mobile Working Platform

Approval was sought to award a contract to Advanced Business Software and Solutions Limited (formerly Kirona Solutions Limited) to maintain and further develop the mobile working platform.

This would enable jobs to be raised and allocated to either the council's workforce or external contractors to give a real time view of progress being made with jobs throughout the working day.

Reason for Decision

The move to a new mobile working platform had successfully delivered the transition of service areas previously not utilising ICT, for their field work, as well as updating and increasing reliability for other service areas that had previously used an ICT solution. The development and ongoing use of a mobile working platform would enable service areas to carry out their functions in relation to maintaining the Council's Housing Stock as well as service areas that deliver services to property and or land managed by the Council.

Alternative Options Considered

Reverting to paper-based processes would go against Sandwell's 2030 Vision and ambitions and would have a detrimental effect on customer satisfaction. Going out to the market was not considered as the cost of change would be greater than the cost of this direct award and having developed the mobile working platform over the last 4 years this now provided a stable and improved product, for the continued management and delivery of the Asset Management and Maintenance Service.



Agreed: -

- (1) that approval be given to the award of a contract under the Crown Commercial Services Framework RM 3821, Lot 1a to Advanced Business Software and Solutions Limited (formerly Kirona Solutions Limited) to maintain and further develop the mobile working platform;
- (2) that in connection with (1) above, the Director – Housing and Communities be authorised to award the contract for the licensing and ongoing development of a mobile working platform to Advanced Business Software and Solutions Limited (formerly Kirona Solutions Limited) for the period 30 June 2021 to 29 June 2028 for a total cost of £1,926,650 over the seven-year period and would be based on five years at a cost of £1,464,993 with an option to extend for a further two years at a cost of £461,657;
- (3) that the Director – Law and Governance and Monitoring Officer be authorised to execute any documents necessary to give effect to the recommendation set out in (2) above and to sign any contract changes in relation to the purchase of additional licences or development days during the period of the contract;
- (4) That any necessary exemptions be made to the Council’s Procurement and Contract Procedure Rules to allow a contract period of a maximum of 7 years for the maintenance and ongoing development of the Mobile Working Platform.

59/21

Revenues and Benefits Policy Framework 2021/22

Approval was sought to the Revenues and Benefits Policy Framework 2021/22.



Reason for Decision

The Revenues and Benefits Service conducts an annual review of their policies. The review had been completed and this report sought approval of the Revenues and Benefits policy framework for 2021-22.

Alternative Options Considered

There were no alternative options as the council was required to set out its application of certain areas of the legislation which allowed for local application of rules. The suite of policies included in the framework achieved this.

Agreed that the Revenues and Benefits policy framework for 2021-2022 be approved for the following policies:-

- Council Tax Discretionary Relief Policy
- Non-Domestic Rates Hardship Relief Policy
- Non-Domestic Rates Discretionary Rate Relief Policy
- Council Tax Award of Discount Policy
- Housing Benefit Overpayment Recovery Policy
- Corporate Debt Recovery Policy
- Discretionary Housing Payments Policy
- Local Welfare Provision Policy

60/21

Oracle E-Business Suite Software License renewal for period 2021-22

Approval was sought to award a contract to renew the existing Oracle E-Business Suite software licences for the period 1 April 2021 to 31 October 2021.

Whilst the Council was currently progressing a large-scale project to migrate from the Oracle E- Business Suite to a cloud-based Enterprise Resource Planning (ERP) solution, Oracle Fusion, due to the impact of the COVID-19 pandemic and the need for the council to prioritise resources to focus on frontline services to support the community, this had delayed the implementation of the project. The project continued to be reviewed and risks mitigated with the go live date scheduled for the Autumn of 2021.



Reason for Decision

The necessary delay in implementing the project into the 2021/22 financial year required the council to renew the council's existing ORACLE E Business Suite software license agreement to ensure that adequate cover was in place for continued vendor support, software maintenance updates and license compliancy.

Alternative Options Considered

The migration to the Oracle Fusion solution would not be completed before 1 April 2021 therefore the council would need to continue to operate with the Oracle E-Business Suite. The council could have continued to use the E-Business Suite without renewing licences and maintenance. However, remaining on unsupported software was an unacceptable risk to the council due to the loss of service updates and support patches which would be required to ensure that the software operated effectively and in accordance with appropriate legislation.

Agreed: -

- (1) that the Acting s151 Officer be authorised to award a contract to renew the existing Oracle E-Business Suite software licences for the period 1 April 2021 to 31 October 2021;
- (2) that the Director – Law and Governance and Monitoring Officer be authorised to sign any contract documentation in relation to the renewal of the Oracle software maintenance and license agreement.

61/21

Recommendations from Budget and Corporate Scrutiny Management Board in response to pressures within the Medium Term Financial Strategy

The Chair of Health and Adult Social Care Scrutiny Board, in the absence of the Chair of the Budget and Corporate Scrutiny Management Board, presented the recommendations of the Cabinet in relation to key budget pressures that impact upon the Council's Medium Term Financial Strategy.



Arising from meetings of the Budget and Corporate Scrutiny Management Board, the Board felt that the Cabinet should:-

- consider the use of capital borrowing in order to fund both planned and unplanned maintenance works to Council buildings and to enable a more energy efficient solution to be implemented to make the improvements more sustainable in the future;
- highlight the cost to the Council taxpayer of the numerous Freedom of Information queries it received.

Reason for Decision

The Budget and Corporate Scrutiny Management Board had considered the reasons for ongoing pressure on the Medium Term Financial Strategy in relation to:-

- Property Maintenance Account;
- Printing Devices;
- Legal Services.

The recommendations were made by the Scrutiny Management Board at its meeting held on 24 February 2021.

Alternative Options Considered

In accordance with the Localism Act 2011, Cabinet is requested to respond to the recommendations of the Scrutiny Management Board within two months, setting out any approved recommendations, and how they will be implemented.

The Cabinet welcomed the findings of the Board and would submit a response to the Scrutiny Board within two months' time.

62/21

West Bromwich Town Hall Lateral Flow Testing Contract Extension

Approval was sought to award a contract to Solutions4Health to provide a community lateral flow testing programme at West Bromwich Town Hall from 9 April 2021 to 29 July 2021 (a further 6 weeks) with further potential extensions (in 16-week blocks) to be utilised as needed and to end no later than 30 June 2022.



Lateral flow tests would be provided to people aged 11+, who lived or worked in Sandwell. Lateral flow testing allowed the identification of COVID-19 in asymptomatic individuals. This, in turn, helped reduce community transmission and prevent outbreaks.

Funding for providing the community testing was being allocated through a Government reimbursement programme, based on the expenditure for providing the lateral flow testing programme, and the number of tests performed. The exact amount paid per test was yet to be confirmed. There was the possibility that Sandwell Council may get less back than was spent on the testing programme. Any shortfall would be made up from the Public Health grant.

Reason for Decision

There was no information on how long local areas would be required to provide lateral flow testing. This would depend on the future course of the pandemic as well as any changes in national testing policy. Therefore, a flexible approach to commissioning was required that allowed for longer term service provision but provided the ability to stop the contract when appropriate. It was therefore proposed to commission the testing service in blocks of 16 weeks. This would allow regular review of the need for the service.

Continuing with the same service provider would ensure continuity of the high quality of service experienced by Sandwell residents. The service to date had tested well over 3,000 residents a month and the Council had received consistently positive feedback from residents on the testing experience, including comments about the simple and accessible booking system, a spacious venue, minimal waiting times, very helpful testing staff and prompt expert advice at follow up if required.

Alternative Options Considered

There were not any alternative providers to run the community testing site at West Bromwich Town Hall. To change providers would require a competitive tender process and an inevitable delay or even full break in service if a new provider was selected.



An alternative solution would be to close the testing site at the end of the initial 16 week testing period, on 8 April 2021, however, this would not serve the interests of the local population and would result in reputational damage to the Council.

Agreed: -

- (1) that the Director Public Health be authorised to award a contract to Solutions4Health to provide community lateral flow testing programme at West Bromwich Town Hall from 9 April 2021 to 29 July 2021 (a further 16 weeks) with further potential extensions (in 16-week blocks) to be utilised as needed and to end no later than 30 June 2022;
- (2) that approval be given to provide lateral flow tests to people aged 11+, who live or work in Sandwell;
- (3) that in connection with (1) above, the Director of Public Health be authorised to continue to fund Solutions4Health to provide the lateral flow testing service up to 30 June 2022 and to a maximum total value of £1,095,000.

63/21

School Absence Prosecutions Policy

Approval was sought to the School Absence Prosecutions Policy.

The Attendance and Prosecution Service's practices and procedures follow legislation under the Education Act 1996, specifically Section 444. The principal drivers that had triggered the need for a new school absence prosecution policy were as follows:

- Consultation by Attendance and Prosecution Services with the recently appointed school prosecutions lead in Legal and Assurance
- Policy needs to be in place in case of challenge by defence and/or other individuals
- Ensures consistency of practice



- Readiness for resumption of prosecutions following latest Department for Education – Disapplication Notice: school attendance legislation changes (see link below in report)

The council would continue to work with families and children who had worries about safety and would be working with families to encourage those returning back to school.

Reason for Decision

The existing policy was due to be implemented as from September 2020. Prior to this date, policy was implied by operational practice which adhered to existing legislation.

Alternative Options Considered

There were not any alternative options, as it was best practice for councils to have a policy in place to protect legal processes, if and when required. The policy would ensure that the prosecution process and policy was clear. It would ensure that a case taken to court was legally robust and that parents had been treated fairly in accordance with the Council's policy.

Agreed that approval be given to the School Absence Prosecutions Policy.

64/21

Recommissioning of Children's Centres

Approval was sought to award new contracts for the provision of children's centre services for a period of three years from 1 April 2022 (with the option to extend for a year).

There were seven core children's centres in the borough with one based in each town and two in the West Bromwich area. The core centres provide the main base for staffing as well as providing facilities to run sessions and groups for families.



During the COVID-19 pandemic, children's centres were able to maintain their contact and support to the most vulnerable families, for example those who were subject to Early Help plans. Centres had adapted their approach to the delivery of parenting courses, antenatal education groups, etc. to provide these virtually.

Children's centres would have short-term plans to recommence play sessions, identify those children in need of additional support and to proactively encourage parents to utilise existing childcare places. The centres would also be a part of the wider strategy for offering additional support to children and families. This was likely to include additional focussed sessions and even greater emphasis on reaching out to all children in the borough along with different partner agencies.

Reason for Decision

The current commissioning arrangements for children's centres would end on 31 March 2022. Cabinet approval would enable the recommissioning process to be completed during 2021 so that the successful bidder was in place for 1 April 2022. This in turn would ensure a smooth transition between agencies where necessary and a resultant consistency of service provision.

Alternative Options Considered

There was no option to further extend existing contracts as the current contracts expire on 31 March 2022.

Option 1 – To shorten the length of contracts offered to two years. It would be possible to go out to tender based on a shorter contract period e.g. two years. This would allow the matter to be reconsidered again in two years' time. This course of action however was likely to have a negative impact on the number of agencies bidding for the contracts and have an impact on staff retention as they look for more permanent positions.

Option 2 - To bring the service in-house. An alternative solution would be to bring the operation of core children's centres into the local authority. This would require substantial input on a range of legal, financial and human resources issues. The TUPE transfer of existing staff that meet the TUPE requirements into the local authority would be a major undertaking.



Agreed: -

- (1) that in accordance with the Council's Procurement and Contract Procedure Rules and the Public Contracts Regulations 2015, the Executive Director of Children's Services be authorised to award new contracts and any associated documentation for the provision of children's centre services for a period of three years from 1 April 2022 (with the option to extend for a year);
- (2) that in connection with (1) above, the Director of Law and Governance – Monitoring Officer be authorised to enter into or execute under seal if necessary any related documentation in connection with the land and property as part of the children's centre service on terms and conditions agreed by the Director of Regeneration and Growth.

65/21

Urban Design & Building Services Asbestos Consultancy Services

The Council's current arrangements for Asbestos Consultancy Services were due to terminate on the 31 July 2021, having already been extended to facilitate officers undertaking a review of projected future needs (in line with the emerging asset strategy and the work place vision programme rollout) which would lead to a more efficient and effective delivery of asbestos related services

A procurement process was on-going with a programme for new contractual arrangements to commence on 1 August 2021. The anticipated value of the proposed arrangements (at circa. £160k) would be above the relevant EU tender threshold, and the proposals would therefore be progressed in full compliance with the Public Contracts Regulations 2015.



Reason for Decision

Specialist asbestos consultants were required to provide various highly specialist services associated with the management of asbestos including undertaking surveys, producing specifications and providing project management support for asbestos works, as well as offering assistance with the development of asbestos management plans, all of which were critical to ensure the Council complies with the Control of Asbestos Regulations 2012.

The specialist services provided within the Asbestos Consultancy Framework were an essential element of the Duty Holders ability to manage asbestos and comply with the requirements of the Control of Asbestos Regulations 2012, and keep public buildings and schools open, functioning and safe. Operating buildings without the provision of these services would likely lead to a breach of the Control of Asbestos Regulations.

Alternative Options Considered

As the previous framework arrangements had now been extended and were due for retender, alternative options have already been explored. The most economically advantageous solution was still to conduct tender processes in compliance with the Public Contracts Regulations 2015.

Agreed: -

- (1) that approval be given to authorise the Interim Director – Regeneration and Growth in consultation with the Head of Finance and Section 151 Officer to award a Term Service contract for Asbestos Consultancy Services, from 1 August 2021 for a period of four years;
- (2) that subject to (1) above, the Director - Law and Governance and Monitoring Officer be authorised to enter into or execute under seal any documentation in relation to award of the Asbestos Consultancy Services Term Service contracts and/or other agreements as may be deemed necessary.



Tender for the Provision of Interpreting and Translation Services – Appointment of Contractors

The Council had an ongoing requirement for the provision of externally provided Interpreting and Translation Services via face to face meetings, via telephone/video calls and the translation of the written word (letters, leaflets etc)

Although there was some smaller usage across other various Council Services (e.g. School Admissions/Taxi Licencing) and Sandwell Children's Trust, the largest spend and frequency of usage of Interpreting and Translation was within Adult Social Care where Social Workers were working with Service Users to complete care assessments, mental health act assessments, safeguarding issues, case reviews, Best Interest Assessor assessments, etc.

The contract arrangement was due to expire on 31 March 2021 and a tendering exercise had been conducted in accordance with the Council's Procurement and Contract Procedure Rules to renew the contract for a four-year period. Sandwell Childrens Trust had also requested that they were able to participate in the Council's Contract for the provision of these services and their annual expenditure combined with the Council's was around £100,000 based on current usage levels.

Reason for Decision

The current contract was due to expire on 31 March 2021. In response to the contract notice published in the Government's Find a Tender website, 14 completed tenders were received. Evaluation of the returned tenders in accordance with the published award criteria in terms of price and quality was being undertaken but due to the relatively short timeline available to complete this activity, it was necessary to request authority to award this contract upon completion of tender evaluation by early to mid-March 2021. This would ensure that mandatory standstill requirements were observed and it would allow for any appropriate mobilisation period to be implemented.



Alternative Options Considered

The only alternative option to enable interpretation and translation to be undertaken would be for the Council to employ its own interpreters but this would prove to be costly and impractical due the wide range of languages that would need to be covered.

Agreed: -

- (1) that approval be given to authorise the Chief Executive and the Acting Section 151 Officer to award a contract for the provision of Interpreting and Translation Services for the period 1 April 2021 to 31 March 2025 at an anticipated value of £400,000 following the conclusion of the current procurement exercise;
- (2) that in connection with (1) above, the Director, Law and Governance and Monitoring Officer be authorised to enter into appropriate contracts.

67/21

Award a Contract for Bulk Rock Salt for Winter Service Operations

Approval was sought to award a framework tender in collaboration with Dudley Metropolitan Borough Council (MBC) for a period of up to four years for ground rock salt to support the efficient and effective running of the Winter Service Operational Plan. The current contract for the supply of ground rock salt was set to expire on 25 May 2021.

The tendering exercise would be carried out to ensure seamless operations remain in place and to enable a pre-season re-stock to be completed prior to the upcoming winter of 2021/22. The exercise would be carried out by Sandwell MBC acting as lead authority, in collaboration with Dudley MBC who would utilise the contract to support their own winter service operations.

Reason for Decision

The council had a statutory duty 'to ensure, so far as reasonably practicable, that safe passage along a highway is not endangered by snow or ice'.



The duty is not absolute, but decisions must be taken on reasonable grounds with due care and regard to relevant considerations set out in best practice guidance.

Failure to do so could result in adverse economic and social impacts, public dissatisfaction and significant reputational damage.

Alternative Options Considered

There were no recommended affordable alternatives to mitigate the safety risks arising from winter weather.

Agreed: -

- (1) that the Interim Director – Regeneration and Growth and the Head of Finance/ S151 Officer, in consultation with the Cabinet Member for Sustainable Transport, be authorised to enter into a collaborative framework agreement with Dudley Metropolitan Borough Council for the provision of bulk ground rock salt for winter service operations;
- (2) that the Interim Director – Regeneration and Growth and the Head of Finance/ S151 Officer, in consultation with the Cabinet Member for Sustainable Transport, be authorised to award a contract for the provision of bulk ground rock salt for winter service operations, following a compliant competitive tender process in collaboration with Dudley Metropolitan Borough Council for a 4 year period;
- (3) that the Director of Law and Governance – Monitoring Officer be authorised to execute any documentation necessary to enable the course of action in (1) above;
- (4) that any necessary exemptions be made to the Council’s Procurement and Contract Procedure Rules to enable the course of action referred to in (2) above to proceed.



Asbestos Removal, Associated Works & Asbestos Testing

Approval was sought to appoint one contractor to undertake the Asbestos Removal and Associated Works and one contractor to undertake the Asbestos Sample Testing. The contracts were for a period of four years, from 1 April 2021 to 31 March 2025.

The anticipated value of the contracts was £807,519.75 (£201,879.93 per annum) for a period of four years.

Reason for Decision

To renew an existing contract to remove identified asbestos, undertake any associated repairs, and the facility to undertake testing of samples identified by Sandwell MBC.

Alternative Options Considered

There were no alternative options as Sandwell MBC's Asset Management and Maintenance Service did not have trained/qualified employees that could undertake either of the requirements for either of the lots in this tender due to the specialist nature of the service.

Agreed: -

- (1) that the Director – Housing and Communities be authorised to award contracts to undertake Asbestos Removal and Associated Works to Envirocall Ltd, for the sum of £729,519.75 and to undertake Asbestos Testing to Bradley Environmental Consultants Ltd, for the sum of £78,000.00, for the period of 4 years, from 1 April 2021 to 31 March 2025;
- (2) that the Director – Law and Governance and Monitoring Officer be authorised to enter into any legal agreements in connection with (1) above.



Sexual Health Spend at University Hospitals Birmingham

Approval was sought to make an exemption to clause 20.6 of the Council's Procurement and Contract Procedure Rules in relation to the provision of Genito -Urinary Medicine (GUM) and Contraception and Sexual Health (CaSH) services provided by University Hospitals NHS Foundation Trust (UHB), removing the requirement to aim to enter into a contract with the organisation.

The Council had a Co-operative working agreement with Sandwell and West Birmingham Hospitals NHS Trust. Included within this agreement was the provision of the Integrated Sexual Health Service. This had a risk-share arrangement that aimed to reduce attendances in out-of-area GUM and CaSH provision. Genito-Urinary Medicine (GUM) and CaSH services were open access services. This meant Sandwell patients could choose to attend services in any part of the country, the cost of which would be met by the Public Health budget of Sandwell MBC. University Hospitals Birmingham NHS Foundation Trust (UHB) was Sandwell's second largest provider of these out-of-area (OOA) services.

The Council paid UBH a fixed fee for CaSH attendances. UHB also charged the council for GUM attendances (on a quarterly basis) and there were no plans to alter this part of the arrangement. GUM attendances were charged on a Tariff basis for First appointments, Follow-Up appointments and telephone appointments.

Reason for Decision

Analysis of the attendance numbers by Sandwell residents at UHB clinics for CaSH services in 2019/2020 demonstrated that the current CaSH fixed fee with UHB was too high. Additionally, changes in the way residents were accessing sexual health services, due to the pandemic, indicated that the number of residents going out-of-area to access UHB CaSH services was likely to decline; creating uncertainty about the appropriate value of future payments to UHB for CaSH provision.



Alternative Options Considered

Continue to pay UHB a fixed payment for CaSH services and aim to renegotiate a lower fixed payment. This was not the preferred option as cost savings on payment by activity had already been identified. This was also in keeping with the overall aim to reduce all OOA activity through continued improvements in the Cooperative arrangement.

Agreed: -

- (1) that approval be given to make an exemption to clause 20.6 of the Council's Procurement and Contract Procedure Rules in relation to the provision of Genito - Urinary Medicine (GUM) and Contraception and Sexual Health (CaSH) services provided by University Hospitals NHS Foundation Trust (UHB), removing the requirement to aim to enter into a contract with the organisation;
- (2) that the Director – Public Health be authorised to process payments in line with existing budgets for any validated Genito -Urinary Medicine (GUM) and Contraception and Sexual Health (CaSH) services provided by University Hospitals NHS Foundation Trust (UHB), without a contract.

70/21

Award, Supply and Installation of Domestic Lifts 2021-2024

Approval was sought to award a contract for the supply and installation of Domestic Lifts 2021-2023, for a period of two years with the option to extend for a further year, following the conclusion of the current procurement exercise.

The framework was funded through the approved Council's Housing Revenue Budget and Better Care funded budgets via the award of Disabled Facilities Grants to residents.

The framework was necessary to ensure the council could continue to deliver grant aided adaptations on behalf eligible residents.



Reason for Decision

The Cabinet heard that contract framework was due to end on the 31 May 2021. Due to the short timeline available to conduct the tender exercise, it was necessary to request delegated Director authority to award the contract upon completion of tender evaluation at the end of March 2021. Doing this ensured that the mandatory standstill requirements were observed and sufficient time was available to comply with any potential TUPE requirements. Furthermore, it allowed for an appropriate mobilisation period to be implemented.

Alternative Options Considered

Cabinet was informed that no alternate options had been considered as the existing contract was required under the Housing Grants, Construction and Regeneration Act 1996. The most economically advantageous solution it was noted was to conduct a tender process in compliance with the Public Contracts Regulations 2015.

Agreed: -

- (1) that the Director of Adult Social Care in consultation with the Cabinet Member for Living Healthy Lives, be authorised to award a contract for the supply and installation of Domestic Lifts 2021-2023, for a period of two years with the option to extend for a further year, following the conclusion of the current procurement exercise;
- (2) that the Director – Law and Governance and Monitoring Officer be authorised to enter into any legal agreements to enable the course of action referred to in the above to proceed.



Composite Door Programme

Approval was sought to award contracts to undertake the composite door programme to various properties to Lovell Partnerships Limited and Nationwide Windows Limited for a contract period of two years, from April 2021 to March 2023 to a value of £10m per annum. This would enable the management, upkeep and repair of Sandwell's housing stock.

The contract was required to enable the Asset Management and Maintenance section of Neighbourhood Services to install composite front, rear and fire doors to tenanted Sandwell Council properties on both a reactive and planned maintenance basis.

Reason for Decision

The report sought approval to award the contract to undertake composite door replacements to various locations within Housing Stock owned by Sandwell Council. The delivery included both planned programmes of replacement as well as reactive maintenance where existing doors fail or are not fit for purpose.

The contract Cabinet heard would seek to appoint two Contractors, one to serve the North of the Borough and one in the South. Each area would have a separate contractor. Contractors could apply for one or both contract areas but would only be awarded one contract. The most economically advantageous tenders would be appointed.

As Lovell's were the most economically advantageous tender in both the North and the South, Nationwide as the second most economically advantageous tender would be appointed to the South.

Alternative Options Considered

The alternative was to not invest in Council housing stock which in turn may lead to dissatisfaction from existing and potential new tenants as well as disrepair and additional burden on the Housing Revenue Account.



Agreed: -

- (1) that the Director – Housing and Communities be authorised to award contracts to undertake the Composite Door Programme to various properties to Lovell Partnerships Limited and Nationwide Windows Limited for a contract period of two years, from April 2021 to March 2023 to a value of £10m per annum;
- (2) that in connection with (1) above, the Director – Law and Governance and Monitoring Officer be authorised to enter into appropriate contracts with Lovell Partnerships Limited and Nationwide Windows Limited.

72/21

Sandwell's Air Quality Action Plan

The Council was recommended to approve Sandwell's Air Quality Action Plan (AQAP) 2020-2025 as part of the Council's statutory duty to work towards the Air Quality Strategy (AQS) objectives as required by The Environment Act 1995 (Part IV) and to meet the requirements of the Local Air Quality Management (LAQM) statutory process.

The Cabinet recognised that air pollution had been a longstanding problem in Sandwell noting that in 2005 the Council had declared a borough wide Air Quality Management Area. The prevalence of Nitrogen Dioxide (NO₂) exceeded the objective at the time in 22 separate locations. The current monitoring of NO₂ concentrations found that in 7 locations it still exceeded the annual objective with no significant evidence that there existed a downward trend.

Projects delivered through the last AQAP included:

- Promotion of health initiatives that support sustainable transport and behavioural change
- Traffic management and highway improvement
- Implementation of guidance and policy working with key stakeholders
- Improving understanding of pollutant behaviour
- Reviewing the Council's impact on air quality.



The principal source of air pollution was vehicle exhaust emissions, particularly from diesel engines. The Council's aims were therefore to:

- Reduce the overall health impacts and burdens of poor air quality
- Achieve the national air quality NO2 annual mean objective across the borough in the shortest possible time frame
- Reduce concentrations of particulate matter emissions (PM10 and PM2.5 inhalable particles) to protect human health.

Reason for Decision

Tackling air pollution was one of Sandwell Council's health priorities and the AQAP outlined the actions to be delivered between 2020 and 2025 with the aim to reduce concentrations of air pollutants and exposure to them.

The programme outlined in the AQAP would help reduce carbon emissions to a level which would meet Sandwell's 2030 and 2041 targets as set out in the recent adopted Climate Change Strategy and associated action plan. It was also understood that actions to reduce air pollution could also result in lower carbon emissions. The impacts of climate change were considered likely to be extensive and detrimentally affect poorer residents, therefore action was taken to reduce that impact and ensure the future prosperity and equality of Sandwell's residents.

The wide-ranging actions required to tackle the impacts of air quality and climate change would have significant resource implications for the Council, therefore funding and likely sources of income would be sought to assist.

Alternative Options Considered

The Council had a statutory duty to have an AQAP so there were no alternative options.



Agreed to recommend to Council that in relation to Sandwell's Air Quality Action Plan, approval be given to:

- (1) Sandwell's Air Quality Action Plan (AQAP) 2020-2025;
- (2) Authorise the Director of Public Health to address air quality according to the actions outlined in the Air Quality Action Plan (AQAP) following approval by the Council.

73/21

Water Fluoridation - Payment of operating costs

It was reported that community water fluoridation (CWF) was considered one of the ten greatest public health achievements of the twentieth century and was the cornerstone strategy for the prevention and control of dental caries across many countries.

Good oral health was recognised as essential to good general health and achieving a good quality of life.

All tap water supplied in Sandwell had been artificially fluoridated to the optimum level since 1986. The original agreement was signed on 10 February 1982 by Severn-Trent Water Authority & Sandwell Area Health Authority and 30 March 1982 by The South Staffordshire Waterworks Company and Sandwell Area Health Authority, to raise the fluoride content of water supplied to consumers. Public health funds this fluoridation and it was believed it was one of the reasons tooth decay in children in Sandwell was in line with the national average, despite the population having a higher prevalence of a number of risk factors.

Public Health England (PHE) had advised the Authority that they do receive an early estimate of likely costs from both water companies from May/June each year – at this point the water companies were able to supply a breakdown of the actual costs in the previous year and an early indication of the budget for the current year. PHE advised that they robustly challenge these costs prior to paying the water companies water fluoridation operating costs and invoicing Sandwell Council thereafter.



Reason for Decision

There was only one process for payment of water fluoridation operating costs so there was no possibility to go out to competitive procedure.

Sandwell Council pay Sandwell's contribution to PHE for Water Fluoridation operating costs. There was no contract between Sandwell Council and PHE regarding the payment of operating costs for water fluoridation; however, the relationship was one set out in legislation. These were the Water Industry Act, 1991, as amended and the relevant section is 88H, and detail was given in the Health and Social Care Act 2012 section 36.

The annual costs of water fluoridation were approximately £160,000. A £1,000,000 limit would allow costs to be covered for the next 5-6 years.

Alternative Options Considered

The only alternative option would be to withdraw from the current agreement. This would not be possible unilaterally and may need the agreement of other local authorities that are also currently being supplied by South Staffordshire Water.

Agreed: -

- (1) that approval be given to make any exemptions to the Council's Procurement and Contract Procedure Rules and to not enter into a contract for the provision of water fluoridation;
- (2) that the Director of Public Health be authorised to pay Public Health England for future water fluoridation operating costs up to a maximum of £1,000,000 starting with the 2020/2021 costs.



West Midlands Collaborative Framework Contract for the Provision of Professional Services for Highway Structures, Transportation and Development

Approval was sought to participate in the West Midlands Collaborative Framework Contract for the provision of professional services for highway structures, transportation and development led by Birmingham City Council.

Reason for Decision

The scope of the Framework Agreement provided Sandwell Council with access to professional support from consultants for highway infrastructure works, including specialist advice and design services for our highway structures inspection programmes, bridge repair and maintenance schemes as well as for other highway-associated structures.

All participants in the Framework Agreement would be able to achieve cost savings and additional benefits through: a reduction in tendering costs; reduced contract administration; regional innovation; creativity and collaboration; improved customer service; delivery of social value benefits and improved measurement of outcomes.

Alternative Options Considered

A decision not to participate in this new Framework Agreement would necessitate Sandwell awarding commissions for specialist professional services relating to bridge structures and other assets to consultants on an individual basis. This would not enable framework savings to be realised and was not therefore a recommended option.

Agreed: -

- (1) that approval be given to participate in the West Midlands Collaborative Framework Contract for the Provision of Professional Services for Highway Structures, Transportation and Development led by Birmingham City Council;



- (2) that the Director of Law and Governance and Monitoring Officer be authorised to execute any documents necessary to give effect to the (1) above.

75/21

Local Transport Settlement 2021/22 – Sandwell Allocation

It was reported that the Integrated Transport and Maintenance blocks were Central Government funding sources administered by the Department for Transport (DfT) and allocated to local authorities for minor highway works, and highway and bridge maintenance (including street lighting) on the local road network.

The Black Country authorities had collectively made a bid to the Department for Transport's (DfT) Pinch Point Programme in January 2020. The bid included proposals for improvements at Bromford Lane/Brandon Way in Sandwell. No announcement had been made on the outcome of this bid. The scheme remained at the feasibility stage, however the estimated cost was around £2,500,000 with funding anticipated to be spread across financial years 2021/22 and 2022/23. There had a DfT requirement to include a local contribution of at least 10% towards the funding of successful bids. The programme made provision for the local contribution from the 'Named Schemes over £250,000' heading for the coming financial year. Should the bid be successful a similar provision would be required in 2022/23. In the event that no announcement was made, these resources would be reallocated to other headings.

Sandwell's allocations for 2021/22, included additional allocations for maintenance.

The Cabinet noted that the 2021/22 Local Transport Settlement was a single year allocation with no indicative allocations for future years. There were no indications from Government as to the likely level of funding that would be available from 1st April 2022, nor if there would be any changes to the way that local transport funding would be allocated going forward. Nationally the available funding may reflect the long-term economic impact of the Covid-19 pandemic.



Approval was sought from Cabinet for the programme of works outlined in the recommendations. Details of individual schemes would be reported back to the appropriate Cabinet Member(s) for approval.

Reason for Decision

Local transport resources allocated to the Authority for 2021/22 which would be confirmed at West Midlands Combined Authority (WMCA) Board on 19 March 2021. Approval was subsequently required prior to the next scheduled meeting of Cabinet.

The funds allocated from the local transport settlement comprise the majority of the Council's capital programme of minor works, highway and bridge maintenance.

Alternative Options Considered

Whilst the Integrated Transport Block was not ring-fenced, the money was allocated to the West Midlands Combined Authority and then pass-ported to the individual authorities under the proviso that it was spent in support of the objectives of the West Midlands Strategic Transport Plan known as 'Movement for Growth'. The proportion of the funding allocated to each of the individual block headings was in line with previous years' allocations. The option existed to allocate more funding to some headings and less to others dependant on member priorities. It also remained possible to alter the allocations 'in year' should circumstance require it.

Agreed: -

- (1) that the details of the allocation of resources, for Integrated Transport and Local Highway Maintenance Block funding for financial year 2021/22, which will be confirmed by the West Midlands Combined Authority at its Board on 19 March 2021, be noted;
- (2) that in connection with (1) above and subject to confirmation at West Midlands Combined Authority Board, approval be given to the following programme of minor works, highways, bridges and street lighting maintenance works for 2021/22:



Minor Works Programme	Funds 2021/22 £
Major Schemes Development (Ring Fenced)	220,000
Road Safety Schemes	115,000
Local Safety Schemes	160,000
Safer Routes to School	125,000
Vulnerable Users	250,000
Demand Management	100,000
Traffic Calming	100,000
Major Route Signing	60,000
Named Schemes Over £250k.	356,000
Total	1,486,000

Maintenance Programme	Funds 2021/22 £
Carriageway Maintenance – Needs Formula	1,135,000
Carriageway Maintenance – Incentive Fund	445,000
Carriageway Maintenance – Pothole Action Fund	1,780,000
Bridges – Needs Formula	516,000
Street Lighting – Needs Formula	130,000
Total	4,006,000

- (3) that the continuing funding pressures relating to highway maintenance resulting from the impact of the Covid-19 pandemic on supporting income sources, and the potential implications of any long-term economic pressures on Central Government funding in future years be noted.

76/21

Wednesbury – Brierley Hill Metro Extension

Approval was sought to enter into a deed of variation from the original Wednesbury – Brierley Hill Metro Extension legal agreement that was previously signed in 2005 by Sandwell MBC and Centro, now the West Midlands Combined Authority.

The design of the metro scheme had evolved since 2005, and Sandwell's land holdings have changed. It was therefore necessary to enter into a Deed of Variation to modify the 2005 agreement to reflect the position as it stood at the time.



The Metro Extension through Sandwell from Wednesbury to Brierley Hill would unlock housing growth and significant economic regeneration in the area supporting the Sandwell Inclusive Economy.

The key benefits of the scheme were laid out to Cabinet were as follows:-

- Support for housing regeneration priorities through improved connectivity to areas of housing development opportunity.
- Support for economic regeneration by improving accessibility to major employment areas such as Golds Hill.
- Encouragement for modal shift from private car by delivering a high quality and reliable public transport service.
- Support for an integrated transport network through providing seamless interchange

The metro extension was a priority project within both the West Midlands Local Transport Plan and the Black Country Core Strategy which were the Council's main policy documents for transport and land use planning respectively. The principle of the Council's land being provided at nil consideration as a contribution to the project therefore remains well founded.

Reason for Decision

The legal agreement between Sandwell Council and Centro relating to the construction of the scheme and the use of Sandwell Council land scheme was signed in 2005 and remained in force. However, it was understood that in the intervening years the scheme had been modified and further developed, land holdings had changed and so a Deed of Variation was required to update the original Agreement.

The Wednesbury – Brierley Hill Metro Extension would benefit many Sandwell communities and improve sustainable transport options. The scheme was now progressing at a pace, but the legal agreement needed updating to ensure Sandwell's wants and needs were accounted for.



Alternative Options Considered

The complementary measures programme would be modified and further developed following completion of the overall metro project detailed design. Options at individual locations would be considered as part of that process and, where necessary, reported to the Cabinet Member for Sustainable Transport.

It was possible to progress matters relating to the use of the Council's land holdings through WMCA enacting its powers through the 2019 Transport & Works Act Order. However, it was considered beneficial, and more cost effective, to both parties to conclude this by agreement.

Agreed: -

- (1) that the Director of Regeneration and Growth be authorised to enter into a deed of variation from the original Wednesbury – Brierley Hill Metro Extension legal agreement that was previously signed in 2005 by Sandwell MBC and Centro, now the West Midlands Combined Authority;
- (2) that the Director of Regeneration and Growth be authorised to negotiate the terms of the Deed of Variation to include an agreed West Midlands Combined Authority capped funding contribution of £257,000 for advance maintenance work on the Eagle Lane Viaduct, Metro line closures for inspections and maintenance, and the principle of undertaking revised complementary measures to a similar or lesser extent than scheduled in the original agreement with fee costs funded by West Midlands Combined Authority;
- (3) that in connection with (1) above, the Director of Law and Governance and Monitoring Officer be authorised to enter into, and sign, a Deed of Variation of the Wednesbury – Brierley Hill Metro Extension legal agreement that was originally signed in 2005;



- (4) that approval be given to transfer Sandwell owned land along the Wednesbury – Brierley Hill Metro Extension corridor to West Midlands Combined Authority at nil consideration subject to terms to be agreed by the Director of Regeneration and Growth.

77/21

Black Country Transportation Hub Collaboration Agreement

It was reported that the Black Country Core Strategy, which had been adopted in 2011, was based on steering growth to the four strategic centres (Wolverhampton, Walsall, Brierley Hill and West Bromwich) and sixteen regeneration corridors, where transport improvements underpin and enable the new employment and housing growth.

The Black Country's approach would create:

- 132,000 new jobs from 2023
- 630,000 new homes by 2026
- Increased incomes to the national average by 2033
- An extra £17bn Gross Value Added (GVA) by 2033

In 2018, the Black Country Director of Transport commissioned management consultants to undertake a review of the strategic transport capabilities across the Black Country. Through this work, and detailed discussions between Regeneration Directors and Chief Executives, a clear rationale and business case was developed demonstrating the need and benefit in establishing a new Black Country Transport Team to provide additional capacity to the four Black Country local authorities.

The new Black Country Transport Team working on behalf of the four Black Country local authorities and the BCLEP, would deliver benefits of at least £4.3bn in the long-term from current schemes. Research generated by the appointed consultants in May 2018 signified that all strategic transport teams were at full capacity and over 50% of the total pipeline of transport projects remained unfunded and not resourced.



A new Black Country Transport Team would work to develop strategies and major schemes, which would unlock growth and help support key agendas. The team would work collaboratively with key regional and national partners such as Highways England, Network Rail, Midlands Connect and Department for Transport amongst others.

The Team would work seamlessly with Transport for West Midlands to drive forward investment in key Black Country priorities. Combined it was understood, the Black Country Transport priorities amount to £2.1bn of total investment in transport infrastructure and services.

Reason for Decision

The four Black Country authorities had agreed to collaborate to identify and develop strategic transport projects across the Black Country and to maximise transport funding opportunities for such projects through the creation and operation of pooled resources in the form of a joint Transportation Hub. The core of the Transportation Hub was a joint team which provided an additional resource to support the existing four Local Authority teams on project and programme delivery and would not replace the scheme delivery function which would continue to sit with the individual Local Authorities.

Alternative Options Considered

Through the development of the business case and the original work undertaken by management consultants, two alternative options were considered by Cabinet: -

- ‘Do Nothing’ – leave the existing teams operating exactly as they had prior to the review. This option was discounted on the basis that there was a clear rationale to improve the current working situation and seek to lever-in a greater level of investment. Failure to improve and evolve would have resulted in a decreased level of investment.
- Merge Existing Teams – an option identified was to merge the four-local authority Strategic Transport Teams together. It was discounted for a number of reasons however. The merging of teams would not have benefit to the existing setup, because there would be no additional personnel to assist with the increasing workload. Each of the four teams were also funded



and structured in different ways, with some funded via revenue, some funded capital, whilst some teams included additional functions e.g. planning policy and development control. In order to meet the funding opportunities on offer, undertaking a complicated merger of teams with TUPE and restructure implications, would have had a negative impact on the level of funding available to the Black Country. The option was discounted on time, financial and legal grounds as being too expensive and complicated.

Agreed: -

- (1) that the financial implications of the Black Country Transport Hub set out below be approved:-
 - Local Authority capital contributions of £40,000 each authority per annum (£160,000 total per annum).
 - Local Authority revenue contributions circa £25,000 each authority per annum (£100,000 total per annum).
 - External Development grants.
- (2) that the Director of Regeneration and Growth in conjunction with the Director of Law and Governance and Monitoring Officer be authorised to enter into a Collaboration Agreement covering the operation and financial arrangements associated with the newly established Black Country Transportation Hub and the Director of Law and Governance and Monitoring Officer be authorised to seal or sign any associated contracts, deeds or other related documents to give full effect to the work of the Black Country Transport Team.

78/21

Authority to submit a bid for Grant Funding from the Homes England Affordable Housing Programme 2021/26

Approval was sought to submit a bid for Homes England Affordable Housing 2021/26 grant funding for 200 units through the Matrix consortium as an existing consortium partner.



The development of Homes England funded sites with new homes would result in the following benefits:

- Increased levels of high quality stock to replace units lost under Right to Buy through the HRA investment programme.
- Contributing positively to the financial position of the Council by generating New Homes Bonus and new Council Tax receipts.
- Developing fit for purpose accommodation.
- Increased good quality, energy efficient housing provision in the Borough
- Increased levels of new build Council housing stock within the Borough contributing towards meeting target forecasts.
- Re-developed areas of vacant land reducing the quantity of vacant land in the Borough and improve the image of the local built environment thereby supporting the aim of creating a safe and clean place to live.
- Linked to the work of Think Local and Think Sandwell approaches that will offer significant employment and training opportunities as well as additional community benefits to the local economy, including working with local supply chains and use of local labour.
- Producing positive outputs for community safety through the redevelopment of a vacant sites.

Reason for Decision

The original Cabinet Report - Approval to enter into a Grant Funding Agreement with Homes England and a Consortium Agreement with Accord Housing Association 28 February 2018 (Minute No.38/18) had given approval to enter into the Grant Agreement with Homes England in relation to the Affordable Homes Programme 2016-2021 and the Consortium Agreement with Accord Housing Association Limited as lead partner and any other agreements necessary to facilitate accessing grant funding to develop affordable Council housing.

The Shared Ownership and Affordable Homes Programme 2016-2021 and the New Ways of Working Affordable Homes Programme 2016-2021 had planned to be completed by March 2021, however, due to Covid 19 related issues, this completion date had now been extended to 2023. The Council would continue to deliver all schemes under these programmes.



The Council was in the process of determining proposals for its new build programme for the next 5 years. The initial financial modelling around currently available and potentially available sites (Subject to Cabinet approval and the delivery assumptions made) had shown that when the other available funding had been allocated there was potential to deliver a further 200 units through the Homes England grant funded route.

Alternative Options Considered

If the approval for the contract was not gained there would be knock-on delay for the proposed completion of urgently needed housing and adapted accommodation and have implications for the Council in meeting its commitment to deliver housing outputs and draw down Homes England affordable housing grant.

Agreed: -

- (1) that the Director of Regeneration and Growth be authorised to submit a bid for Homes England Affordable Housing 2021/26 grant funding for 200 units through the Matrix consortium as an existing consortium partner;
- (2) that the Director of Law and Governance and Monitoring Officer be authorised to enter into or execute under seal any documentation in relation to Grant Agreements with Homes England for the Affordable Homes Programme 2021-2026 through the Matrix Consortium Agreement with Accord Housing Association Limited as lead partner and any other related ancillary documents etc. to facilitate accessing grant funding to develop affordable housing on terms and conditions to be agreed by the Interim Director of Regeneration and Growth the Director of Housing and Communities;



- (3) that the Director of Law and Governance and Monitoring Officer in consultation with the Interim Director of Regeneration and Growth the Director of Housing and Communities be authorised to apply any exemptions to the Council’s Procurement and Contract Procedure Rules to allow the recommendations in (1) and (2) above to take place.

79/21

The Meadows School (9-19) – Extension Works

Approval was sought to the allocation of £850,000 from the council’s Special Education Needs and Disability capital grant to fund extension works to The Meadows School, Oldbury which would allow a three-classroom block required from September 2021 following pressure being experienced within the special school sector.

The proposed extension would enable the local authority to sustain provision of special school places, in line with projected demand.

Reason for Decision

The Council had a statutory duty to ensure a sufficient supply of school places. The Meadows School had reached its optimum pupil capacity. Sourcing placements out of borough was costly, with a significant impact placed upon the High Needs Block. Such placements were not always the right solution for the child and their family. To ensure that the additional school places were ready for the start of the next academic year a start on site is required early May 2021.

Alternative Options Considered

Taking ‘no action’ was not an option since the authority would fail in its statutory duty ensure a sufficient supply of school places. The school was unable to sustain curriculum delivery with the shortfall in teaching accommodation for the number of pupils requiring school places from September.



The Orchard and The Westminster Schools were recognised as having previously extended their respective age ranges to provide additional school places to assist the Authority's pupil place planning.

Site appraisals had determined there was only one location that could sustain a 3-classroom extension without placing further impact upon external curriculum and service areas and offers a value for money solution.

Agreed: -

- (1) that approval be given to the allocation of £850,000 from the council's Special Education Needs and Disability capital grant to fund extension works to The Meadows School, Oldbury;
- (2) that subject to (1) above and to approval by Planning Committee, in accordance with the council's Procurement and Contract Procedure Rules 2018-2019, the Director – Education, Skills and Employment be authorised to accept a tender and agree terms, in conjunction with the Acting Section 151 Officer and in consultation with the Cabinet Member for Best Start in Life, for the award of a contract for construction works at The Meadows School, Oldbury;
- (3) that subject to (1) and (2) above, the Director – Law and Governance and Monitoring Officer be authorised to enter into a contract on terms agreed by the Director – Education, Skills and Employment, as required, to complete the extension works at the school.



Towns Fund Heads of Terms

The Sandwell Towns Fund Superboard was recommended to give approval to the Towns Fund Heads of Terms offers for Rowley Regis, Smethwick and West Bromwich.

The objective of the fund was to drive the economic regeneration within Towns to deliver long term economic and productive growth.

Sandwell had in October 2020 submitted three Town Investment Plans for Rowley Regis, Smethwick and West Bromwich to Government as part of the Towns Fund Programme. The Town Investment Plans included an ask of £25m investment per Town. Six projects had been put forward in each Town.

It was reported that on 3 March 2021, confirmation had been received and that the Town Investment Plans had been accepted and Heads of Terms were offered.

The Heads of Terms would act as a Memorandum of Understanding for the future development and delivery of each Town Investment Plan.

The Heads of Terms offers contain a maximum funding amount, detailed the projects the Government is willing to fund and other conditions, including that each project should be developed to Full Business Case stage, each Full Business Case should be assured in line with Sandwell Councils usual process, and that a Public-Sector Equalities Duty analysis be undertaken.

The Cabinet welcomed the details relating to the Sandwell's Heads of Terms offers which was largest amount of funding being received by any local authority nationally. The funding would enable projects to go ahead across the three towns with a particular focus on increased learning and skills opportunities, improvements to Town Centres, the creation of new cycling and walking routes and new housing developments.



Reason for Decision

The Government had provided Sandwell with a Towns Fund Heads of Terms Offer for Rowley Regis, Smethwick and West Bromwich. The Heads of Terms Offers were not contractually binding offers but were intended to act as a Memorandum of Understanding between Government, Sandwell Council and the Towns Fund Superboard for the future delivery of the Town Investment Plans.

There was a deadline of 24 March 2021 for the Town Deal Board to agree the Heads of Terms offers.

Alternative Options Considered

The alternative option would be to not accept the Heads of Terms offer, however, this would have concluded Sandwell's participation in the Towns Fund Programme and resulted in an offer of £67.5m investment into the Borough and its project benefits not being achieved.

Agreed that the Sandwell Towns Fund Superboard give approval to the Towns Fund Heads of Terms offers for Rowley Regis, Smethwick and West Bromwich.

81/21

Exclusion of the Public

Resolved that the public and press be excluded from the rest of the meeting to avoid the possible disclosure of exempt information under Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006, relating to the financial or business affairs of any particular person, including the authority holding that information.



Wednesbury High Street Heritage Action Zone (Wednesbury HAZ) Cultural Programme

Approval was sought to be authorised to undertake a competitive procurement process and award a contract for the design and delivery of the Wednesbury High Street Heritage Action Zone Cultural Programme.

Reason for Decision

A decision was required in order to respond to Historic England for the acceptance of the additional funding grant, and to minimise the pause in the Cultural Programme Delivery. Resolution in March enabled the Cultural Programme activity to recommence in July 2021.

The Wednesbury HAZ project team would undertake an OJEU competitive procurement process for the design and delivery of the Cultural Programme, including the role as Cultural Consortia lead, for the remaining 3 years of the project.

As part of the procurement process the project team would liaise with Strategic Finance and Legal to ascertain any implications for the Council, pertaining to the additional grant award of from Historic England.

Alternative Options Considered

Cabinet considered two alternative options:

Option 1 – The Council would have refused the additional grant offer from Historic England, which would see the value of the Cultural Programme contract revert to the value contained within the March 2020 Cabinet Report and Grant Agreement with Historic England. This would have reduced the level of cultural activity that could be undertaken in the town as part of the HAZ project.



Option 2 – The Council would have considered independently to approve a procurement process for the delivery of a Cultural Programme for the remaining 3-year project period. The delivery of a Cultural Programme it was understood by Cabinet, was a condition of the grant agreement with Historic England whose delivery of a four-year programme of community engagement and cultural activities was required.

Agreed: -

- (1) that the Interim Director of Regeneration and Growth, in consultation with the Cabinet Member for Inclusive Economic Growth, be authorised to undertake a competitive procurement process and award a contract up to the value of £260k for the design and delivery of the Wednesbury High Street Heritage Action Zone Cultural Programme;
- (2) that in connection with (1) above, the Director – Law and Governance and Monitoring Officer, in consultation with the Head of Finance, be authorised to implement the recommendations arising from a financial and legal review, enter into or execute under seal, if necessary, the new funding agreement pertaining to the additional Historic England grant of £89,819.19 on terms and conditions to be negotiated by the Interim Director – Regeneration and Growth;
- (3) that subject to (1) and (2) above, the Director – Law and Governance and Monitoring Officer enter into or execute under seal the contract and any ancillary documentation in relation to the award of additional grant and the award of the contract for the Cultural Programme. Terms and conditions to be agreed by the Interim Director of Regeneration and Growth.

Meeting ended at 4.51pm

Click [here](#) to view a recording of the meeting.

Contact: democratic_services@sandwell.gov.uk



Minutes of The Cabinet

**Friday 19 March at 3.30pm
Virtual Online Meeting**

Present: Councillor Crompton (Chair);
Councillors Ali, Millard, Padda, Shaeen, Singh, Taylor and Underhill.

Also present: Cllrs E M Giles, L Giles, Moore, Preece and Rollins.

Officers: David Stevens (Chief Executive), Lesley Hagger (Executive Director – Children’s Services), Rebecca Maher (Acting Section 151 Officer), Sue Stanhope (Interim Director – Human Resources), Neil Cox (Director – Business Strategy and Change), Katharine Willmette (Interim Director of Adult Social Care), Chris Ward (Director – Education, Skills and Employment), Lisa McNally (Director – Public Health), Surjit Tour (Director - Law and Governance and Monitoring Officer), Elaine Newsome (Service Manager – Democracy), Suky Suthi-Nagra (Democratic Services Manager) and Stephnie Hancock (Senior Democratic Services Officer).

83/21 **Apologies for Absence**

Apologies for absence were received from Councillor Allcock.



84/21 **Declarations of Interest**

Upon seeking legal advice and in order to promote openness and transparency, Councillor Ali advised that he would not be taking part in the discussions and would be excluding himself from the meeting.

Councillors Moore and Preece declared that they were members of the Audit and Risk Assurance Committee.

85/21 **Additional Items of Business**

There were no additional items of business to consider.

86/21 **Exclusion of the Public and Press**

Agreed that the public and press be excluded from the rest of the meeting to avoid the possible disclosure of exempt information under Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006, relating to the financial or business affairs of any particular person, including the authority holding that information and information relating to any individual or which is likely to reveal the identity of an individual.

87/21 **Recommendations from the Audit and Risk Assurance Committee**

It was reported that a matter had been brought to the attention of the Audit and Risk Assurance Committee on 18 March 2021, and due to the nature and urgency around it, the Chair of the Audit and Risk Assurance Committee had felt that it should also be considered by the Cabinet in so far as it related to the executive. However, the Committee had been unable to consider the matter in its entirety.



The Deputy Leader was therefore minded to adjourn the meeting of the Cabinet and would reconvene at the earliest opportunity once the Audit and Risk Assurance Committee had concluded their findings.

Reason for Decision

The Chair of the Audit and Risk Assurance Committee had felt that it should also be considered by the Cabinet in so far as it related to the executive.

Meeting adjourned at 4.10pm

Click [here](#) to view a recording of the meeting.

Meeting reconvened on **Monday 24 May 2021 at 3.11pm at Sandwell Council House, Oldbury**

Present: Councillor Crompton (Chair);
Councillors Ali, Millard, Padda, Shaeen and Taylor.

Also present: Cllrs E M Giles and L Giles.

Apologies: Councillors Moore, Rollins and Singh.

Officers: David Stevens (Chief Executive), Surjit Tour (Director - Law and Governance and Monitoring Officer), Elaine Newsome (Service Manager – Democracy), Suky Suthi-Nagra (Democratic Services Manager) and Stephnie Hancock (Senior Democratic Services Officer).

Further to Minute No. 87/21, members were informed that the Audit and Risk Assurance Committee had met on 18th May 2021 and had passed resolutions in relation to this matter.



Whilst there was no specific resolution referred to the Cabinet for consideration, the Committee had asked that the Cabinet be made aware of its specific resolutions.

The Cabinet noted the resolutions of the Audit and Risk Assurance Committee.

Meeting closed at 3.28pm

Contact: democratic_services@sandwell.gov.uk



Minutes of The Cabinet

Monday 24 May 2021 at 3.30pm
Sandwell Council House, Oldbury

Present: Councillor Crompton (Chair);
Councillors Ali, Allcock, Millard, Padda, Shaeen, Singh and Taylor.

Also present: Councillors L Giles and E M Giles

Officers: David Stevens (Chief Executive), Nicholas Austin (Interim Director – Borough Economy), Neil Cox (Director – Business Strategy & Change), Lisa McNally (Director – Public Health), Surjit Tour (Director - Law and Governance and Monitoring Officer), Katharine Willmette (Interim Director – Adult Social Care), Elaine Newsome (Service Manager – Democracy) and Suky Suthi-Nagra (Democratic Services Manager).

88/21 **Apologies for Absence**

Apologies for absence were received from Councillors Moore and Rollins.

89/21 **Declarations of Interest**

Councillors Ali and Shaeen declared a pecuniary interest in Minute No 102/21 (Taxi Driver Grant Scheme) and subsequently left the meeting during consideration of the matter.



90/21 **Minutes**

The minutes of the meetings held on 8 and 17 March 2021 were confirmed as a correct record.

91/21 **Additional Item of Business**

There were no additional items of business to consider.

92/21 **Authority to Award Contract for Local Area Network (LAN) Switch Refresh Contract – 2021 to 2025**

Approval was sought to award a contract for Aruba Local Area Network (LAN) Switch Refresh from 30 June 2021 until 29 June 2026. The products covered included:

- Aruba Core Network Switches
- Aruba Remote Edge Switch
- Aruba Homeworking Solution
- Aruba WIFI Access Points
- Aruba Server Load Balancing Switching
- Aruba Inter-switch connectivity components

The estimated cost of the contract was £3.5m based on £2.5m in years one (1) and two (2) for Phases one and two, with the remaining £1m over the following three (3) years relating to potential Workplace Vision changes at other Council buildings.

The new contract would provide an accredited channel reseller to transition the current HP/Aruba infrastructure and replace with new products and services.

Reason for Decision

Aruba products within the Council’s environment and licenses currently end manufacturer support between 31 March 2021 and 29 November 2021. Aruba products were present in all Council buildings and allow connectivity to business applications. The channel reseller’s support and maintenance contract for these products ended on 29 November 2021.



Aruba did not deal directly with corporate customers, so the Council needed to procure the Local Area Network (LAN) switches and services contract via a channel reseller.

A procurement exercise would be conducted to appoint a reseller who would renew, manage and support the new products on the Council's behalf in conjunction with the ICT Cyber Security and Connectivity Team, covering the period 30 June 2021 to 29 June 2026.

Alternative Options Considered

A "do nothing" approach was not feasible as it would result in no software updates being available and no channel reseller support from 29 November 2021 which would present a major cyber security risk.

Agreed:-

- (1) that subject to a compliant further competition process under Lot 2 of the YPO Framework – Network Connectivity and Telecommunication Solutions – Lot 2 Local Area Network (LAN) Services, approval be given to authorise the Director of Business Strategy and Change and the Section 151 Officer, in consultation with Cabinet Member for Resources and Core Services, to award a contract for providing Aruba Local Area Network (LAN) Switch Refresh, for the period 30 June 2021 to 29 June 2026;
- (2) that the Director - Law and Governance and Monitoring Officer be authorised to execute any documentation necessary to enable the course of action referred to in Resolution (1) above to proceed.



Assertive Outreach for Treatment Resistant Individuals: Continuation of Funding

Approval was sought to a variation of the current Adult Alcohol and Drug Service Contract value to fund an additional 20 months of costs for assertive outreach capacity totalling £179,464. This would ensure the approach could continue for the remainder of the Adult Alcohol and Drug Service contract period.

The Director - Public Health delivered a presentation on the work of Assertive Outreach and how their work goes towards the treatment of those individuals who require support.

Reason for Decision

The impact from drug and alcohol misuse in Sandwell was particularly pronounced compared to regional and national levels of harm.

Sandwell had a higher than national rate of dependent drinkers and opiate/crack users, and the harms associated with this substance misuse were evident from local alcohol specific mortality rate (6th worst in England), and higher than national rate of alcohol related admissions. Besides the more immediate consequences to health and quality of life, there was also a cost to the public purse in terms of health, care, policing, housing and antisocial behaviour.

Alternative Options Considered

Not approving the variation to extend the funding of assertive outreach and coordinator capacity for a further 20 months would impact engagement with individuals who were currently case managed through the Blue Light approach.

Due to the complex needs of the individuals, support was often long-term and ongoing, therefore clients would need to be supported to transfer to other available services and any new referrals to the Project would need to stop immediately and would not be able to capture information from those with complex needs for data purposes.



In order to utilise the money to secure internal Council provision: it is not envisaged as a viable option given the clinical supervision, clinical governance and specific skills and knowledge required. The existing provision via Cranstoun makes use of their close links to their structured treatment provision including a fast track for appropriate pharmacotherapy options.

Agreed:-

- (1) that approval be given to a variation to the current Adult Alcohol and Drug Service Contract to fund an additional 20 months of assertive outreach capacity totalling £179,464;
- (2) that the Director of Public Health, in consultation with the Director of Law and Governance and Monitoring Officer, be authorised to vary the existing Adult Alcohol and Drug Service contract allowing the assertive outreach provision to be extended until the end of the overarching Drug and Alcohol contract term on the 31 January 2023.

94/21

Procurement of a Domiciliary Care Service

Consideration was given to proposals to award and enter into agreements with all successful bidders, on terms to be agreed with the Director of Adult Social Care, for the provision of a Domiciliary Care Service to commence on 1 March 2022 and the establishment of a longer- term agreement to enable individual packages to remain with contractors at the end of the period would allow the mitigation of risk when service users are compelled to either change care provider or forced to take a direct payment to stay with them.

The Council was statutorily required under the Care Act 2014 to carry out an assessment of anyone who appeared to require care and support. The Local Authority's role was seen as critical, and under section 5 of the Care Act 2014, the duty to shape and maintain an efficient and effective market of services for meeting care and support needs in the local area is firmly placed with them.



The duty applied in relation to services that the Local Authority commissions directly, but also to other non-commissioned services in its area (including those used by self-funders), universal services and services provided by partners (such as health or charitable services) that together create the marketplace.

Reason for Decision

There was no further extension option available in the existing framework contract and therefore the authorisation to commence the procurement process and award contracts to successful bidders would ensure there were appropriate agreements in place from 1 March 2022.

The term of the agreements would afford additional security for providers in the market, consistency for service users, as well as for internal teams in Social Work and Brokerage.

The proposal would create more providers to enable greater availability and increased choice for service users.

Domiciliary care was one of the services that the Council commissioned to ensure that people with assessed needs under the Care Act 2014 had provision to support them to continue to live independently in the community, and thereby delaying or preventing the need to access residential care.

Alternative Options Considered

Re-procuring like for like would result in a short-term agreement that would result in instability and service user distress when having to change care and support providers. The new proposal sought to establish a new process for greater stability.

Not to re-procure was not an option as the existing framework contract would end on 28 February 2022 and the Approved List was not a viable alternative.

If the Council was not to re-procure and allow the existing framework contract to end, it would compel all Service Users to commission their own care packages via a direct payment would not be without significant risk.



This action would be detrimental to people who do not want the complexities of managing their own care and support even though for some people, it increases their choice and control. In addition, a market that the Council was not overseeing was a safeguarding risk as there would be no direct contractual relationship between the Council and the care provider, resulting in service users potentially being exposed to harm that was harder to detect.

Agreed:-

- (1) that the Director of Adult Social Care be authorised to complete a procurement exercise for the delivery of Domiciliary Care to secure alternative contracting arrangements for when the existing framework contracts end on 28 February 2022;
- (2) that the Director of Adult Social Care be authorised to award and enter into Agreements with all successful bidders for the provision of a Domiciliary Care service to commence on 1 March 2022 with the term of the Agreements being for as long as the successful contractors remain as an approved provider on the proposed new Domiciliary Care list;
- (3) that the Director - Law and Governance and Monitoring Officer, or their designated representative, execute any documents necessary within a reasonable time to give effect to the proposals in Resolution (2) above for the provision of a Domiciliary Care Service;
- (4) that the application of the costing model used in the existing Community Care framework contract (Appendix 1) for use in the proposed Agreement, which will be subject to review during the lifetime of the Agreement, be approved;
- (5) that the new Domiciliary Care model be approved.



Award of Contracts for Enhanced Assessment Beds

It was reported that The Care Act 2014 updated and re-enacted the provisions of the Community Care (Delayed Discharges) Act 2003, which set out how the NHS and local authorities should work together to minimise delayed discharges of NHS hospital patients from acute care. The NHS was required to notify relevant local authorities of a patient's likely need for care and support where the patient is unlikely to be safely discharged from hospital without arrangements.

Approval was now sought to complete a procurement exercise to secure provision of 60 enhanced assessment beds across a number of locations to secure continuity of provision to replace existing contracts until such time that the integrated Social Care and Health Centre was fully operational and to award contracts to successful bidders to commence on 1 October 2021 to 30 September 2022 with an option to extend for a further year.

The contracts proposed within the report supported the Council in securing optimum use of hospital provision by supporting timely discharges for individuals for whom the Council had a statutory duty.

Reason for Decision

There was no further extension option available in the contracts ending on 30 September 2021 and therefore the authorisation to commence the procurement process and award contracts to successful bidders would ensure there were appropriate agreements in place from 1 October 2021.

Approval of the contracts would ensure that Adult Social Care (ASC) could assist people to be discharged from hospital to the most appropriate setting as soon as they are medically optimised thereby relieving pressure on acute beds. In addition, the contracts would also allow admission avoidance by providing care and support to individuals thereby eliminating the need for a hospital admission.



Alternative Options Considered

Cabinet considered two alternative options; one was to not re-procure and allow contracts to lapse. This was not seen as a viable option as there would be increased delays in hospital and people not benefiting from admission avoidance leading to system pressure.

Secondly allowing contracts to lapse and procure beds on a spot basis. This was not considered a viable option as spot provision does not have any terms that require care homes to expedite assessment and admission, leading to intolerable delays.

Agreed:-

- (1) that the Director - Adult Social Care be authorised to complete a procurement exercise to secure provision of 60 enhanced assessment beds across a number of locations to secure continuity of provision to replace existing contracts until such time that the integrated Social Care and Health Centre is fully operational;
- (2) That the Director – Adult Social Care be authorised award and enter into Contracts with all successful bidders for the provision of Enhanced Assessment Beds to commence on 1 October 2021 to 30 September 2022 with an option to extend for a further year;
- (3) that the Director - Law and Governance and Monitoring Officer, or their designated representative, execute any documents necessary within a reasonable time to give effect to the proposals in Resolution (2) above for the provision of Enhanced Assessment Beds;
- (4) An exemption to rule 8.7 of the Council's Procurement and Contract Procedure Rules 2018-19, or subsequent amendment, be authorised to allow the Director - Adult Social Care to award contracts to the successful tenderers in the event that the required minimum number of tenders are not received;



- (5) that variations to the Contracts up to a maximum of 10% of the contract value be approved, should they be necessitated, and that authority to approve such variations be delegated to the appropriate Chief Officer in consultation with the relevant Cabinet Member, with a decision notice being published should a variation need to be enacted;
- (6) that an uplift to the weekly bed rate for Enhanced Assessment Beds to be implemented from 1 April 2022 (and April 2023 if required) be approved subject to the Joint Partnership Board agreeing the rates and funding.

96/21

Care Home Fees – Standard Rate 2021/2022

It was reported that on 19 April 2017 Residential Care Home Fees model and rates 2017-18 for the use of a proposed costing model to form the basis of discussion and fee setting for Care Home Fees for Older People in future years (see Minute No. 87/17).

The model had been used since 2017 to calculate the increase of Care Home Fees and had been used to calculate the proposed Care Homes Fees for 2021-22. Approval was now sought for the Director of Adult Social Care to communicate the resultant fees to the relevant providers and implement the revised fees from 1 April 2021.

As a result of the continuation of the global pandemic, Cabinet recognised that adult social care providers continued to encounter an unprecedented impact on their fees and in some cases, a high level of voids. The council was separately supporting the sector on those additional costs through a Provider Offer and distributing funds provided by the Department of Health and Social Care.



Reason for Decision

The council was responsible for the commissioning, contracting and payment of residential care home placements (residential and nursing) for older people who met the access criteria and did not have assets in excess of the limits set by the Government. Individuals had been charged for their care depending on their individual financial circumstances in accordance with the rules set out by the Government.

The Council purchased placements in care homes for older people and these placements were purchased at standard rates set by the council. There were four categories of standard rate, Residential, Residential Dementia, Nursing Homes and Dementia Nursing.

Alternative Options Considered

It was considered by Cabinet that if the recommendations to increase fees for 2021/22 were not approved, that there was a risk that care home providers, and therefore the supply chain may become less resilient particularly because of the challenges that the sector had faced due to the pandemic.

If the recommendations were not approved, there may be an adverse impact on the elderly and vulnerable care home residents if care home providers were not able to maintain good quality standards of provision, or if fewer of them agree to contract with the council, or if some were unable to continue in business. Officers had assessed the impact of these risks as being high and would monitor any impact. Monitoring would be conducted via regular communication with staff in relation to placement availability and quality would be assessed and ongoing contact both with care home providers and residents.



Agreed:-

- (1) that the proposed Care Home fees as set out in Resolution (2) below that are calculated in accordance with the agreed model, be effective from 1 April 2021 and that the Director of Adult Social Care be authorised to communicate this to the relevant providers and implement the fee increase accordingly;
- (2) that approval be given to the amended Care Home fees for 2021/22 as set out below:

	Residential	Dementia Residential	Nursing	Dementia Nursing
	£ /week	£ /week	£ /week	£ /week
2020/21 Fees	455.90	513.10	633.90	641.88
Increase in SMBC Fees	4.57	5.15	5.14	5.24
Change in 2021/22 NHS RNC	N/A	N/A	Not announced based on 2020/21 rates*	
Notional 2021/22 fee including FNC contribution*	460.47	518.25	639.04	647.12

* The NHS Registered Nursing Care (FNC) contribution towards the costs of a place in a care home are set nationally by NHS England, this figure is included in the stated fee level at the 2020 -21 rate, any changes will be passported to Nursing Home providers once known.

- (3) that the Director of Adult Social Care review the proposed rates in 6 months once the position on additional government funding has been ascertained, and if necessary, submit a further report to Cabinet recommending revisions to the rates in year should they be necessitated.

97/21

Procurement of School Health Nursing and Child Vision Screening Services

Approval was sought to commence a procurement process for the provision of School Health Nursing and Child Vision Screening Services to commence on 1 April 2022 for a period of three years to 31 March 2025 with the option to extend up to a further two years.



On the 13 December 2017, Cabinet gave approval to award a contract to Sandwell and West Birmingham Hospital Trust for 2 +1 years.

The option to extend period was utilised and this contract was due to end on the 31 March 2022. A procurement exercise was now required to ensure that there was no gap in service beyond this date.

Reason for Decision

In Sandwell, the Clinical Commissioning Group(CCG) had continued to commission the service, however they had now confirmed their intention to transfer the commissioning responsibility to the Local Authority from 1 September 2021. A direct award for a seven-month contract would be made to the current provider, Sandwell and West Birmingham Hospitals NHS Trust to ensure there was no gap in service while this proposed procurement took place.

It was anticipated that there would be increased demand on the School Health Nursing Service over the lifetime of the new contract due to an increase in the number of secondary school sites and expansion of existing sites. There are two new Free School Academies due to open in September 2022 (offering (1,650 places between them) and expansions of 3 other existing sites (670 places) A further 900 secondary places were required between 2023 and 2026.

Alternative Options Considered

The Cabinet noted a number of options. One option consisted of removing the 0-5 Services from the Co-operative Working Agreement in order to conduct a large, single 0-19 procurement was also considered, however there was a risk that this would disrupt our high-performing Health Visiting Service during this pandemic/recovery period time when stability and continuity will be even more important.



The School Nursing Service was a key Public Health priority any change to the delivery of this would have a detrimental impact on the school population. Cabinet therefore, due to the high value and nature of the service was minded to competitively procure it.

Cabinet also considered undertaking a separate procurement exercise for the Child Vision Screening Service. This was a feasible option, but it was felt that by aggregating with School Nursing, it may benefit from the economies of scale from a multi-million-pound service.

Agreed:-

- (1) that the Director of Public Health be authorised to commence a procurement process for the provision of School Health Nursing and Child Vision Screening Services to commence on 1 April 2022 for a period of three years to 31 March 2025 with the option to extend up to a further two years;
- (2) that the Director of Public Health be authorised to award and enter into a contract and licence agreement with the successful bidder, on terms to be agreed with the Director of Public Health for the provision of School Health Nursing and Child Vision Screening Services to commence on 1 April 2022 for a period of three years to 21 March 2025 with the option to extend up to a further two years;
- (3) that variations to the Contract up to a maximum of 10% of the Contract value be approved, should they be necessitated, and that authority to approve such Variations be delegated to the appropriate Chief Officer in consultation with the relevant cabinet member;
- (4) that the Director- Monitoring Officer be authorised to execute any documents necessary to give effect to the proposals in Resolution (1) and (2) above for the provision of School Health Nursing and Child Vision Screening Services;



- (5) that an exemption be made to rule 8.7 of the Council's Procurement and Contract Procedure Rules 2018-2019 to allow a contract to be awarded to the successful tenderer in the event that the required number of tenders are not received.

98/21

Grant Agreement with the West Midlands Combined Authority - Traffic Signal Upgrades on the Key Route Network

It was reported that a lifecycle review of all of the Council's traffic signal installations on the Key Route Network had been completed and the four-traffic signal-controlled intersections detailed within the report had been identified as a priority for refurbishment.

The proposed traffic signals were located at strategic junctions and were considered pivotal to both the Local and Key Route Network performance.

The key benefits of the new traffic signal equipment stemmed from the: -

- Adaptive traffic control system for efficiency, maximising capacity and reducing delays.
- Improvements in journey times and reliability for all road users including public transport and commercial vehicles.
- Improved business competitiveness.
- Improved traffic signal operational reliability.
- Energy savings (LED equipment and latest technology, including extra low voltage supply (ELV)).
- Reduced maintenance costs.
- Reduction in carbon footprint.
- Remote Monitoring System – would increase awareness and reactivity to operational issues and traffic signal faults.
- Safety benefits generally acknowledged from the type of operational system for all users, including pedestrians.
- Puffin crossing facilities.
- The installation of low level access poles and LED signal equipment will reduce working at height risks for maintenance engineers.



- ELV power supply will provide enhanced safety for all users, including pedestrians.

Strategic Finance had undertaken an appraisal of the funding application, which had been evaluated against HM Treasury Green Book guidance. The appraisal process confirmed satisfactory assurance was provided regarding the proposed funding.

Reason for Decision

There was a statutory duty imposed on highway authorities to maintain the highway at public expense is set out in Section 41 of the Highways Act 1980.

The Traffic Management Act 2004 imposes a network management duty on the Council to manage day-to-day operational use of its highways to 'keep traffic moving'.

Alternative Options Considered

The proposed sites considered by Cabinet had been carefully reviewed between Sandwell officers and those of the West Midlands Combined Authority and were considered by joint agreement to be the most appropriate for refurbishment. Therefore, there was no alternative options to recommend.

Agreed:-

- (1) that approval be given to enter into a grant agreement with the West Midlands Combined Authority for traffic signal infrastructure improvements at the following four highway network locations: -
 - Bearwood Road/Waterloo Road, Smethwick.
 - Bearwood Road/Church Road/Grange Road, Smethwick.
 - Black Country New Road/Cliff Drive, Tipton.
 - Dudley Road/High Street/Castle Road, Tipton.



- (2) that in connection with Resolution (1) above, the Head of Finance and the Director – Law and Governance be authorised to enter into and sign a grant agreement for £355,164.22 with the West Midlands Combined Authority for traffic signal upgrade work.

99/21

Approval of Home Office Safer Streets funding

It was reported that in February 2021, following an initial Expression of Interest submission to the Police and Crime Commissioner, Sandwell was selected as one of three West Midland areas to bid for Safer Streets Funding. A sum of £20m was being made available for areas with persistent and disproportional neighbourhood crime to provide concentrated investment into ‘hotspot’ areas.

All bids had been subject to strict criteria as outlined below:

- that areas have a defined, but not necessarily adjoined geography,
- that the intervention area is a suitable size to enable effective targeting, 500 to 3,500 households (or 1,000 to 9,000 residents),
- that the areas are persistently and disproportionately affected by one or more neighbourhood crime types.
- focus on Lower Super Output Areas (LSOA)
- targeted focus on four neighbourhood crime types; domestic burglary; vehicle theft (theft of and from vehicles); theft from the person and robbery which meet the required benchmarks

Crime Type	Benchmark crime rate using police.uk data (crimes per 1000 population per year)
All Neighbourhood Crime (Burglary, Robbery, Theft from Person & Vehicle Crime)	18.30
Vehicle Crime	8.74
Burglary	7.91
Robbery	1.16



Based on the criteria in respect of LSOAs and data provided by the Police in respect of crime rates over an average of the last three years, West Bromwich Central and Abbey wards were selected for the purpose of the bid.

Reason for Decision

The objectives of the fund were to:

- Reduce neighbourhood crime (burglary, vehicle related theft, theft from the person, robbery) in areas that receive funding – making local areas safer and reducing demand on the police to focus on higher harm crimes.
- Continue to build evidence about the impact of targeted investment in situational prevention in high crime areas to strengthen the case for future investment, both at local and national level.
- Grow local capability to undertake data driven problem solving and capture evidence and practical learning about how best to implement situational interventions to prevent crime.

Both West Bromwich and Abbey areas had high levels of income deprivation, unemployment, long term unemployment, child poverty, older people living alone and older people deprivation. All of which had been intensified by Covid and both are persistently and disproportionately affected by one or more neighbourhood crime types.

Both areas also have a number of similarities including: an older high street with areas requiring investment; some empty stores; offices and flats above; alleyways between stores and behind and graffiti and litter. Commercial premises form the main central shopping and business area arterial routes with genuine businesses working to attract customers to the area.

The total cost of the project would be £331,250, of which £66,250 was in kind, utilising existing staff time and expertise across teams and agencies. £265,000 in additional funding will be brought into SMBC and administered by the Community Safety Team to deliver the project if the bid was successful. All successful bids would be part of a central project evaluation process which would also provide Sandwell with a local project evaluation.



Alternative Options Considered

The only alternative presented was for Cabinet to not accept the funding, and subsequently not make the improvements in the two ward areas.

Agreed:-

- (1) that approval be given to enter into a Safer Streets grant agreement with the Home Office, in the event that Sandwell Council is successful with the bid submitted on 25 March 2021 with the total cost of the project set at £331,250, of which £66,250 is in kind, with £265,000 in additional funding applied for;
- (2) that in connection with resolution (1) above, the Head of Finance be authorised to sign the Grant Agreement;
- (3) that in connection with Resolution (1) above, the Interim Director – Housing be authorised to implement and monitor the projects outlined in relation to this funding.

100/21

Supply of Gas Appliance Parts and Heating Spares

Approval was sought to award a contract for the supply of gas appliance parts and heating spares to Roway lane Supplies Section to PHC Parts, for the sum of £3,400,000, for a period of three years, from 1 July 2021 to 30 June 2024.

Reason for Decision

There was no option to further extend existing contractual arrangements as the current framework arrangement expired on 30 June 2021.

In accordance with Procurement and Contract procedure Rules, PHC Parts submitted the best value tender.

The anticipated value of the contract was £3,400,000, (£1.133,333 per annum) for a period of three years.



Alternative Options Considered

There had been no other options available and Cabinet had been informed that the contract was required in order for Sandwell MBC to be able to maintain its current housing stock.

Agreed:-

- (1) that approval be given to award a contract for the supply of gas appliance parts and heating spares to PHC Parts, for the sum of £3,400,000, for a period of 3 years, from 1 July 2021 to 30 June 2024;
- (2) that the Director of Law and Governance and Monitoring Officer be authorised to enter into appropriate contracts for Supply of Gas Appliance Parts and Heating Spares with PHC Parts.

101/21

Governance and Tenant Engagement Arrangements

Consideration was given to the review of Tenant Engagement and Participation which reflected good practice, but additionally an increase in expectations due to changes in the following:

- Regulator of Social Housing
- Housing Ombudsman
- National Housing Federation's Code of Governance
- Build & Fire Safety Bill
- Regulatory Standards

The Regulatory Standards outlined specific expectations and outcomes that providers would be expected to achieve. Providers' boards and local authorities had been responsible for meeting the relevant standards and determining how this was done. The Regulatory Framework encompassed a tenant involvement standard.

The proposed new tenant scrutiny model would reflect good practice outlined in Successful Scrutiny of Council Tenant and the National Tenant Engagement Standards, as outlined by Tpas (Tenant Participation Advisory Services).



Reason for Decision

Following engagement with a working group, a draft Resident and Leaseholder Involvement Model had been drafted. The Model provided an outline as to the different levels of involvement and types of potential activities, some of which were in existence, but some remained suggestions for going forward. It was anticipated that the model of involvement would evolve over time.

The involvement model also looked to encompass a set of underlying principles that would be developed by those involved from officers to residents. In addition, the model acknowledged the different levels of involvement and recognised that different approaches had been relevant dependent on the purpose of the involvement and therefore would require varying levels of involvement.

Cabinet was made aware of an Implementation Group (made up of officers and tenants) that would replace the Tenant Engagement and Participation Working Group and would work to agree the recruitment process, undertake the recruitment and support the development of the Scrutiny Panel. In addition, the group would develop further detail behind the Involvement Model.

Alternative Options Considered

The decision it was heard could be made to do nothing and maintain the current Structure. However, this would not support the changes in legislation and the Regulation Standards.

Agreed:-

- (1) that the current Tenant Review Panel be disestablished;
- (2) that a new Resident & Leaseholder Scrutiny Panel be established, and approval be given to the associated governance arrangements and terms of reference (attached at Appendices 2 & 4);
- (3) that the new Resident and Leaseholder Involvement Model (as attached at Appendix 1) be approved;



- (4) that the Interim Director – Housing be authorised to confirm the Council Representative to the Resident and Leaseholder Scrutiny Panel as either Cabinet Advisor for Homes or Chair of Safer Neighbourhoods and Active Communities Scrutiny Board.

102/21

Taxi Driver Grant Scheme

Consideration was given to the Taxi Driver Grant scheme. The scheme required a departure from the approved ARG Policy which stated that all grants were to be paid by BACS transfer to Business Bank Accounts. However, this sector of the economy did not necessarily operate using Business Bank Accounts, and the scheme would be more inclusive and accessible if grants could be administered to personal accounts.

Current ARG policy was that grants were paid only to those who hold Business Bank Accounts, however the Council was aware that some self-employed drivers did not operate using business bank accounts, and therefore an exemption to this element of the policy was considered.

Payments would be made into the authorised bank account of the taxi drivers. The licence types proposed to be eligible for the grant were: Private Hire Operators, Private Hire Drivers, Dual license holders and Hackney Carriage drivers.

The scheme would be opened and launched online via the grant approval website 'Ascendant' which was being used by officers to administer current grants.

Reason for Decision

Sandwell Council's Business Growth team had already administered over £6million of Government discretionary funding to small and micro businesses through Additional Restrictions Grants. However, certain sectors of the economy such as self-employed taxi drivers had lobbied for a specific grant offer to be made available for them through a targeted grant scheme.



Neighbouring councils - Birmingham, Wolverhampton, Walsall, Dudley and Solihull had been administering taxi driver grant schemes, paying resident taxi-drivers under varying criteria.

There was £1.8m remaining within the ARG budget, and it was proposed that circa £700,000 was allocated to fund the Sandwell taxi driver grant support scheme. The remainder being used for additional business support activity.

It was also proposed that circa £400,000 of Covid-1 support funding was used, thereby providing an overall budget of £1.1m for the taxi driver support scheme.

The proposed Taxi Driver Grant Support Scheme would enable any taxi driver that lived in Sandwell to apply for a one-off grant payment of £1000. It was noted that based on a £1.1m funding allocation to this scheme, 1100 taxi drives could be supported. The number of taxi-drivers living in Sandwell was unknown and therefore the allocated funding would be issued on a first come first served basis.

The scheme would require applicants to complete an application via the grant approval website. Applicants would need to make a declaration that they have not received grant support from elsewhere, if they were self-employed, provide evidence that they were Sandwell residents and provide relevant identification. Applicants would need to demonstrate that they had been licenced taxi drivers either in Sandwell or with another local authority. Necessary due diligence checks would be undertaken on the information submitted to limit fraudulent applications.

The grant would be open for a set time period, initially two weeks from 24 May 2021 closing on 7 June 2021. If the 1100 applicant cap was not reached, the grant application process would re-open for a further two weeks until the cap was reached, and the application process would be closed.

Alternative Options Considered

There were two alternative options for consideration. The first being that only taxi drivers who were living and licenced in Sandwell were eligible for the scheme.



This would support approximately 786 resident licensees. This model was very similar to that offered by Birmingham City Council and Wolverhampton City Council. However, this would not support any Sandwell resident taxi drivers who were licenced with other local authorities.

The second alternative option was that all taxi drivers licenced in Sandwell regardless of whether they lived in Sandwell would be eligible for the scheme. It was estimated that this would support around 1400 taxi drivers around half of which would live in Sandwell. However, this option would exclude Sandwell residents that are licenced with other local authorities.

Agreed:-

- (1) that the Interim Director of Regeneration and Growth deliver the preferred option for Taxi Drivers Grant Support Scheme;
- (2) that up to £1.1m of funding is allocated from the Additional Restrictions Grant and Covid-19 support funding to deliver the preferred option;
- (3) that an exemption be made to current ARG policy to enable the administration of the Taxi Driver Grant Support Scheme to Taxi Drivers that do not have a Business Bank Account.

103/21

Recommendations from Economy Skills Transport and Environment Scrutiny Board in response to Climate Change Implementation

The Cabinet considered the recommendations received from the Economy Skills Transport and Environment Scrutiny Board. Cabinet were presented with a report specifying the significant risks that climate change presented to Sandwell residents and the Council's responsibility to address the issue through its decision-making to ensure that the impacts were mitigated, and carbon neutrality targets are achieved.



Reason for Decision

Sandwell Council adopted the Climate Change Strategy in October 2020. The strategy outlined the targets and action plans in place for the Council to become carbon neutral by 2030, and the borough by 2041. The strategy covered six areas, including:

- Council Estate and Operations
- The Built Environment
- Transport
- Waste & Recycling
- Adaptation and Resilience
- Natural Capital

During 2020-21, the Economy Transport Skills and Environment Scrutiny Board considered several climate change matters.

At the Economy Skills Transport and Environment Scrutiny Board meeting held on the 25 March 2021, the Board considered the discussions of the Scrutiny Working Group. The Board received a presentation on Climate Change Implementation from the Climate Change Programme Manager. The challenges of developing a strong corporate focus on climate change were recognised. The Board suggested that requiring the Council to explicitly consider climate change in the decision-making process would ensure it remains a priority and would encourage the Council to make sufficient progress with the 2030 target. In turn, this would allow the Council to advocate for behavioural change in the borough.

Alternative Options Considered

In accordance with the Localism Act 2011, the Cabinet was requested to respond to the recommendations of the Scrutiny Board within two months, setting out any approved recommendations, and how they would be implemented.

The Cabinet welcomed the findings of the Board and would submit a response to the Scrutiny Board within two months' time.



104/21 **Cabinet Petitions**

The minutes of the Cabinet Petitions Committee held on 24 February 2021 were confirmed as a correct record and noted.

105/21 **Vote of Thanks**

The Deputy Leader, Councillor Crompton, thanked members of the Cabinet and officers for all of their help and support over the preceding year working tirelessly during the pandemic.

Councillor Taylor, on behalf of the Cabinet, placed on record her thanks Councillor Crompton for her hard work and dedication over what had been a very difficult year.

Meeting ended at 4.26pm

Contact: democratic_services@sandwell.gov.uk



Minutes of The Cabinet

**Wednesday 16 June 2021 at 3.30pm
Sandwell Council House, Oldbury**

Present: Councillor R Singh (Chair);
Councillors Ahmed, Crompton, Hartwell, I Padda, Simms,
Taylor.

Also present: Councillors L Giles, E M Giles, Mabena and Shackleton

Officers: David Stevens (Chief Executive), Nicholas Austin (Interim Director – Borough Economy), Lisa McNally (Director – Public Health), Tammy Stokes (Interim Director – Regeneration and Growth), Surjit Tour (Director - Law and Governance and Monitoring Officer), Katharine Willmette (Interim Director – Adult Social Care), Elaine Newsome (Service Manager – Democracy) and Suky Suthi-Nagra (Democratic Services Manager).

106/21 **Apologies for Absence**

Apologies for absence were received from Councillors Ali, Millard and Moore.

107/21 **Declarations of Interest**

There were no declarations of interest made at the meeting.

108/21 **Minutes**

The minutes of the meetings held on 19 March and 24 May 2021 were confirmed as a correct record.



109/21 **Additional Items of Business**

There were no additional items of business to consider at the meeting.

110/21 **Award of SEND Passenger Transport Contracts for 2021-25**

Following concerns raised in relation to this matter, the Leader reported that he wanted to ensure that the proper process was followed before a decision was made. He was therefore minded to defer consideration of the report.

111/21 **Replacement of Domestic Gas Appliances and Associated Works**

Approval was sought to award the contract for the delivery of the Replacement of Domestic Gas Appliances and Associated Works for a contract period of three years, from 1 August 2021 to 31 July 2024 to Sure Maintenance Limited, who had a local office in the borough and employed local people.

The anticipated value of the contract was £10,500,000, (£3,500,000 per annum).

Reason for Decision

This contract was required for the Council to continue to maintain its current housing stock. The work comprised of the replacement of domestic gas appliances and associated works. It primarily comprised of replacing domestic gas appliances (boilers, gas fires, gas cookers) along with ancillary works. The contract also included the fitting of electric fires and the installation of individual radiators. Some of the works would include full heating installations due to a medical need at the property.



Alternative Options Considered

There were no other options available, as this contract was required for the Council to be able to maintain its current housing stock.

Agreed:-

- (1) that the Interim Director – Housing be authorised to award the contract for the delivery of the Replacement of Domestic Gas Appliances and Associated Works to Sure Maintenance Limited for the sum of £10,500,000 for a period of 3 years, from 1 August 2021 to 31 July 2024;
- (2) that the Director – Law and Governance and Monitoring Officer be authorised to enter into appropriate contract for Replacement of Domestic Gas Appliances and Associated Works with Sure Maintenance Limited.

112/21

Supply of Tools and Consumable Items

Approval was sought to authorise a contract for Supply of Hand Tools, Ladders and Steps to Jays Sourcing Group Ltd, for the sum of £90,996.00, for the period of 4 years, from 1 August 2021 to 31 July 2025. Approval was also sought to award a contract for Supply Power Tools, Fixings, Drills and Consumable items to Corry Products Ltd for the sum of £239,636.00, for the period of 4 years, from 1 August 2021 to 31 July 2025

Reason for Decision

It was proposed to renew existing contracts to supply hand tools, fixings, drill bits and consumables into Roway Lane Supplies Section. Plus purchase battery operated power tools, ladders and steps to allow the Asset Management and Maintenance repair teams maintain the properties owned and maintained by Sandwell MBC. The existing contract was set to expire on 31st July 2021.



Alternative Options Considered

There were no other alternative options. If the items were not purchased or available, the Asset Management and Maintenance repair teams would not be able to carry out any repairs on Sandwell MBC properties.

Agreed:-

- (1) that the Interim Director of Housing be authorised to award a contract for Supply of Hand Tools, Ladders and Steps to Jays Sourcing Group Ltd, for the sum of £90,996.00, for the period of 4 years, from 1 August 2021 to 31 July 2025;
- (2) that the Interim Director of Housing be authorised to award a contract for Supply Power Tools, Fixings, Drills and Consumable items to Corry Products Ltd for the sum of £239,636.00, for the period of 4 years, from 1 August 2021 to 31 July 2025.

113/21 Tender for House and Garden Clearance to Void Properties

Approval was sought to award a contract for the provision of House and Garden Clearance to void properties for the period 1 July 2021 to 30 June 2024. Based on current levels of expenditure, the cost was approximately £627,000.

There was no option to further extend existing contractual arrangements as the current contract arrangement was set to expire on 30 June 2021 and had already been extended by 12 months in accordance with update 2.5 of COVID 19 updates to Procurement and Contract Procedure Rules for contracts over EU Procurement Threshold (£189,330) and Public Contract Regulations 2015, regulation 72(1)(c).

Reason for Decision

The current contract was due to expire on 30 June 2021.



In response to the contract notice published on the Government's Find a Tender website, three compliant tenders were received. Evaluation of the returned tenders in accordance with the published award criteria in terms of price and quality was undertaken but due to the relatively short timeline available to complete this activity in readiness for Cabinet deadlines, it was necessary to request delegated authority to award this contract upon completion of the tender evaluation by early to mid-June 2021. This would ensure that mandatory standstill requirements are observed and it will duly allow for any appropriate mobilisation period to be implemented.

Alternative Options Considered

As the previous contract arrangements had been extended and were due for retender, alternative options had already been explored. The most economically advantageous solution was still to conduct tender processes in compliance with the Public Contracts Regulations 2015.

Agreed:-

- (1) that the Interim Director – Housing in consultation with the Head of Finance and Section 151 Officer, be authorised to award a contract for the provision of House and Garden Clearance to void properties, for the period 1 July 2021 to 30 June 2024 at an anticipated value of £627,000 following the conclusion of the current procurement exercise;
- (2) that in connection with Resolution (1) above, the Director – Law and Governance and Monitoring Officer be authorised to enter into appropriate contracts;
- (3) that any necessary exemptions be made to the Council's Procurement and Contract Procedure Rules to enable the course of action referred to in (1) and (2) above to proceed.



Towns Fund Programme Governance Arrangements for Phase 2 and Phase 3

Approval was sought for the updated Towns Fund Programme Governance Arrangements relating to Phase 2 and Phase 3 of the Towns Fund Programme.

On 6 September 2019, it was announced that 101 Towns had been identified by Government to benefit from the Town Fund. In Sandwell, West Bromwich, Smethwick, and Rowley Regis were identified. A Town Investment Plan was submitted for each Town in October 2020 and in March 2021 Heads of Terms were offered and accepted for each Town.

Detailed guidance for the first phase of the Towns Fund was published in June 2020 which contained a number of specific requirements around the governance of the Towns Fund programme including the responsibilities of the Lead Council and the Town Deal Board, and the composition of the Town Deal Board.

Governance arrangements for the Towns Fund Programme were approved by Cabinet in July 2020 including confirmation of appointments to the Sandwell Superboard and three Local Boards.

The process for the Towns Fund Programme was as follows:

Phase 1

- Submission of Town Investment Plans (October 2020)
- Heads of Terms Agreement signed
- Town Deal Announced

Phase 2

- Development of Detailed Business Cases and approval from Superboard and Cabinet (following capital appraisal)
- Submission of Project Summary Documents by March 2022

Phase 3

- Release of Funding
- Delivery of Towns Fund Projects (by 2026)



The Cabinet Member for Strong and Inclusive Economy addressed questions from the Chair of the Children’s Service and Education Scrutiny Board regarding the membership of the Town Deal Board and the focus for the upcoming projects.

It was explained that the Town Deal projects were developed in spring and summer of 2020. Ideas for projects were identified based on a range of information and engagement, not exclusively but including suggestions from previous consultations, aims of the Vision 2030, discussions with Superboard and Local boards following a period of public consultation. A shortlist was created prioritising projects which had the best chance of receiving government funding.

The Cabinet Member noted that he was aware that local councillors had raised concerns and the issue had previously been brought to the Budget and Scrutiny Management Board on 12 October 2020 (see Minute No. 40/20). It was explained that the Town Lead and Deputy Town Lead were representatives of elected members and that they should ensure their views are reflected.

The Government required boards to comprise of a private sector chair, all tiers of Local Government, local Members of Parliament, representatives of the Local Enterprise Partnership, Business and Investment representatives and other relevant groups to reflect a range of partners and local interest. The make of the board was agreed at a meeting of the Cabinet on 22 July 2020 (see Minute No. 61/20).

Approval was now sought to the following adjustments:

- Inclusion of an open invitation to Superboard Members to attend Local Board meetings and participate in the shaping of proposals, as required.
- Inclusion of an open invitation to Cabinet Members to attend Local Board meetings and participate in the shaping of proposals. This will enable Cabinet Members with a portfolio relevant to of individual projects to participate, as required.



- Inclusion of Deputy Town Lead Member, in addition to Town Lead Member, to strengthen the linkage between the Local Boards and Councillors in the Town

Reason for Decision

With the signing of the Town Deal Heads Terms in March 2021, the Towns Fund Programme had now moved into Phase 2 - Business Case Development Phase. The focus of the forthcoming 12 months was about developing these projects to Full Business Case stage and to make preparations for their delivery. This would involve considerations such as assessing options, ensuring viability and ensuring the deliverability of the project.

Following receipt of additional guidance from Government in December 2020 and April 2021, the Governance arrangements needed to be updated to reflect the roles of the Superboard and Local Boards over Phase 2 and Phase 3 of the Towns Fund programme.

This had also provided opportunity to review the existing governance arrangements to ensure it remains fit for purpose to deliver the Town Fund Projects effectively, reflect on lessons learnt, and ensure we comply with the accountability requirements of Government.

Alternative Options Considered

Alternative proposals for governance could be implemented including different structural options. The current model of Superboard being supported by three Local Boards had been effective to date and the proposal sought to strengthen these arrangements to ensure effective engagement of stakeholders.

The proposed updated Terms of Reference within this report adhered with the Government's Towns Fund Guidance which was a requirement to access the Towns Fund funding.



Agreed:-

- (1) that approval be given to the updated Towns Fund Programme Governance Arrangements relating to Phase 2 and Phase 3 of the Towns Fund Programme as set out in the appendix;
- (2) that the invitation to attend Local Board meetings as required in line with portfolio responsibilities be noted;
- (3) that the Chief Executive, in consultation with the Leader of the Council, the Cabinet Member for Strong and Inclusive Economy and the Monitoring Officer, be authorised to agree arrangements for the Governance of the Towns Fund Programme in accordance with the Government's Towns Funds Guidance

115/21

Smethwick to Birmingham Regeneration Corridor Area Framework and Grove Lane Masterplan – Approval to consult

Approval was sought to undertake consultation on the Draft Smethwick to Birmingham Regeneration Corridor Area Framework and Grove Lane Masterplan for six weeks between June and August 2021.

The area around Grove Lane was set to see significant transformational change with the introduction of the new Midland Metropolitan University Hospital due to open late 2022. The area surrounding the hospital had been identified for regeneration for some time with sites being allocated for residential since 2012. The area was awarded Housing Zone status in 2016 and one of the projects in the Towns Fund bid addresses the need to kick-start development here by acquiring and remediating some sites adjacent to existing public owned land to act as a first phase of development.



However, other opportunities for growth within the corridor exist between Smethwick and City Hospital in Birmingham. Partners with an interest in this regeneration corridor considered the preparation of an Area Framework which sought to identify regeneration and redevelopment opportunities (including interventions in local centres and potential repurposing of employment land) and deliverable, costed, place-making projects for the Corridor for the Partners to take forward. It would also look at a transport strategy to identify highway improvements and promotion of alternative modes of transport to the motor car.

In addition, the commission involved detailed masterplanning around Grove Lane to ascertain the amount and type of development that could be accommodated for the future residents, linkages and green spaces and the provision of a new primary school to support the new residents. This would be an update on the masterplan produced in 2010, taking into account the changes over time and would be linked to the wider Area Framework.

The partners leading on this work consisted of Sandwell Council, Birmingham City Council, WMCA and TfWM, Homes England, Canal & River Trust and the Sandwell and West Birmingham NHS Trust. This work was being funded jointly by Birmingham City Council, Sandwell Council, WMCA and Homes England. Consultants were appointed in December through a procurement process led by Birmingham City Council and utilising the Homes England Framework. They had undertaken stakeholder engagement which had lead onto developing draft projects to be considered. Running alongside the development of the Area Framework will be the detailed masterplanning for Grove Lane. A webpage was made available to residents to register interest in finding out more during the forthcoming consultation period and relevant members from both authorities were briefed with details of the ongoing work. All consultation would be undertaken within the COVID guidelines operative at that time. A range of consultation methods would be utilised to ensure engagement with as wide an audience is achieved as possible.



In terms of the future programme, following Cabinet approval to consult, public consultation would take place between June and August for a period of six weeks. The final reports should be complete in August/September 2021. A report on the consultation responses and proposed changes would be brought to Cabinet in due course.

Reason for Decision

The Draft Area Framework and Masterplan had been prepared following engagement with officers, Members and stakeholders covering both Smethwick and Birmingham local authority areas.

Work to date had regard to current policy as well as acknowledging future anticipated changes. Consultation with the wider public, businesses, community groups and other interested parties would enable the options put forward to be further refined and developed into a final document that, once approved, would form the basis for future decision making that would assist in bringing forward regeneration benefits to the area.

Alternative Options Considered

Not progressing with a Masterplan for the area surrounding the new Midland Metropolitan University Hospital would not create a platform from which to promote development opportunities in this area. The continued regeneration envisioned for this area would not be achieved and it would prevent the development of up to 800 much needed homes, a primary school and employment opportunities not being realised within one of the most deprived areas of Sandwell.

Agreed:-

- (1) That approval be given to the consultation on the Draft Smethwick to Birmingham Regeneration Corridor Area Framework and Grove Lane Masterplan for six weeks between June and August 2020;



- (2) that the Interim Director Regeneration and Growth be authorised to make minor changes to the Area Framework or Masterplan prior to consultation commencing if required.

116/21

Re-commissioning Sandwell Stop Smoking Service

Approval was sought to consider proposals to procure a Stop Smoking Service beyond March 2022 to support Sandwell smokers.

The Director of Public Health provided a presentation to brief the Cabinet on the report. Current smoking cessation support was delivered by Everyone Health Ltd. The service was now delivering into its permissible one-year extension period which ends 31st March 2022.

The current service delivery model was largely universal in approach seeing very few smokers from more disadvantaged/high-prevalence groups and delivered wholly via trained specialists. The current model did not take into account that some smokers may not need full specialist support to quit. It also did not take into account the increasing use of electronic cigarettes which have an established evidence base as a harm reduction/quit aid. The current service model had an annual maximum budget of £450,000 with the payment model consisting of a combination of block payment (30%), and payment by result (70%) for every 12-week quit achieved. Expenditure against the budget for 2020/21 was £273,801.90

Having consulted with residents and partners about future smoking delivery, there was an ask to continue specialist support provision - in particular for those harder to reach/vulnerable smokers, but also an ask to provide more self-help options for the wider population.



Respondents felt that smokers should be able to move between the varying levels of support as they see fit/ progress on their quit journey.

In mirroring national ambition, a focus on reducing smoking prevalence reduction was essential and required the need to work with and across the system (including statutory, non-statutory, community organisations and residents). It was therefore felt that a service model is needed that is flexible both in terms of its methods and approaches to reach (previously missed target group) smokers, as well as flexible in terms of how service users can access support. Towards this, a model with two distinct elements was proposed:

- Specialist service (covering all pharmacological and behavioural support intervention delivery management as well as smoking cessation training to a range of stakeholders). This element would ensure a focus on harder to reach populations.
- Self-help option (resource efficient -directed at those already inclined to quit and with the necessary access/resource to do so)

Electronic cigarette access was to be developed and supported across both elements.

The budget for the proposed model would be £450,000 maximum per annum with an element of Payment by Results for each quit successfully achieved. It was proposed that the service commence on 1 April 2022 for a period of 2 years with the option to extend for up to 1 year at a budget of £450,000 per annum with a 50:50 split between block contract and payment by results in order to ensure a good mix between quantity of smokers treated and quality of development and engagement work. This would mean a maximum total amount of £1,350,000.00.



Reason for Decision

To allow the procurement of Stop Smoking Service provision. This would ensure that support for Sandwell smokers continued to be available beyond the commissioned service which was due to end 31 March 2022.

Alternative Options Considered

- (1) To not approve the procurement of smoking support provision beyond 31 March 2022. This would impact health outcomes (not just of the smokers themselves but the health of others through secondary smoke harms) and further exacerbate health inequalities for our most disadvantaged groups within the borough.
- (2) To commission a similar model of provision again - this could work well if appropriately targeted towards our harder to reach smokers, it does not help deliver /transition the wider population towards more personal ownership and empowerment over their quit journey – potentially leaving The Council in a continuing position of predominantly specialist provision commissioning.

Agreed:-

- (1) that the Director of Public Health be authorised to re-commission Sandwell Stop Smoking Service provision ensuring future delivery of support for Sandwell smokers;
- (2) that the Director of Public Health be authorised to commence a procurement process for the provision of Stop Smoking Service to commence on 1 April 2022 for a period of 2 years with the option to extend for up to 1 year at a budget of £450,000 per annum;



- (3) that the Director of Public Health be authorised to enter into a contract with the successful bidder, in consultation with the Cabinet Member for Living and Ageing Well, for the provision of Stop Smoking Service to commence on 1 April 2022 for a period of 2 years to 31 March 2024 with the option to extend up to a further 1 Year (31 March 2025);
- (4) that an exemption be made to rule 8.7 of the Procurement and Contract Procedure Rules 2018/19 to allow a contract to be awarded to a successful tenderer in the event that the required minimum number of tenders are not received;
- (5) that approval be given to variations to the contract up to a maximum of 10% of the Contract value, should they be necessitated, and that authority to approve such Variations be delegated to the Director of Public Health in consultation with the Cabinet Member for Living and Ageing Well;
- (6) that the Director of Law and Governance and Monitoring Officer execute any documentation necessary to give effect to Resolution (2) – (5) above for the provision of a Stop Smoking Service.

117/21

Sandwell Universal Allocation Grant: Enhanced Drug Treatment Provision

Approval was sought to allow a variation of the current Adult Alcohol and Drug Service Contract value to fund additional enhanced provision.



The Director of Public Health provided a presentation to brief the Cabinet on the report. Following a national review of drug treatment delivery and funding, the government had provided an additional £80million funding for drug treatment services to be spent in 2021/22. Sandwell's allocated amount for the period was £407,000 and was additional to existing Public Health grant expenditure on drug treatment services. The funding must be spent on a specific menu of interventions focused on reducing drug related crime and reducing drug related deaths.

Many of the permissible spend interventions could only be delivered by our existing drug treatment provider, for example, expansion of pharmacological and psychosocial intervention capacity. To not have these delivered by the existing drug treatment services could compromise drug client experience and continuity of provision. Other proposed elements within the variation amount could fully integrate into existing commissioned provision within a minimal timescale, subject to recruitment.

It was therefore proposed to secure approval to allow a variation of the current Adult Alcohol and Drug Service Contract value to fund additional enhanced provision totalling £260,953 for a period of 12 months.

Reason for Decision

The expectation from government was that the additional enhanced delivery commenced as early into Quarter 1 of 2021/22 as possible for a period of 12 months. Given the timescales (local areas were only notified of their allocated amounts mid-March 2021) the government recognised the need to accommodate local approval processes and had subsequently allowed some activity to fall within Quarter 1 of the following financial year 2022/23.

Alternative Options Considered

- (1) Do not approve the variation. An alternative method of delivery of the proposed variation interventions would be to secure provision through a competitive tender process. Risks with this option are as follows:



- There was no guarantee providers would be forthcoming given the contract length would be for 12 months only.
- Both the procurement exercise and lead-in time mean that activity would be unable to commence until at least the latter half of Q2 2021/22. This meant there was a risk that the Council would be unable to make use of all the funding.
- This would delay the commencement of interventions that would be of benefit to Sandwell residents.
- If the proposed interventions were delivered by a different provider it could result in the fragmentation of services and care pathways into treatment.

(2) Do not approve the variation and not utilise the additional funding but simply return the monies to government.

Agreed:-

- (1) that approval be given to a variation to the current Adult Alcohol and Drug Service Contract to fund additional enhanced provision totalling £260,053;
- (2) that the Director of Public Health, in consultation with the Director of Law and Governance and Monitoring Officer, be authorised to vary the existing Adult Alcohol and Drug Service contract allowing the additional enhanced provision for a period of 12 months.

118/21

Extension of existing contracts for Carriageway Resurfacing and Carriageway Surface Treatments

Approval was sought to extend the existing contracts for carriageway resurfacing and carriageway surface treatments.

The Council had a statutory duty as the Highway Authority to maintain carriageways in a safe and useable condition.



The extension of existing contracts would enable Sandwell to continue to be able to access specialist highway maintenance contractors for work on footways and carriageways, helping to ensure our highways remain in a safe and useable condition for the benefit our residents and all those who use our roads and footways. Access to specialist contractors to deliver preventative maintenance work to our highway network was delivered through a collaborative framework agreement with Dudley Metropolitan Borough Council (MBC).

The extension had been agreed by the contract lead authority, Dudley MBC. The impact of COVID 19 and resource constraints had prompted Dudley to extend these existing contracts for 12 months prior to undertaking a competitive tender exercise. Sandwell would expect to spend c£3,000,000 per year under these frameworks.

Reason for Decision

The existing contract for the surface treatments was set to expire on 31 March 2021 and the contract for carriageway resurfacing was set to expire on 30 April 2021. The extension of the contracts had been agreed by the contract lead authority, Dudley MBC.

Alternative Options Considered

Without specialist suppliers, elements of a civil engineering framework contract for urgent service provision would need to be utilised, which was not recommended for this specialist area of work or considered to provide best value.

Agreed:-

- (1) that the Interim Director – Regeneration and Growth, in consultation with Cabinet Member for Connected and Accessible Sandwell, be authorised to extend the existing contracts for carriageway resurfacing and carriageway surface treatments;



- (2) that the Director of Law and Governance – Monitoring Officer be authorised to execute any documentation necessary to enable the course of action referred to in Resolution (1) above;
- (3) that any necessary exemptions be made to the Council’s Procurement and Contract Procedure Rules to enable the course of action referred to in Resolution (1) above to proceed.

119/21

Provision of Annual Gas Safety Inspections

Approval was sought to award contracts for the delivery of Gas Safety Inspections.

The Council was responsible for the risk and maintenance of gas appliances under Landlords responsibility which encompassed approximately 26,000 serviceable properties and over 60,000 gas fitments.

The Council sought to appoint three Contractors to assist the Council’s in-house Gas Section to undertake the Annual Gas Safety checks in our Council Properties, for a contract period of four years, from 1 August 2021 to 31 July 2025. The current contract was set to expire on the 31 July 2021.

Five compliant tenders were returned by the deadline of 9th April 2021. The Contractors with the winning submissions are Aaron Services Limited, Pheonix Gas Services Limited and J Tomlinson Limited.

The anticipated value of the contract was £5,100,000, (£1.275,000 per annum) for a period of four years.

Following a question from the Chair of the Budget and Scrutiny Management Board, the Cabinet Member for Quality Homes and Thriving Neighbourhoods explained that in the future, the Council were considering using their own repair staff to undertake these inspections.



Reason for Decision

The Council was obliged by statute to undertake gas safety inspections and servicing to its properties as a landlord.

Alternative Options Considered

There were no other options available, this contract was required in order for Sandwell MBC to be able to maintain its current housing stock and fulfil its landlord obligations.

Agreed:-

- (1) that approval be given to award contracts for the delivery of Gas Safety Inspections to: -
 1. Aaron Services Limited, for the sum of approximately £1,700,000 and for a period of 4 years, from 1 August 2021 to 31 July 2025;
 2. Pheonix Gas Services Limited, for the sum of approximately £1,700,000 and for a period of 4 years, from 1 August 2021 to 31 July 2025;
 3. J Tomlinson Limited, for the sum of approximately £1,700,000 and for a period of 4 years, from 1 August 2021 to 31 July 2025;
- (2) that the Director – Law and Governance and Monitoring Officer be authorised to enter into appropriate contracts for Gas Safety Inspections with Aaron Services Limited, Pheonix Gas Services Limited and J Tomlinson Limited.



Exclusion of the Public and Press

Agreed that the public and press be excluded from the rest of the meeting to avoid the possible disclosure of exempt information under Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006, relating to the financial or business affairs of any particular person, including the authority holding that information.

Relocation of BT from 1 Providence Place West Bromwich

Approval was sought to for proposals in relation to the relocation of BT from 1 Providence Place, West Bromwich.

On 22 July 2020 (see Minute No. 58/20 (1)) Cabinet agreed that 1 Providence Place building and the remaining Providence Place development plot be declared surplus to the Council's requirements. On 26 August 2020 (see Minute No. 68/20) Cabinet resolved to dispose of the property and adjacent development plot for best consideration and to enable the Department for Education to develop a new 750 place free school on the sites. It was understood that the commercial tenant, BT, was planning to relocate to Birmingham as soon as its new offices were ready for occupation, and that the building would likely be vacant by early 2021. On 23 December 2020 the Council exchanged contracts with the DfE for the sale of 1 Providence Place subject to a condition that by 30 June 2021 the Council would agree the surrender of BT's lease to enable the sale of the building to DfE to proceed with vacant possession, to enable the delivery of the new school.

It had now become necessary to renegotiate terms for a surrender of BT's lease.

Contracts would be exchanged by end June 2021 with a surrender date of 31 December 2021. This would satisfy our obligations to DfE.



Reason for Decision

The Local Education Authority was delivering major expansion of the secondary school sector in the borough to ensure sufficient school places are provided for the local community, and as part of this the Department for Education had agreed to fund a 750 place secondary school at 1 Providence Place which would be sponsored through a joint partnership between Shireland Collegiate Academy Trust and the City of Birmingham Symphony Orchestra. BT are tenants in Providence Place on a lease expiring in 2026. To facilitate the redevelopment of 1 Providence Place agreement needs to be reached with BT for them to surrender their lease early.

Alternative Options Considered

If the surrender of BT's lease did not proceed then the sale of 1 Providence Place to the DfE would not proceed, and the school would not be delivered. An in-depth study was undertaken in 2019 and 2020 to identify possible locations for the school and no suitable alternatives were identified.

Agreed:-

- (1) that approval be given to agreeing a surrender of BT's lease at 1 Providence Place, West Bromwich to facilitate the sale of the building to the Department for Education;
- (2) that the Interim Director of Regeneration and Growth and the Director of Law and Governance, in consultation with the Cabinet Member for Strong and Inclusive Economy, be authorised to agree the contract documentation.

122/21

External Funding Application to Sport England – National Leisure Recovery Fund

Approval was sought for proposals to enter into a formal funding agreement with Sandwell Leisure Trust and Places Leisure.



The Council had been successful with its application to Sport England, on behalf of Sandwell's leisure operators (Sandwell Leisure Trust and Places Leisure).

The Council had completed a grant agreement with Sport England and was holding the funds whilst Cabinet approval was sought before passporting funds to the operators.

A full project appraisal had been undertaken by Strategic Finance. The appraisal process recorded a 'satisfactory' score of 65%. Some risks had been identified resulting from the appraisal and action points recommended to mitigate these risks.

As the applicant the Council was required to enter into a formal Grant Funding Agreement with Sport England. In line with the above, the Council was required to enter into a formal funding agreement with Sandwell Leisure Trust and Places Leisure prior to passporting funds.

The intention of the National Leisure Recovery Fund was to provide financial support to leisure operators. Councils were required to apply for funds on behalf of their operators and passport funds to operators.

Reason for Decision

The payment of the grant to Sandwell Leisure Trust would reduce the risk of any potential financial difficulties to them whilst the leisure sector recovers thus reducing the risk of any potential further support required from the Council. The payment of the grant to Places Leisure will ease financial pressures on the Council in providing financial support.



Alternative Options Considered

The only other alternative would be that the Council did not passport the grant funding to the operators and return monies already received to Sport England.

Agreed:-

- (1) that the Interim Director of Borough Economy be authorised to enter into a legal grant agreement with Sandwell Leisure Trust, transferring the obligations of the funding award to Sandwell Leisure Trust;
- (2) that the Interim Director of Borough Economy be authorised to enter into a legal grant agreement with Places Leisure, transferring the obligations of the funding award to Places Leisure;
- (3) that in connection with Resolution (1), payment of grant funding be made to Sandwell Leisure Trust;
- (4) that in connection with Resolution (2), that payment of grant funding be made to Places Leisure (including deduction for April and May);
- (5) that the following action points identified within the Appraisal Report be implemented to reduce any risk to the Council:
 - That prior to passporting any funding to the Council's leisure operators, the Council enter into a funding agreement with Sandwell Leisure Trust and Places Leisure, with the same terms and conditions as those contained in the agreement with Sport England.
 - That in relation to Resolution (2) and (3) of the Appraisal Report, the accuracy of data provided to Sport England for funding and monitoring purposes should be verified by Sandwell MBC.
 - That a process for Sandwell Leisure Trust & Places Leisure to capture all required data in



accordance with the funder's timescales, terms and conditions is established.

- That grant claims are verified by Sandwell MBC as eligible expenditure, as part of the monitoring process undertaken by the Council.
- That the Risk Register is reviewed to ensure all risks are adequately assessed and mitigated with responsible officers and target dates for the mitigation of risks identified.
- State aid advice is sought from Legal Services to ensure all grant funding is state aid compliant.
- That VAT/tax advice is sought from the Council's Tax Accountant.

Meeting ended at 4.26pm

Contact: democratic_services@sandwell.gov.uk



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Minutes of Budget and Corporate Scrutiny Management Board

Wednesday 17 March 2021 at 5.45pm

Present: Councillor L Giles (Chair);
Councillors E M Giles and Moore.

In Attendance: Councillor Preece.

Officers: David Stevens (Chief Executive), Rebecca Maher (Interim S151 Officer and Head of Finance), Surjit Tour (Director – Law and Governance and Monitoring Officer), Clare Sandland (Service Manager – Finance), Steve Lilley (Finance Business Partner), Gary Charlton (Waste and Fleet Service Manager), Elaine Newsome (Service Manager - Democracy) and Suky Suthi-Nagra (Democratic Services Manager).

SERCO: Annette Joyce, Regional Director, SERCO.
Dave Lynas, Contract Manager, SERCO.

25/21 **Apologies for Absence**

An apology for absence was received from Councillor Rollins and Councillor Piper.

26/21 **Declarations of Interest**

Councillor Moore declared an interest as a member of Sandwell Litter Watch which has a contractual relationship with SERCO.

Councillor L Giles declared an interest as a volunteer on SERCO 'Adopt a Street Litter Watch'.



27/21 **Additional Item of Business**

There were no additional items of business to consider.

Concerns were raised by the Board in relation to a matter to be considered by a Committee and subsequently Cabinet, however, no pre-decision scrutiny consideration had been factored in due to the short timelines.

It was subsequently agreed that the concerns of the Scrutiny Board should be formally submitted to the Director – Law and Governance and Monitoring Officer and that he be requested to clarify to members why it would not be possible to carry out pre-decision scrutiny on the item on this occasion.

28/21 **Minutes**

The minutes of the meetings held on 9,18 and 24 February 2021 were confirmed as a correct record.

29/21 **Street Cleansing and Litter Collection Update**

The Board received an update on the current position in relation to street cleansing and litter collection in Sandwell from the Regional Director and Sandwell Contract Manager for SERCO.

The Board noted the following in relation to issues highlighted:-

- all front-line services had been impacted by the Covid-19 pandemic with a reduced service in most areas. The Sandwell site had experienced higher number of Covid cases than other areas;
- cleansing services had operated throughout the pandemic within DEFRA guidelines and provided measures to protect staff. Social distancing in refuse vehicles had been difficult to maintain but teams had created operating bubbles – the same people operating in the same vehicle and on the same



- routes, vehicles were cleaned by fogging machines at the end of each round;
- there had been up to a 40% increase in waste tonnage compared to the same period in 2020, which equated to 20,000 tonnes of additional waste collected. The extra work load and increased staff absences (due to illness, long Covid, isolation and shielding) had an impact on staff and reduced capacity to deliver all services, as a result some rounds had ended late;
 - Sandwell residents had been patient and appreciative of the waste collection crews hard work, the service had slipped behind schedule at the height of the pandemic with high infections rates and over 100 staff off work.
 - waste service was incredibly proud to have caught up the backlog of collections by 5 March 2021, this was achieved by staff working additional hours, crews started shift at 6am and worked until 8pm, they also worked Saturdays and Sundays to close the gap;
 - street cleansing had provided a reduced service because staff were redeployed to refuse waste collections. Also, food waste collections were suspended, but the recycling and bulky waste had continued. Garden waste collections were due to commence in March 2021;
 - 10 staff had been deployed to assist street cleansing to carry out deep cleansing and address problem areas, they were responding to fly tipping, emptying bins and litter picking requests;
 - fly tipping had increased in the pandemic and increasing number of large fly tips off the back of vans and onto land was reported. It was indicated that large fly tipping was business related rather than residents. All incidences were reported to SERCO via the Council;
 - refuse and cleansing workers had worked tirelessly throughout the pandemic and services were starting to resume normal activity. It was reported that when tonnages reduced back to normal levels, the food waste service could be restarted;
 - SERCO thanked residents and councillors for continued support throughout the pandemic.



The Board welcomed the update and thanked officers for all their hard work in continuing to run services during an unprecedented period.

The Board noted the following in relation to issues raised:

- the Mobile Cleansing Team consisted of staff who could be deployed to areas highlighted in need of deep cleansing, the resource was currently in Wednesbury which had been highlighted as a priority area;
- the reduction in cleansing operation was due to the need to prioritise residual waste collections. Cleansing division drivers were redeployed to refuse vehicles. Drivers must undertake an assessment to operate vehicles and due to the social distancing bubbles new driver assessments could not take place at this time;
- the HWRC recycling booking system was working well in Sandwell, people attended in their allocated time slot and work was ongoing to review and improve the website and booking system. There was resultant reduced congestion and traffic around the site was flowing well. Members raised a concern that although the booking system improved efficiency, it decreased user's flexibility to attend when they wanted or needed to, and this may deter people from using the recycling facility. It was questioned if there may be a link to the spike in fly tipping. It was clarified that the booking system was a Covid measure, not a policy measure, which would need to be reviewed;
- preparation for a public litter and fly tipping awareness campaign was in progress;
- the environmental enforcement team was working in conjunction with waste services to address the larger fly tipping occurrences in the Borough;
- it was confirmed that there was no budgetary implication from dealing with the reported increase in waste tonnage and additional staffing resource for street cleansing and clarified that where other services had been reduced or suspended the resource could be moved around to address priorities. All changes had been within the constraints of the current budget;



- in terms of enforcement cameras, the waste and fleet manager undertook to discuss with Environmental Enforcement team to find out what resource was available to focus on hotspots for fly tipping in the Borough;
- actions had been taken against fly tippers and fines and penalties had been issued, further detail on numbers of fines and penalties would be supplied to members.

The Chair thanked SERCO for a comprehensive update on street cleansing and litter collections and asked the Regional Director to pass the Boards thanks on to all staff for their outstanding service.

30/21

Quarter 3 Budget Monitoring 2020/21

The Cabinet, at its meeting on 24 February 2021, had referred the Council-wide budget monitoring report for Quarter 3 for consideration by the Budget and Corporate Scrutiny Management Board.

Details of the Council’s revenue and capital expenditure, as at the end of December 2020, were received by the Board.

The Acting Director of Finance advised that at a directorate level, excluding Public Health and central items was forecasting an underspend of £8.4m, there were notable variances within this:

- £9.9 million projected underspend against Adult Social Care largely due to the impact of Covid on placement cost and other services that had been suspended;
- £1.1 million projected overspend against regeneration and growth largely due to the Property Maintenance Account;
- £2.9 million projected overspend against Children’s Services due mainly to the SEND transport budget pressure.

Including Public Health and Central Items, the directorate-level forecast outturn position increases to an underspend of £10.4 m. It was noted that underspend on public health budgets remained ring-fenced.



After the use of reserves brought forward and one-off balances the position overall for the Council would be a small underspend of £203,000. The projection also included the use of £15.9 m of Covid Emergency Grant Funding and the remainder of that funding would be used to offset a loss of business rates, income from council tax and commercial income.

Other recommendations in the Cabinet report included:

- increase £0.632 m to Sandwell Children’s Trust to fund Covid pressures;
- creation of earmarked reserve for Elections Services £ 0.15m for Covid safe elections;
- Revenue Capital of £0.6 m for IT equipment for the Sandwell Children’s Trust

The Board noted the following in relation to issues raised:

- the Council was anticipating an increase in the take-up of postal votes which would mean an increase in printing costs associated. There had been a positive response to the campaign to make the electorate aware of postal votes.
- The Board noted the request to further consider the Property Maintenance account in the next municipal year 2021-22.

The Board noted the reasons for the variances at the end of Quarter 3 for each service area.

Meeting ended at 6.38 pm

To view the meeting, click [here](#)

Contact: democratic_services@sandwell.gov.uk



Minutes of Budget and Corporate Scrutiny Management Board

**Wednesday, 23 June 2021 at 6.00 pm
at Council Chamber, Sandwell Council House, Oldbury**

Present: Councillor L Giles (Chair);
Councillors E M Giles, Mabena, Moore and A Shackleton.

In attendance: Councillors Abrahams, Bhullar, Chambers and Gavan.

Officers: David Stevens (Chief Executive), Neil Cox (Director – Business Strategy and Change), Lesley Hagger (Director – Children’s Services), Rebecca Maher (Interim S151 Officer and Head of Finance), Sue Stanhope (Interim Director HR), Surjit Tour (Director – Law and Governance and Monitoring Officer), Elaine Newsome (Service Manager - Democracy) and Suky Suthi-Nagra (Democratic Services Manager).

31/21 Apologies for Absence

An apology for absence was received from Councillor Anandou.

32/21 Declarations of Interest

There were no declarations of interest made.



33/21 Additional Items of Business

There were no additional items of business to consider, however the Chair confirmed that a report on Special Educational Needs and Disabilities Transport would be considered at a future meeting.

34/21 Minutes

Resolved that the minutes of the meeting held on 17 March 2021 are approved as a correct record.

35/21 Scrutiny Annual Report 2019 - 2021

The Scrutiny Management Board considered a draft scrutiny annual report which outlined work undertaken by Sandwell Council's scrutiny function in the 2019 -2021 municipal years. The report highlighted a number of activities and outcomes that contributed to the Sandwell Vision 2030 and the objectives of the Corporate Plan, demonstrating the breadth of topics considered and the different ways of working that had been employed to carry out the scrutiny function.

It was noted that there had been changes to members involved with the scrutiny function since and the Scrutiny Management Board placed on record its thanks to the hard work and dedication shown by the councillors who had chaired and sat on Scrutiny Boards between 2019 - 2021 that were not reappointed for this municipal year.

<p>Resolved that the Scrutiny Annual Report 2019 -2021 be approved for submission to Council in July 2021.</p>

36/21 Budget and Corporate Scrutiny Management Board Work Programme 2021-22

The Scrutiny Management Board received an overview from Directors of key areas of work within their directorates that were currently underway or were planned during 2021-22.

The Scrutiny Management Board noted that financial reports, including quarterly monitoring reports and business planning, would continue to be submitted at key points throughout the year.

Members discussed potential topics for consideration by the Scrutiny Management Board and agreed a work programme.

It was now proposed to consider:-

- Reasons for budget shortfall and the use of reserves;
- The health and wellbeing of the workforce linked to productivity and engagement – this would be scoped further for consideration by the Board;
- Portal development and what communication is being undertaken with the public on how to access digital platforms for council services linked with balancing the finance needed to invest in a new digital infrastructure and how the Council will measure the return on current communication platforms.

Resolved that the following topics be included in the work programme for the Budget and Corporate Scrutiny Management Board for the 2021-22 municipal year:-

July

Financial Outturn 2020/21 including reasons for variances against budget for each directorate

September

Budget Monitoring – Quarter 1;
Engagement and outcomes of refresh of Corporate Plan and consideration of draft plan

October

Digital platforms for council services linked with balancing the finance needed to invest in a new digital infrastructure and how the Council will measure the return on current communication platforms;

November

Health and wellbeing of the workforce linked to productivity and engagement;

December

Budget Monitoring – Quarter 2;

January

Topic to be agreed.

February

Budget 2022-23/Directorate Business Plans;

March

Budget Monitoring – Quarter 3.

37/21 Scrutiny Boards Work Programme 2021-22

The Scrutiny Management Board considered the draft work programmes submitted by the Scrutiny Boards. These set out the topics that each Board had identified for review during the 2021-22 municipal year. It was acknowledged that prioritisation work would continue to determine when topics would be scheduled to ensure they were timely and allowed for effective scrutiny to take place.

Resolved that the work programme for the Children's Services and Education Scrutiny Board, the Economy, Skills, Transport and Environment Scrutiny Board, the Health and Adult Social Care Scrutiny Board and the Safer Neighbourhoods and Active Communities Scrutiny Board for 2020-21 be approved.

Meeting ended at 6.52 pm

Contact: Democratic Services
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