

## Sandwell Metropolitan Borough Council Statement of Decisions made at a meeting of the Executive on Wednesday, 23 February 2022

Published:

The following decisions were made by the Executive at its meeting on **Wednesday, 23 February 2022**. These decisions will come into force on **03/03/2022**. A decision by the Executive may be called-in (in accordance with Part 4 – Scrutiny Procedure Rules of the Council's Constitution) by **02/03/22**. Should you have any queries about any decision that has been made, contact should be made in the first instance to Democratic Services at [democratic\\_services@sandwell.gov.uk](mailto:democratic_services@sandwell.gov.uk). Any declaration of interest made by any member of the Executive is shown below.

	Item	Reason for Decision:	Alternative options:	Lead officer:
4	<p><b>Capital Investment Proposal - Housing for Young People</b></p> <p>Resolved:</p> <p>1.1 That, subject to negotiation of a suitable agreement in accordance with below on terms to be agreed by the Director of Housing, approval be given to allocate £666,734 from the commuted sum pot of money (derived from Section 106 Agreements), as a contribution towards the refurbishment of 3 low rise blocks at Hallam Close, West Bromwich for the provision of 54 one-bedroom affordable rented apartments for young people. The project is conditional on planning consent being secured.</p> <p>1.2 That the Director of Housing be authorised to negotiate a suitable agreement with St Basils, a registered provider of social housing, for the management and maintenance of these apartments by St Basils, to include 100% nomination rights for Sandwell Council.</p> <p>1.3 That the Director of Law &amp; Governance be authorised to execute (under seal if necessary) the agreement negotiated by the Director of Housing, and any ancillary documentation to secure the Council's contribution to, and rights in respect of the development.</p>	<p>The purpose of the report was to seek agreement to the allocation of £666,734 of commuted sum monies (derived from Affordable Housing Section 106 Agreements) as a capital contribution towards the refurbishment of 3 existing but unused residential apartment blocks near the site of Sandwell General Hospital in West Bromwich. The refurbished buildings will provide 54 self-contained affordable apartments to help prevent and relieve homelessness affecting young people in Sandwell. The Council would act as the catalyst for bringing 54 additional affordable homes in to use and can secure 100% nomination rights to these properties for an investment contribution of only £12,347 per home.</p> <p>The intended recipient of this investment, St Basils (a Registered Provider, Number H3994), would be required to enter into a suitable agreement with the Council to ensure that the allocation of the funding is in accordance with the specified purpose of the Section 106 Agreements and will meet the relevant legal requirements. The scheme would be phase 2 of the development of the project, phase 1 having opened in 2015 with 32 shared apartments.</p>	<p>There were no alternative options.</p>	

	Item	Reason for Decision:	Alternative options:	Lead officer:
5	<p><b>Review of Council Tenancy Conditions</b></p> <p>Resolved:</p> <p>That approval be given to adopt the revised tenancy conditions and that in compliance Section 103 of the 1985 Housing Act, the Director – Housing be authorised to issue a Notice of Variation to all tenanted households in due course.</p>	<p>The Council has recently concluded a statutory consultation regarding proposed amendments to the Council’s Tenancy Agreement. The Tenancy Agreement is the legal contract between the Council and tenant and details the tenant’s rights and responsibilities and the Council’s rights and responsibilities.</p> <p>Last reviewed in 2009, the current tenancy conditions have been reviewed to both update them and align them with the modernisation of the Council’s Housing Service.</p> <p>In addition, and looking ahead, the Council needs to ensure that the conditions are fit for purpose specifically to support the sustainment of tenancies, to continue to tackle anti-social behaviour, to help the Council to maintain housing standards and to contribute toward preventing homelessness.</p>	<p>There are no alternative options other than to retain the current Tenancy Conditions that took effect from October 2009.</p>	

	Item	Reason for Decision:	Alternative options:	Lead officer:
6	<p><b>Approval for consultation of the Draft Statement of Community Involvement 2022</b></p> <p>Resolved:</p> <p>That approval be given to consult on the Statement of Community Involvement.</p> <p>That the Director of Regeneration and Growth be authorised to make any minor amendments to the Statement of Community Involvement prior to circulation.</p>	<p>Planning shapes the places where people live and work. It seeks to ensure that there are jobs, homes, shops, parks and other important facilities available to everyone, while at the same time protecting and improving the environment.</p> <p>As the planning system has the potential to affect everyone, it is only right that communities within Sandwell should be able to contribute to the preparation of plans and policies. It is equally important for communities to be involved in the process of considering planning applications.</p> <p>Strong community involvement improves the quality and efficiency of decision making in Sandwell. The Statement of Community Involvement (SCI) sets out how Sandwell Council will involve stakeholders such as; the public, developers, businesses and other agencies in the preparation of its planning policy documents and in the determination of planning applications. An SCI was adopted by Cabinet in 2016. This report proposes consultation on the revision of that document.</p>	<p>The alternative option would be to continue to use the SCI adopted in 2016. However, this document will not be up to date and would not tackle issues surrounding the Coronavirus (Covid-19) pandemic.</p>	

	Item	Reason for Decision:	Alternative options:	Lead officer:
7	<p><b>Approval to proceed with Small Sided Spaces project</b></p> <p>Resolved:</p> <p>1.1 That approval be given to apply for external funding via the Football Foundation to develop and deliver a portfolio of 'Small sided' multi-sport facilities within the Borough of Sandwell with the facilities being a 'legacy' from the Commonwealth Games and will be either refurbishments of existing facilities or new builds.</p> <p>1.2 That the Director of Borough Economy in consultation with the Section 151 Officer be authorised to:</p> <ul style="list-style-type: none"> <li>• Prepare any necessary Tendering documentation</li> <li>• Procure, in accordance with the public procurement rules, the Council's</li> <li>• procurement and financial regulations a contractor(s) to carry out works</li> <li>• on site; to award a contract and to enter into or execute under seal any</li> <li>• financial agreement(s) as may be deemed necessary in relation to the</li> <li>• project</li> <li>• Accept Grant funding from the Football Foundation on terms and</li> <li>• conditions to be agreed by the Director of Borough Economy in</li> <li>• consultation with Legal services.</li> </ul>	<p>Inward investment from the Football Foundation will enable the delivery of Small Sided multi-sport facilities. These may be 'refurbishment' of existing facilities that have fallen into disrepair or the creation of brand-new facilities.</p> <p>Approval to apply for external funding will enable officers to complete and submit the necessary grant paperwork.</p> <p>The project will be seen as leaving a lasting 'Legacy' from the Commonwealth Games and recognise Sandwell's contribution as a 'host Borough'</p>	<p>No alternative options have been considered for this project. The 'Do nothing' approach would result in the loss of potential inward investment along with a missed opportunity to upgrade sports facilities and engage communities in sport / leisure.</p>	

	Item	Reason for Decision:	Alternative options:	Lead officer:
8	<p><b>Provision of a Revenues and Benefits application, a corporate document management solution and scanning and indexing services</b></p> <p>Resolved that Cabinet:</p> <p>1.1 Authorise the Director of Business Strategy and Change to award a contract to NEC Software Solutions (formerly Northgate Public Services) for the period 01 April 2022 to 31 March 2027 with an option to extend for a further 2 years up to 31 March 2029 for the following services:</p> <p>a) Provision of a hosted NEC Revenues and Benefits System  b) Scanning and Indexing Services  c) Provision of a hosted NEC Document Management solution (formerly Images@work)  d) An optional back-scanning service</p> <p>The total cost for the above services over a 5-year period is £2,174,554.</p> <p>1.2 Authorise the Director Law and Governance – Monitoring Officer to execute any documentation necessary to enable the course of action set out in 1.1 above to proceed.</p> <p>1.3 That any necessary exemptions be made to the Council’s Procurement and Contract Procedure Rules to enable the course of action referred to in 1.1 above to proceed.</p>	<p>The Council’s ICT provision has improved significantly over the past 5 years and the ICT Service is now well placed to offer a good standard of infrastructure and device management, support and maintenance to Revenues and Benefits. Therefore from 01 April 2022, the Revenues and Benefits Service’s ICT infrastructure and desktop provision will transfer from NEC back into the Council. Contracts for the other services included in the original managed service contract now need to be procured separately.</p> <p>The Hybrid Print and Mail and Govtech Services will be procured separately from 01 April 2022 which will achieve savings as under the previous managed service contract NEC sub-contracted these elements.</p>	<p>The applications and services detailed in this report are essential for the delivery of key council services.</p> <p>Going out to the market was considered however the cost of change would be greater than the cost of this direct award.</p>	

	Item	Reason for Decision:	Alternative options:	Lead officer:
9	<p><b>eCapture and Webcapture Services</b></p> <p>1.1 Authorise the Director – Finance to make a direct award of a contract to Govtech Solutions Limited for providing automation services for Council Tax, Benefits and Business Rates to the Revenues and Benefits Service, procured through the G-Cloud 12 Framework Agreement (Framework reference: RM1557.12), for the period 1 April 2022 to 31 March 2024 with an option to extend for a further 2 years up to 31 March 2026.</p> <p>1.2 Authorise the Director Law and Governance – Monitoring Officer to execute any documentation necessary to enable the course of action referred to in 1.1 above to proceed.</p> <p>1.3 That any necessary exemptions be made to the Council’s Procurement and Contract Procedure Rules to enable the course of action referred to in 1.1 above to proceed.</p>	<p>The current contract comes to an end on 31 March 2022. It has delivered front and back-office productivity gains by automating transactions enabling Revenues and Benefits staff to focus on the more complex incoming work streams which cannot be automated. During the last financial year over 174,500 transactions were handled by the Govtech solution. We therefore want to continue to use this service.</p> <p>There are only 2 providers of this service and the alternative provider, who is also listed as a supplier on the G-Cloud 12 Framework Agreement (Framework reference: RM1557.12) has been approached and has confirmed that they would not tender for this contract.</p> <p>The contract will be awarded through the G-Cloud 12 Framework Agreement (Framework reference: RM1557.12) for a period of 2 years commencing 01 April 2022 to 31 March 2024 with an option to extend for a further 2 years up to 31 March 2026.</p>	<p>Govtech Solutions Limited are the sole provider of eCapture and Webservices. One other provider resells Govtech Solutions Limited services through a package of digital services, however this provider has been approached and have confirmed that they would not bid for Sandwell’s requirements.</p> <p>An alternative would be to discontinue the use of Govtech however significant additional resource would be required to carry out the manual processing of notifications and both speed of processing and accuracy of data would be adversely affected.</p>	

	Item	Reason for Decision:	Alternative options:	Lead officer:
10	<p><b>Direct Award of Microsoft Server Cloud Enrolment (SCE) License renewal using KCS framework agreement</b></p> <p>1.1 Authorise the Director – Business Strategy and Change to make a direct award of contract using the Kent County Suppliers (KCS) framework to Phoenix Software Limited for the renewal of the existing Microsoft SCE license agreement for continued support and licensing arrangements for a three (3) year period from 1st April 2022 to 31st March 2025 at a total cost of £377,555.76.</p> <p>1.2 Authorise the Director Law and Governance – Monitoring Officer to execute any documentation necessary to enable the course of action referred to in 1.1 above to proceed.</p> <p>1.3 That any necessary exemptions be made to the Council’s Procurement and Contract Procedure Rules to enable the course of action referred to in 1.1 above to proceed.</p>	<p>A full tender exercise could have been conducted. However, there is an essential need to maintain service continuity across both existing Microsoft agreements with Phoenix Software Limited. Were the contract to be let to another supplier, the issues listed below could cause operational problems. A direct award through the KCS framework allows these issues to be negated in a compliant manner.</p> <ul style="list-style-type: none"> <li>• Having multiple Microsoft agreements with different Licensing Solution Providers is against Microsoft recommendations. This is for a number of reasons including a lack of cohesion across licensing schemes, neither partner having an overall view of the licensing entitlement and therefore the potential for neither party to be able to offer accurate and cost-effective licensing advice due to the lack of a cohesive understanding of the Council’s licensing estate.</li> <li>• Microsoft strongly recommend as best practice that agreements are placed with the same Licensing Solution Provider to ensure that communications and engagements are not being duplicated as this is a waste of time for the Council and the partners involved.</li> </ul>	<p>A full tender exercise could have been conducted. However, there is an essential need to maintain service continuity across both existing Microsoft agreements with Phoenix Software Limited. Were the contract to be let to another supplier, the issues listed below could cause operational problems. A direct award through the KCS framework allows these issues to be negated in a compliant manner.</p> <ul style="list-style-type: none"> <li>• Having multiple Microsoft agreements with different Licensing Solution Providers is against Microsoft recommendations. This is for a number of reasons including a lack of cohesion across licensing schemes, neither partner having an overall view of the licensing entitlement and therefore the potential for neither party to be able to offer accurate and cost-effective licensing advice due to the lack of a cohesive understanding of the Council’s licensing estate.</li> <li>• Microsoft strongly recommend as best practice that agreements are placed with the same Licensing Solution Provider to ensure that communications and engagements are not being duplicated as this is a waste of time for the Council and the partners involved.</li> </ul>	<p></p>



	Item	Reason for Decision:	Alternative options:	Lead officer:
11	<p><b>Sandwell Health Inequalities Programme: Grant funding for Sandwell Consortium CIC to deliver interventions to address health inequalities</b></p> <p>Resolved:</p> <p>1.1 That approval be given to award a 3-year grant (April 2022 – March 2024) to Sandwell Consortium CIC to address health inequalities within ethnic minority communities in Sandwell, prioritising mental health and wellbeing and prevention of long-term conditions.</p> <p>1.2 That in connection with 1.1 above, the Director of Public Health be authorised to award a 3-year grant of £178,000 per annum to Sandwell Consortium CIC.</p> <p>1.3 That in connection with 1.2 above, the Director of Public Health be authorised to enable the grant to commence on 1 April 2022, for three years until 31 March 2024.</p>	<p>This grant to Sandwell Consortium will form just one part of a wider programme of Public Health work to address health inequalities that were widened during the pandemic. Other key groups have been adversely affected and specific work will be required to meet a wider range of needs</p>	<p>There is option to not invest in this grant. Without investment, health inequalities in Sandwell that widened during the pandemic will continue to worsen and become an increasing difficult challenge to address.</p> <p>Services could be commissioned from provider companies on the open market. However, this would be out of line with PHE’s recommendation that COVID recovery be achieved through “working in partnership with local BAME and faith communities”. It would also potentially move resources out of Sandwell and fail to sustain the local community organisations that COVID recovery depends on.</p>	

	Item	Reason for Decision:	Alternative options:	Lead officer:
12	<p><b>Communications and Corporate Affairs Team</b></p> <p>Resolved:</p> <ol style="list-style-type: none"> <li>1. Approve the proposed structure for a Communications and Corporate Affairs Team as set out in Appendix 2 as the basis for consultation with employees and trade unions.</li> <li>2. Subject to the Director of Business Strategy and Change, in consultation with the Cabinet Member for Finance and Resources, being satisfied that all significant concerns or issues raised during the consultation referred in recommendation 1 above being satisfactorily responded to, the revised structure for the Communications and Corporate Affairs team be approved and implemented with effect from 1 April 2022.</li> <li>3. Subject to recommendations 1 and 2 above being approved, the Director – Business Strategy and Change be authorised to assimilate relevant staff pursuant to the appointment process as set out in this report (and the council’s Human Resources policies and procedures) as soon as possible after consultation responses have been considered.</li> <li>4. That, in the event there are any issues arising from the consultation process on the revised structure deemed to be significant by the Director – Business Strategy and Change, a further report will be submitted to Cabinet.</li> </ol>	<p>The council’s new corporate plan: Big Plans for a Great Place, sets out its ambition to deliver Vision 2030, and demonstrates a clear ambition and a key role for Communications as a core, strategic service in achieving the outcome of instilling a One Council, One Team culture across the organisation which underpins the delivery of all strategic objectives within the plan. Therefore, it is vital that a skilled, fit for purpose communications and corporate affairs team is in place to support this ambition. In addition, as the Local Government landscape and the needs of the Council change, it is important that the Communications Team adapts effectively to meet those changes and needs.</p>	<p>Officers have considered all alternative options as a result of the review undertaken by Promodo Ltd.</p>	

	Item	Reason for Decision:	Alternative options:	Lead officer:
13	<p><b>Information Governance - Records Retention</b></p> <p>Resolved:</p> <p>1.1 That approval be given to the council's Corporate Retention Policy, Email Retention Policy and the Information Rights Policy as set out in Appendix 1,2 and 3 for the purposes of complying with UKGDPR and in line with good practice as required.</p> <p>1.2 That the Director Law and Governance and SIRO, in consultation with the Leader, be authorised to undertake requisite steps to ensure the Council complies with the approved E-mail Retention Policy, Corporate Retention Policy and Information Rights Policy.</p> <p>1.3 That the Director Law and Governance and SIRO, in consultation with the Leader, be authorised to amend the E-mail Retention Policy, Corporate Retention Policy and Information Rights Policy to comply with changes in good practice and legislation as and when required</p>	<p>The Council has a legal responsibility to comply with its legal obligation in relation to the collection, use and retention of information relating to individuals.</p> <p>The purpose of the policies set out in the appendices to this report help ensure that the Council manages the data that it holds appropriately and in accordance with the legislative framework as principally set out in UKGDPR and the Data Protection Act 2018.</p>	<p>The current state and management of email information is an area which lacks compliance and governance controls and therefore there are no other known options to consider.</p>	

	Item	Reason for Decision:	Alternative options:	Lead officer:
14	<p><b>Social Housing Decarbonisation Fund - Wave 1</b></p> <p>Resolved:</p> <p>1.1 That approval be given to authorise acceptance of grant funding, from the Government's Department for Business, Energy and Industrial Strategy (BEIS) as detailed below, together with delegated actions for the Director of Housing and Director of Finance:</p> <ul style="list-style-type: none"> <li>£2,888,327 (2/3 of £4,332,800) to fund proposed energy efficiency improvements to council-owned dwellings in Smethwick;</li> </ul> <p>1.2 That subject to 1.1 above, the Director of Finance allocate the sum of £1,444,473 (1/3 of £4,332,800) from the Housing Revenue account (HRA), to match-fund proposed energy-efficiency improvements to council-owned dwellings in Smethwick.</p> <p>1.3 Authorise the Director of Housing to instruct the Council's External Improvement Programme construction partner (Vinci Facilities Ltd), to deliver associated energy improvement works in accordance with existing contractual arrangements.</p> <p>1.4 Authorise the Director of Housing to instruct agencies procured via the West Midlands Combined Authority (WMCA) to carry out specialist duties, on behalf of Sandwell MBC, in relation to the Social Housing Decarbonisation Fund.</p> <p>1.5 That approval to enter into a grant funding agreement with BEIS is given, subject to a satisfactory financial appraisal being completed by the Strategic Investment Unit.</p>	<p>The purpose of this report is to authorise the acceptance of grant funding of £2,888,327 (2/3 of £4,332,800) to fund proposed energy-efficiency improvements to council-owned dwellings in Smethwick and to seek approval to allocate the sum of £1,444,473 (1/3 of £4,332,800) from the Housing Revenue account (HRA), to match-fund the proposed works.</p> <p>To seek approval for the Director of Housing to instruct the Council's construction partner (Vinci Facilities Ltd) to deliver energy improvement works in accordance with existing contractual arrangements.</p> <p>To seek authorisation for the Director of Housing to instruct agencies procured via the Combined Authority to carry out duties to ensure compliance with funding criteria, on behalf of Sandwell MBC, in relation to the Social Housing Decarbonisation Fund.</p>	<p>Should the Council decline this offer and still wish to continue with the projects, then alternative arrangements would need to be made in order to fund an extra £2,888,327 in addition to a proposed commitment of £1,444,473. This option is ruled out because it is important that we draw down funding for retrofitting. All registered providers of social housing, including local authorities, will need access to grant funding in order to meet climate change targets in housing.</p>	<p>Page 12 of 18</p>

	Item	Reason for Decision:	Alternative options:	Lead officer:
15	<p><b>Q3 Budget Monitoring 2021/22</b></p> <p>Resolved:</p> <p>1.1 Note the financial monitoring position as at 31 December 2021 (Quarter 3 2021/22) and refer the report to the Budget and Corporate Scrutiny Management Board for consideration and comment.</p> <p>1.2 Note the projected financial position; services are projecting an overspend of £5.233m against allocated budgets and an underspend of £7.822m after adjusting for the movement on reserves, use of corporate resources and the application of centrally held Covid-19 grant funding.</p> <p>1.3 Approve the budget virements above the higher of £0.250m or 1% of the Gross Budget of the service area, as outlined in the report.</p> <p>1.4 Approve the following changes to the council's capital programme: - £0.400m to be added into the 2022/23 capital programme in relation to the West Bromwich Town Hall Quarter project within Borough Economy. These resources are essentially match funding for the larger Towns Fund project.</p> <p>A virement of £0.068m in 2022/23 from the Blackheath Library project within Borough Economy to further contribute match funding towards the West Bromwich Town Hall Quarter project mentioned above.</p>	<p>Section 151 of the 1972 Local Government Act requires the Chief Financial Officer to ensure the proper administration of the council's financial affairs. Budgetary control, which includes the regular monitoring and reporting of budgets is an essential element in discharging this statutory responsibility.</p>	<p>There are limited decisions within the recommendations, Cabinet could vary the proposed transfer of Covid funding to the Sandwell Children's Trust or the requested virements within Public Health which reflect increases in the available resources since the 2021/22 budgets were approved.</p>	

	Item	Reason for Decision:	Alternative options:	Lead officer:
16	<p><b>General Fund and HRA Budget, Capital Programme and Treasury Management Strategy 2022/23</b></p> <p>1.1 Note the key points from the Local Government Finance Settlement and the impact on the budget position for 2022/23</p> <p>1.2 Note the feedback on the draft budget proposals from the Budget and Corporate Scrutiny Board at para 4.26.</p> <p>1.3 Note the feedback on the draft budget from business representatives at para 4.25.</p> <p>1.4 That Cabinet have due regard to the feedback from Equality Impact Assessments and consultation feedback as set out in the report and Appendix C.</p> <p>1.5 That the fees and charges increases for 2022/23, as set out at Appendix D, be approved.</p> <p>1.6 That the contract sum for Sandwell Children's Trust of £70.474m be approved as set out at para 4.10.</p> <p>1.7 That the final General Fund budget position as set out at Appendix E be approved and recommended to Council.</p> <p>1.8 That the Housing Revenue Account budget for 2022/23 be approved as shown at Appendix E and recommended to Council.</p> <p>1.9 That the Council Tax precept for 2022/23 of £117,967,934, representing a 1.99% increase in Council Tax and a further 3% increase in the Adult Social Care precept be recommended to Council for approval.</p> <p>1.10 That the Director of Finance's assurance statement on the robustness of the budget estimates and reserves at Appendix G position be noted.</p> <p>1.11 That the Treasury Management Strategy and Prudential Indicators at Appendix J be recommended to Council for approval.</p> <p>1.12 That the Capital Programme for the General Fund and Housing Revenue Account for 2022/23 and Capital Strategy be approved and recommended to Council as set out at Appendix H and I.</p> <p>1.13 That the Director of Finance be authorised</p>	<p>The Local Government Finance Act 1972 requires the Council to set a balanced, risk assessed budget each year and approve a Council Tax precept by 11th March.</p>	<p>Cabinet could request that alternative savings options be proposed and agreed, although there is limited time to do this and still be able to carry out the appropriate consultation on alternative savings. Cabinet could also consider an alternative Council Tax increase, subject to adhering to the Referendum Principles, or alternative increases in Fees and Charges.</p>	

	Item	Reason for Decision:	Alternative options:	Lead officer:
17	<p><b>Recommendations of the Scrutiny Review of the Performance and Management of the Waste Partnership Contract</b></p> <p>Cabinet considered the recommendations from the Economy Skills Transport and Environment Scrutiny Board in respect to the Performance and Management of the Waste Partnership Contract review.</p>	<p>The Cabinet is requested to consider the recommendations and determine what action it wishes to take. In accordance with the Localism Act 2011, the Cabinet is requested to respond to the recommendations of the scrutiny board within two months, setting out any approved recommendations and how they will be implemented.</p>	<p>The waste partnership contract is a high value contract. The risk of default would have a significant impact on both Serco and the Council, and ultimately our Council taxpayers if the contract were to fail.</p> <p>To do nothing is not an option. Whilst the former Interim Director Borough Economy had begun to address some of the areas of concern, this review has strengthened and complemented that work.</p>	

	Item	Reason for Decision:	Alternative options:	Lead officer:
18	<p><b>Action Taken on Matters of Urgency</b></p> <p>1.1 That the following details of the urgent actions taken by the Leader of the Council be noted:-</p> <p>a) in relation to authorising the Director of Adult Social Care to distribute the Workforce Recruitment and Retention fund (Round 1 November 2021 and Round 2 December 2021) as per the Department of Health and Social Care (DHSC) guidance;</p> <p>b) to authorise the Director of Adult Social Care to distribute the Adult Social Care Omicron Support Fund (January 2022) as per the Department of Health and Social Care (DHSC) guidance;</p> <p>c) in relation to authorising the Director of Adult Social Care to distribute the Adult Social Care Infection Control and Testing Fund (October 2021) as per the Department of Health and Social Care guidance;</p>	<p>The matters were urgent and could not be delayed until the next Cabinet meeting given the short timescales to distribute and spend the Department of Health and Social Care (DHSC) Workforce Recruitment and Retention Fund for adult social care (round 1 &amp; 2) and the DHSC adult social care Omicron Support Fund, as required in the DHSC guidance by 31 March 2022. The DHSC expect a reporting return in February 2022 on how these funds have been utilised. Failure to submit a return will mean the funds being reclaimed back by the DHSC, at a critical time, when care providers in Sandwell are struggling for financial support.</p> <p>An urgent decision was required in order to distribute and spend Adult Social Care Infection Control and Testing Funding (round 3) as per the DHSC guidance and to prevent the need to return any unused resources back to the DHSC.</p>	<p>No other options have been considered, the Council must comply with the DHSC guidance. This sets out the Workforce Recruitment and Retention Fund and Omicron Support for adult social care including information on the distribution of funds and reporting requirements.</p>	



	Item	Reason for Decision:	Alternative options:	Lead officer:
20	<p><b>Acquisition of Kings Square Shopping Centre, West Bromwich</b></p> <p>Resolved:</p> <p>1.1 Approves the acquisition of the leasehold interest in Kings Square Shopping Centre, West Bromwich for £4.75 million plus costs, with the inclusion of fees, stamp duty, surveys &amp; due diligence costs will be £5,104,500 plus VAT.</p> <p>1.2 In connection with 1.1 above, authorise the Director of Regeneration &amp; Growth, in consultation with the Section 151 Officer and the Monitoring Officer, to approve contract documentation and execute it under seal, and to complete the purchase.</p> <p>1.3 That the Director of Regeneration &amp; Growth be authorised to approve the undertaking of a procurement process and the appointment of a specialist firm of management surveyors to manage the centre on the Council's behalf.</p> <p>1.4 That subject to the above, the total acquisition costs at 1.1 are added to the Capital Programme for 2022/23.</p>	<p>The acquisition of Kings Square Shopping Centre will facilitate the delivery of the West Bromwich Masterplan.</p>	<p>The Council could refrain from purchasing any property, relying instead on private developers bringing sites forward and submitting planning applications. However, there is no guarantee that owners will progress innovative schemes of the quality required, and in fact it is unlikely that any schemes would be brought forward for several years. Without intervention the deliverability of the West Bromwich Masterplan would be extremely uncertain and public expectations would need to be managed accordingly.</p> <p>The Council could delay acquisition. However, the current owners might then either sell to another investor or include the property within their new loan agreement, in which case it would not be for sale. The Council would then have to rely on compulsory purchase to acquire, which would be time-consuming and expensive.</p>	

	Item	Reason for Decision:	Alternative options:	Lead officer:
21	<p><b>Sandwell and Community Caring Trust Contract</b></p> <p>Resolved:</p> <p>1.1 That the Director of Adult Social Care be authorised to approve the early voluntary cessation of the Sandwell Community Caring Trust (SCCT) 30-year contract for 80 care home beds, of which 20 years are remaining with effect from 30 April 2022.</p> <p>1.2 That subject to 1.1 above, a further report be submitted to Cabinet on options for the site of the former Grafton Lodge Care home which closed in December 2020.</p> <p>1.3 That approval be given to the asset freehold for Hall Green Care Home being retained by SCCT on termination of the contract and agree to SCCT repaying council funds from the sale of Greenhaven.</p> <p>1.4 That the Director of Law &amp; Governance be authorised to execute all legal or other documentation to give effect to the decisions of Cabinet in relation to the cessation of the contract with SCCT and transfer of the asset freehold as set out in 1.1 – 1.3 above.</p>	<p>The landscape of social care is dynamic and will continue to change. Although this contract met the needs of the service 10 years ago there is now a more progressive approach to service delivery which focusses on supporting people to lead independent lives within their own communities with a reduced reliance on residential care. The council wishes to ensure that it future proofs care and support options and provides the best quality services to its citizens which no longer rely on traditional models but deliver cutting edge design, technology and access.</p>	<ul style="list-style-type: none"> <li>• Do nothing</li> <li>• Continue with the Current 80 bed block contract</li> <li>• Reduce the block contract</li> </ul> <p>Given the complexity and value of the contract, both parties agree that a mutual termination of the contract is the most appropriate solution to be formalised by legal termination agreement documentation. This has been assessed as a legal binding solution by external lawyers for both parties.</p>	