

Sandwell Metropolitan Borough Council Statement of Decisions made at a meeting of the Executive on Wednesday, 20 July 2022

Published:

The following decisions were made by the Executive at its meeting on **Wednesday, 20 July 2022**. These decisions will come into force on **26th July 2022**. A decision by the Executive may be called-in (in accordance with Part 4 – Scrutiny Procedure Rules of the Council’s Constitution) by **26th July 2022**. 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. Any declaration of interest made by any member of the Executive is shown below.

	Item	Reason for Decision:	Alternative options:	Lead officer:
6	<p>Brandhall - Options</p> <p>Resolved:-</p> <p>1.1 The Cabinet determined that the preferred option for the Brandhall site, Oldbury as:</p> <p>Option 3 - Provision of land for a new primary school, a new public park and development of circa 190 residential dwellings.</p> <p>1.2 That should Cabinet determine the</p>	<p>It is considered appropriate to provide an opportunity for members to reconsider options (including a do-nothing option) for the future of the Brandhall site given the outcomes of the public consultation and the additional technical and financial information gathered to date.</p> <p>The Local Sites Partnership (LSP) have recommended to the Council that the Brandhall site be designated as a Site for Local Importance for Nature Conservation. Members are required to determine whether to accept in full, in</p>	<p>A number of options were put forward to Cabinet:</p> <ul style="list-style-type: none"> • Option 1a - No change • Option 1b - Development of a new public park • Option 2 - Provision of land for a new primary school and development of a new public park • Option 3 - Provision of land for a new primary 	

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	<p>preferred option to be Option 1b, 2, 3, or 4 then the Director of Finance in conjunction with the Director of Regeneration and Growth be authorised to identify the best option to fund the preferred option including the submission of any external funding applications and any required market testing as may be necessary.</p> <p>1.3 That subject to 1.2 above and once more detailed costs are available, a further report be bought back to Cabinet setting out the funding strategy for the preferred option and seeking approval for inclusion into the Capital Programme.</p> <p>1.4 That should Cabinet determine the preferred option be option 2, 3, or 4 delegated authority be given to the Director of Regeneration and Growth to submit a planning application or applications in line with the preferred option.</p> <p>1.5 That should Cabinet determine the preferred option to be option 2, 3, or 4 then delegated authority be given to the Director of Regeneration and Growth and the Director of Finance to allocate a minimum of £2.5m of Community Infrastructure Levy Funding from the 80% Main CIL fund towards the capital</p>	<p>part, or not at all the recommendation from the LSP.</p>	<p>school, a new public park and development of circa 190 residential dwellings</p> <ul style="list-style-type: none"> • Option 4 - Provision of land for a new primary school, a new public park and development of circa 360 residential dwellings 	

	Item	Reason for Decision:	Alternative options:	Lead officer:
	<p>cost of the replacement of Causeway Green Primary School.</p> <p>1.6 That should Cabinet determine the preferred option to be Options 2, 3 or 4, then the Director of Children and Education submit a further report to Cabinet setting out full proposals for a capital scheme to provide a replacement primary school at Brandhall for Causeway Green Primary School.</p> <p>1.7 That should Cabinet determine the preferred option be option 2, 3, or 4 delegated authority be given to the Director of Regeneration and Growth to take necessary steps (including publication of necessary statutory notices under S.122(2A) of the Local Government Act 1972 (and consideration of any objections received) related to the appropriation of any public open space for Education or Housing purposes [and for the Director of Finance to make the necessary financial adjustments, with regard to the appropriation], and authorises the appropriation of the public open space for Education and/or Housing purposes.</p> <p>1.8 That should Cabinet determine the preferred option to be Options 3 or 4 then reserves from Regeneration and</p>			

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	<p>Growth Directorate be allocated for resources to project manage the delivery of the preferred option.</p> <p>1.9 That should Cabinet determine the preferred option to be Option 3 or 4 then approval be given to add this to the Council's approved regeneration Pipeline as a new project.</p> <p>1.10 That in relation to the proposed Site of Importance for Nature Conservation Cabinet;;</p> <p>b. Approves the designation of land at Brandhall as a Site of Local Importance for Nature Conservation (SLINC) excluding any land required for development to deliver the preferred option determined under recommendation 1.1 above.</p>			
7	<p>Review of Parking Charges Policy</p> <p>Resolved:- That approval be given to the realignment of parking charges to support the objectives of Climate Change Policy, Carbon Reduction, Air Quality, sustainable transport choices, balancing available parking with demand</p>	<p>The purpose of this report is to review Sandwell Parking Policy to ensure that Sandwell Council can continue to provide suitable, adequate, safe and well-maintained public parking to secure the following objectives.</p> <ul style="list-style-type: none"> To support the response the 	<p>To leave parking charges unchanged would miss the opportunity to support the strategic response to the declared Climate Change Emergency, would miss the opportunity to make the most of changes in travel behaviour as experienced during the</p>	

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<p>and to meet the cost of providing and maintaining car parks, parking related services and highway projects.</p>	<p>response to the Climate Change</p> <ul style="list-style-type: none"> • Emergency by reducing congestion in and around our town centres and reducing carbon emissions. • To facilitate more working from home, walking and cycling for short journeys and journeys to work. • To secure the health benefits associated with more active transport choices and improved air quality. • To free up more parking spaces on town centre car parks for short stay shoppers and visitors who contribute to the local economy. • To fund the post pandemic costs of the parking service, the provision, operation, maintenance (schedule in Appendix A), <p>enforcement of car parks, Highway Maintenance and traffic</p>	<p>pandemic, would fail to address the existing supply and demand problems, would miss the opportunity to mitigate against the expected exacerbation of demand and associated impacts on safety, the environment, trade for small businesses and local economy and would fail to take the opportunity to encourage working from home and modal shift in transport choice.</p> <p>Highway Services would require subsidising with additional revenue funding as income would no longer be sufficient to fund the costs. Highway Services provide the maintenance, operation and enforcement of car parks, enforcement on street, including around hospitals and schools gate parking, meeting request for new traffic regulation orders, resident parking schemes and other costs permitted by the legislation.</p>	

	Item	Reason for Decision:	Alternative options:	Lead officer:
		management on the network.		
8	Land at Cranford Street, Smethwick - Compulsory Purchase Order			
9	<p>Civica Contract Award and Upgrade to CX System</p> <p>Resolved:-</p> <p>1.1 That the Director of Borough Economy, in consultation with the Director of Finance - Section 151 Officer, be authorised to award a contract for 'Civica Cx Case Management System' to be procured via a direct award of contract using Crown Commercial Services (CCS) Data and Applications Solutions framework RM3821 and be awarded for a five year period with an option to extend for a further two years.</p> <p>1.2 That the Director Law and Governance – Monitoring Officer be authorised to execute any documentation necessary to enable the action referred to in 1.1 above.</p> <p>1.3 That any necessary exemptions to the Council's Procurement and Contract Procedure Rules be made to enable the course of action referred to in 1.1 above</p>	Approval is sought to enable a direct award via the Crown Commercial Services Framework RM3821 in order to continue provision of the case management software upgraded to Civica Cx for a period of five years with an option to extend for up to a further two years.	<p>An open market procurement process could be considered however Corporate Procurement have identified that the service we require is available via a Crown Commercial Services Framework. This provides a compliant and cost effective means of procuring the service. Direct awarding and procurement from the CCS framework is compliant with Public Contract Regulations 2015.</p> <p>Doing nothing is not an option. The provision of a case management system for these service areas is essential to support modern service delivery.</p>	

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	to proceed.			
10	<p>Award of Contract for Local Welfare Provision</p> <p>Resolved:- 1.1 Authorise the Director of Finance - Section 151 Officer in consultation with Cabinet Member for Finance and Resources to award a contract for Local Welfare Provision, following the conclusion of an open procurement exercise that commenced on 6 June 2022, for a 4 year period commencing 1 October 2022.</p> <p>1.2 Authorise the Director Law and Governance – Monitoring Officer to execute any documentation necessary to enable the action referred to in 1.1 above.</p>	<p>This report is seeking approval to award a contract for the provision of white goods and household items to support the delivery of the Council’s Local Welfare Provision scheme following a compliant procurement process.</p> <p>The current contract with Loaves N Fishes ends on the 30 September 2022.</p> <p>Sandwell’s Local Welfare Provision scheme has been co-designed with the voluntary sector/charitable organisations. It provides crucial support by way of food parcels, fuel, white goods, and essential household items to Sandwell’s most vulnerable residents who are faced with a crisis.</p>	<p>If a contract is not in place to provide white goods and household items to Sandwell’s most vulnerable customers there is a risk that families would suffer poverty and their basic needs would not be met</p>	
11	<p>Harmful Gambling Workplace Charter, Policy and Guidance</p> <p>Resolved:- That approval be given to implement a Harmful Gambling Workplace Charter and its accompanying policy and guidance, in accordance with the details contained within this report.</p>	<p>Adopting a Harmful Gambling Workplace Charter and introducing a supporting policy and guidance makes clear the council’s commitment to tackling gambling related harm in the workplace.</p> <p>The policy and guidance are to assist managers who are supporting and managing employees who are suffering</p>	<p>The Council is not obligated to implement a Harmful Gambling Workplace Charter and its accompanying policy and guidance. However, as part of its corporate and social responsibility, the Council has a commitment to carry out its practices in an ethical way which</p>	

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		<p>from gambling related harms to such an extent that it affects their health, work performance, conduct and relationships at work.</p>	<p>supports the development of employee relations.</p>	
12	<p>Health Checks Service</p> <p>To agree to tender the Health Checks contract for a prime provider to deliver the Health Checks Service.</p>	<p>We are now proposing that we return to a procurement of a Prime Provider for a period of 2 years. Whilst the health economy transitions to the new care structure from a Clinical Commissioning Group to the Integrated Care Partnership and recovers from the COVID pandemic.</p> <p>Nationally, the government is reviewing the current delivery models and indicators of the NHS Health Checks services. We are only looking to work with a prime provider for 2 years as during that time the government review will be finalised and as such there maybe changes needed and new requirements to the service. We do not currently have a service in place due to rightly pausing the process during the COVID Pandemic</p>	<p>We continue to not provide a health checks service – as a nationally mandated service this will come with national scrutiny.</p> <p>We move forward with an Any Qualified Provider procurement approach, which means we could contract with GPs, private companies and other Qualified Providers from local to national whom are compliant against the tender criteria, who are able to provide health checks across the Borough in a mosaic of provision.</p>	
13	<p>School Condition Report 2022</p> <p>Resolved:- 1.1 That subject to a satisfactory financial appraisal being completed by Strategic Finance, approval be given to the allocation of £1.5m of School Condition grant funding to be</p>	<p>This report seeks approval to allocate School Condition grant funding for cyclical maintenance to support maintained schools.</p> <p>Building Services and Strategic Assets and Land's Engineering team have identified six schools for 2022/23 which</p>	<p>There are either no alternative options for schemes identified, or options have already been discounted through project development: The terms of the School Condition Allocation mean funds have to be spent on maintained school's cyclical</p>	

	Item	Reason for Decision:	Alternative options:	Lead officer:
	<p>used to support cyclical maintenance of local authority maintained schools.</p> <p>1.2 Require in connection with 1.1, that the following actions are implemented to reduce any risk to the council in connection with School Condition; ensure that repair / maintenance work for schools is undertaken following an analysis of pre-determined criteria and that records are maintained to demonstrate the priority need of each school.</p> <ul style="list-style-type: none"> • Ensure that corporate Risk Registers are maintained and reviewed for all projects, and ensure all risks are appropriately identified and assessed, with adequate mitigation; • That cost estimates are reviewed to ensure that any future costs can be managed within the allocated funding; 	<p>require replacement of oil fired boilers, boilers, water services systems and fire alarms. Works are planned for completion during the school summers holidays and the autumn holidays.</p>	<p>maintenance. Within the maintained schools sector, it is the primary school building stock that will also require a programme of replacement to commence shortly. The deteriorating condition of school buildings will otherwise continue to be a drain on the School Repair Account.</p>	
14	<p>Outcome of the Review of Generic Advocacy Service</p> <p>Resolved:- That approval be given to decommission the Generic Advocacy Service as from 1 October 2022.</p>	<p>Cabinet approved the re-procurement and award for the Advocacy Services Contract on 9th September 2020, the commencement of the review of the Generic Advocacy Service, and that the findings of the review would be reported back to Cabinet.</p> <p>The Advocacy Services contract started</p>	<p>The following options have been considered. These options were:</p> <p>Option 1: Extend this element of the contract with the existing provider for a further 6 months to deliver a Generic Advocacy Service, then decide on the future Contract.</p> <p>Option 2: To continue with the</p>	

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		<p>on 1 April 2021 and is due to expire on 31 March 2023, except for the Generic Advocacy Service part of the contract, which was due to expire on 31 March 2022. The contract included the option to extend by up to two further periods of 12 months each, which was previously agreed by Cabinet on 9th September 2020.</p> <p>The Generic Advocacy Service part of the contract was extended for 6 months in April 2022 to allow the consultation and decision to be taken on the future of the service.</p>	<p>Generic Advocacy Service Option 3: Decommission the service. Option 3 is the recommended option for the following reasons: The evidence supported that the needs can be met by other services in the voluntary sector many of which are already funded or provided by the council to provide the identified support or where there is a statutory responsibility placed on those services to support people with reasonable adjustments. People contacting POhWER for support, previously provided by Generic Advocacy, would in future be referred to organisations whose role it is to support people with such issues or back to organisations who have a statutory responsibility to provide support under the Equality Duty.</p>	
15	Sandwell Suicide Prevention Strategy and Action Plan	The draft Strategy and Action Plan have been through a statutory 60-day public consultation and have been revised to	The alternative would be for the Sandwell Suicide Prevention Partnership to continue our work	

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	<p>Resolved:- That approval be given to publish and promote the Sandwell Suicide Prevention Strategy and Action Plan, as set out in Appendix A and B, subject to any required revisions.</p>	<p>reflect feedback from Sandwell residents and partner/stakeholder organisations.</p>	<p>without a supporting Strategy & Action Plan. This would compromise the effectiveness and efficiency of our work by making it more difficult to: plan and monitor progress; ensure alignment with other relevant strategies, programmes and partnerships (e.g. Black Country Suicide Prevention Partnership, Sandwell Better Mental health Programme and Strategy Group); assess impact; and identify gaps in provision and support.</p>	
16	<p>Draft Statement of Community Involvement 2022</p> <p>Resolved:- 1.1 That approval be given to adopt the Statement of Community Involvement. 1.2 That the Director, Regeneration and Growth be authorised to make any minor amendments to the Statement of Community Involvement prior to circulation.</p>	<p>The draft Statement of Community Involvement aims to set out simplified guidance for involving communities and is aimed at all those involved in planning. The document:</p> <ul style="list-style-type: none"> • Explains why community involvement is important in Sandwell and sets out the existing policy framework; • Revises the existing (2016) Statement of Community Involvement Identifies the types of development and documents where community involvement is 	<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 and other pandemics which may affect the ability to consult</p>	

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		<p>encouraged and to what extent. Proposes a variety of methods that detail how communities can become involved in the planning process. This includes; targeting specific community groups, enabling greater accessibility and recent technological shifts in the way the Sandwell Council communicate i.e. social media and live streaming.</p> <ul style="list-style-type: none"> • Explains how the Council deals with issues surrounding consultation within a pandemic 		
17	<p>Smethwick Enterprise Centre - declaration surplus to requirements</p> <p>Resolved:-</p> <p>1.1 That Cabinet agree to declare the Smethwick Enterprise Centre, Smethwick surplus to requirements in order to facilitate the redevelopment of the site for residential development as part of the Towns Fund programme.</p> <p>1.2 That the Director – Finance be authorised to make the appropriate</p>	<p>Currently, the Smethwick Enterprise Centre is only 37% occupied, with the remaining units requiring substantial investment to bring them up to a lettable standard. The rental income from the occupied units does not cover the ongoing maintenance costs.</p> <p>Department for Levelling Up, Housing & Communities has announced the approval of £23.5m for the projects contained in the Smethwick Investment Plan. The site of the Smethwick Enterprise Centre was submitted as one</p>	<p>Option 1: The Enterprise Centre continues to operate, as it is currently, with more than half of the units remaining empty and a reduced revenue being received. The Towns Fund project would not progress, resulting in:</p> <ul style="list-style-type: none"> • Claw back of £2m of funding by the DLUHC • approximately 115 new flats and houses (to meet the borough needs) not being delivered and the reputational damage to the 	

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	<p>adjustments to the Revenue Budget to reflect the loss of income, at such time the premises is decanted.</p>	<p>of the five projects, requiring funding of £2m to facilitate the demolition of buildings and remediation of the land ready for residential development.</p> <p>In order to progress the Towns Fund project, it will be necessary to declare the Centre surplus to requirements. It will also be necessary to make a change to the Revenue Budget to reflect that the rental commitment in the ledger will not be achievable once the site is brought forward for demolition and redevelopment.</p>	<p>council.</p> <p>Option 2: The Enterprise Centre continues to operate, and a budget is identified to fund the refurbishment of the remaining units. As Option 1, the £2m from Towns Fund is clawed back; no housing is delivered; and a significant impact on the Commercial Estate budget.</p> <p>Option 3: The Enterprise Centre is declared surplus, resulting in:</p> <ul style="list-style-type: none"> • a saving to the council of the continued maintenance costs of running the facility. • The Towns Fund project being progressed, leading to the first phase of the wider Rolfe Street regeneration • a loss in revenue in the Commercial Estate. 	
18	<p>Appointment of contractor - Sandwell Urban Bike Park Project</p> <p>Resolved:- 1.1 That an exemption be made to the Council's Procurement and Contract</p>	<p>Tenders for the Design and Build Contract for the Sandwell Urban bike Park project were invited on 2 separate occasions via the Council's 'InTend' Portal. On the first occasion only one contractor submitted a Tender. This</p>	<p>The option to tender the works again (for a third time) was considered however this was discounted due to the timescales previously discussed.</p>	

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	<p>Procedure rules in relation to the appointment of 'Back On Track Mountain Bike Solutions Ltd' to deliver the Design and Build Cycle trails within Sandwell Valley and Birmingham (The former Hill Top Golf Course).</p> <p>1.2 That subject to 1.1 above, the Director of Borough Economy be authorised to award a contract to Back On Track Mountain Bike Solutions Ltd up to £530,000 to deliver the new Cycle trails.</p>	<p>contractor failed to pass the standard questions and were therefore discounted from the process. On the second occasion two contractors submitted tenders, these were the contractor previously excluded and 'Back On Track Mountain Bike Solutions Ltd'.</p> <p>Despite best attempts it has not been possible to obtain 3 tenders for the works. The most likely reasons are:</p> <ul style="list-style-type: none"> - The short timescales involved in delivering this project. - Contractors already have full order books and do not have capacity to take on additional work at this time. <p>The project timeline for this development would not allow a third round of tendering. Sport England is the main funder and has stipulated that the project must be completed within the current financial year (by end of March 2023).</p> <p>The Procurement Services Manager has been consulted and their advice is that in order for this tender to be accepted an exemption in accordance with Procurement and Contract Procedure Rules 8.11 and 15 is required.</p>		
19	Designation of Nature Conservation Sites	This report informs Cabinet of the result and recommendation of the ecological	The alternative option would be to base planning decisions on the	

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	<p>Resolved:-</p> <p>1.1 That approval be given to the designation of Alexandra Road, John's Lane, and Land at Yew Tree, as shown on the plans set out in Appendix 1 and 2, as 'Site of Local Importance for Nature Conservation (SLINC).</p> <p>1.2 That the Director, Regeneration and Growth, be authorised to make any minor amendments prior to circulation.</p>	<p>surveys carried out for Alexandra Road, John's Lane, and Land at Yew Tree.</p> <p>All of the sites surveyed were classified as a SLINC before the ecological surveys were carried out. The purpose of the surveys was to provide a more up to date assessment of the sites to determine what the status of the site should now be and whether a boundary alteration was required.</p> <p>The recommendation is required to ensure that the Council's Local Plan is based on up-to-date evidence and can continue to be used as the basis for robust and defensible planning decisions.</p>	<p>existing evidence base using the current out of date survey data and such decisions may be subsequently open to challenge due to allocations being based on out-of-date or incomplete information.</p>	
20	<p>Governance Improvement Plan Progress</p> <p>Resolved:-</p> <p>1.1 That details of progress made against the Governance Improvement Plan, up to 7 June 2022 as set out in Appendix 1, be received.</p> <p>1.2. That the Governance Improvement Plan be formally closed.</p> <p>1.3. That the Improvement Plan Risk Register, as set out in Appendix 2, be</p>	<p>This report provides a quarterly update on progress against the Governance Improvement Plan agreed by Council on 18 January 2022 in response to the Grant Thornton Value for Money Governance Review. On 7 June 2022, Council approved the single Improvement Plan which incorporates all recommendations from the Grant Thornton Governance Review, the LGA Corporate Peer Challenge and the CIPFA Financial Management Review, as well as the Statutory Directions from the Secretary of State for Levelling Up,</p>	<p>The Value for Money Governance Review was undertaken as part of the external auditor's role to provide assurance on the council's arrangements for securing economy, efficiency and effectiveness in its use of resources. As the report includes statutory recommendations the council has a legal obligation to respond appropriately.</p> <p>The Directions issued by the</p>	

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	received.	Housing and Communities. The new Improvement Plan approved in June replaces the Governance Improvement Plan, and future reporting will be on the progress of the new Improvement Plan.	<p>Secretary of State are a statutory requirement and the council has a legal obligation to respond appropriately. Failure to do so would likely result in further intervention measures.</p> <p>Reviewing progress against the Improvement Plan enables senior officers and members have oversight of delivery, and take corrective action, as necessary.</p> <p>There are no alternative options to consider.</p>	
21	<p>Authority to procure accommodation-based support services for victims of domestic abuse</p> <p>Resolved:- To agree to procure new accommodation-based support services for victims of domestic violence and abuse.</p>	<p>The current contract for Accommodation based support for victims of domestic abuse expires 31 January 2023 which provides 34 units of safe accommodation and support to victims of domestic abuse and their families</p> <p>An independent assessment of provision in Sandwell was recently undertaken as part of the Council's responsibilities under the Domestic Abuse Act 2021. This found that provision in Sandwell was not only sufficient to meet local demand but also provided a good customer journey and very positive outcomes for people</p>	Do nothing- The current contract expires 31 January 2023 with no option to extend and as the service is required to allow the Council to meet its statutory duty under the Domestic Abuse Act 2021 there is no option other than to procure the service.	

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		<p>experiencing Domestic Violence and Abuse. This report also pointed to the service supporting effective and timely move on to safe and appropriate alternative accommodation.</p> <p>The report did suggest a few areas where support could be further enhanced which we are building into the new contract and we are looking to bring together a smaller contract for additional refuge provision into the new main contract from February 2023.</p> <p>Given the very specialist nature of the service historically there have been very few providers in the market and the Council has no evidence to suggest that this will be any different for this procurement exercise. Therefore, in the likely event that fewer than the required number of tenders are received an exemption to rule 8.7 of Procurement and Contract Procedure Rules 2018-2019 is sought to allow a contract to be awarded to the successful tenderer.</p>		
22	<p>Provision of accommodation-based housing related support for adults at risk of homelessness</p> <p>Resolved:-</p>	<p>This report is seeking the approval for an exemption to Council Procurement and Contract Procedure Rules to directly award four separate short-term contracts, under the</p>	<p>Option 1 – To extend the current contracts rather than directly award new ones. This is not an option as the current contracts are for a set period with an end</p>	

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	<p>That approval be given for an exemption to be made to the Council's Procurement and Contract Procedure Rules and to authorise the Director of Adult Social Care to directly award four separate short-term contracts for accommodation-based housing related support for adults at risk of becoming homeless for a period of 9 months (2 November 2022 to 1 August 2023) for a combined value of £632.8k.</p>	<p>Light Touch Regime (LTR) for Accommodation based housing related support for single homeless for a 9-month period from 2 November 2022 to 1 August 2023.</p>	<p>date of 1 November 2022 with no option to extend further, therefore, new contracts are for a continuation of service.</p> <p>Option 2 – To conduct a procurement exercise for the 4 short term Contracts. The services come with significant set up costs regarding the provision of the accommodation, therefore, it would not be financially viable for a new provider to deliver the service for 9 months only to go through another procurement exercise to commission a holistic framework for supported housing a few months later. This would have a significant impact on council procurement and contracting resource as well as demonstrate very poor value for money for the Council.</p>	
23	<p>Award of Minor Adaptation / Handyperson Service 2023-2026</p> <p>Resolved:- 1.1 That the Director of Adult Social Care in consultation with the Cabinet Member for Adults, Social Care & Health, be</p>	<p>The current contract framework is due to end on 31 December 2022.</p> <p>It is necessary to request delegated Director authority to award this contract upon completion of tender evaluation at the end of September</p>	<p>No alternate options have been considered as this contract is required under the SMBC Policy for the Provision of Assistance (Regulatory Reform Order (Housing Assistance) (England & Wales) Order 2012.</p>	

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	<p>authorised to award the contract for the supply of Minor Adaptations and Handypersons Service 2023-2026 following the conclusion of the current procurement exercise.</p> <p>1.2 To authorise the Director – Law and Governance and Monitoring Officer to enter into any legal agreements to enable the course of action referred to in 1.1 above to proceed.</p> <p>1.3 That any necessary exemption 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>2022. This will ensure that mandatory standstill requirements are observed, and sufficient time is available to comply with any potential TUPE requirements. Furthermore, it will allow for an appropriate mobilisation period to be implemented.</p>		
24	<p>Procurement of an Adult Weight Management Service</p> <p>Resolved:-</p> <p>To procure a weight management service for adults.</p>	<p>Pending Cabinet approval, the new Tier 2 adult weight management service will be commissioned in early 2023. In the time between the end of the current service delivery and the start of the new service, residents in Sandwell will be offered several other options to aid weight management. This will include Weigh2Go, Weight Watchers and the community Healthy Lifestyle offer. When the new service starts residents, who have expressed interest will be contacted to refer them in.</p>	<p>We do not commission a future adult weight management service. This will have implications for people locally that could widen health inequalities.</p>	

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		<p>Public Health would like to make a further recommendation to look at options to extend current provision of the Tier2 Adult Weight Management service using available underspend from the current grant funding and/or Public Health grant. We are seeking authorisation for Public Health to explore the option of extending the current Everyone Health contract to potentially cover any gap in this service whilst a procurement as per the above recommendation is undertaken and contract entered. Subject to the recommendation above being explored and an extension is allowed as per the framework agreement and Public Contracts Regulations 2015 as well as internal procurement rules and the Director of Public Health and Director of Legal be authorised to enter into an extension agreement with the current provider Everyone Health.</p>		
25	<p>Sandwell Museums Accreditation - Submission to Arts Council England</p> <p>Resolved:-</p> <p>That approval be given to the Director of Borough Economy to progress a submission from Sandwell Museums service towards potentially achieving full</p>	<p>Sandwell Museums have been seeking full accreditation status since 2015. During this period, the Museum service has received Provisional Accreditation status across three previous submissions – and awarded a provisional status for a fourth time in March 2020. ACE has advised that a further extension of the provisional status</p>	<p>Do nothing</p> <p>The current service is not accredited and there is an option to remain unaccredited. This is not recommended as there are clear benefits to achieving accreditation including the increased ability to raise external</p>	

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	<p>accreditation status – as part of Arts Council England’s (ACE) national Museum Accreditation Scheme.</p>	<p>will not be possible (the maximum allowed is normally three).</p> <p>The current (fourth) Provisional Accreditation status was awarded to enable the Museum service sufficient time to undertake a service review and produce new forward/business plans and associated documents (as these were last reviewed/updated in 2012). The original deadline for submission was April 2021. However – set against the backdrop of the Covid-19 pandemic this has subsequently been re-extended to 1 August 2022. Please note – this final submission will either result in Sandwell Council achieving full accreditation status or a fail.</p> <p>Achieving full Museum Accreditation status supports those involved with a museum/service to deliver high quality services that are open and accessible and help people interact with the collections and protect/conservate them for the future. The Museum Accreditation scheme does this by making sure museums manage their collections properly, engage with visitors/key stakeholders, and are governed appropriately. It also opens-up opportunities for museums such as external funding opportunities and new</p>	<p>funding to support the service and the potential ability to support recruitment of staff and volunteers and to increase learning from other accredited museum services.</p>	

	Item	Reason for Decision:	Alternative options:	Lead officer:
		<p>partnerships – giving reputational confidence to potential donors (collections/funding) and other key supporters.</p>		
26	<p>Award of Contracts for Post-16 High Needs Education Provision</p> <p>Resolved:-</p> <p>1.1 That approval be given for an exemption to the council’s Procurement and Contract Procedure Rules, to enable the Council to enter into individual contracts with Education and Skills Funding Agency (ESFA) approved institutions and independent specialist institutions named in the approved list under Section 41 of the act.</p> <p>1.2 Authorise this exemption under Contract Procedure Rule 15.8 to enable the course of action referred to in 1.1 above to proceed where ‘genuine sole suppliers’ for certain goods, service or works where it can be evidenced that there is no benefit in undertaking a procurement exercise’, an automatic exemption is given to the following types of contract or activity - Patient or Pupil choice and Sole Suppliers/Providers</p> <p>1.3 That the Director of Children’s</p>	<p>On 9 October 2019 (Minute No. 118/19 refers) Cabinet approved that, for the purposes of satisfying Section 38 (Preparation of an Education, Health and Care Plan by local authorities) of the Children and Families Act 2014, any necessary exemptions to the Council’s Procurement and Contract Procedure Rules be approved, to enable the Council to enter into individual contracts with Education and Skills Funding Agency approved institutions and independent specialist institutions named in the approved list under Section 41 of the Act, up to a maximum of the level of grant awarded to the Council in any particular academic year.</p> <p>The current arrangement ends on 8 October 2022, so an exemption is now required from 9 October 2022. This will enable a smooth transition between academic years and consistency of service.</p> <p>This will allow the Council to make special educational provision to meet the special educational needs (SEN) of the</p>	<p>There are specific provisions laid down for the purposes of satisfying Section 38 (Preparation of an Education, Health and Care plan by local authorities) and there are therefore no other options as the proposal in this report follows council procedure for exemption to contract procedure rules.</p>	

	Item	Reason for Decision:	Alternative options:	Lead officer:
	<p>Services and Education be authorised to procure and award contracts to approved Education and Skills Funding Agency institutions.</p>	<p>young person; to secure the best possible outcomes for them across education, health and social care, and to prepare them for adulthood, as they grow older.</p>		
27	<p>Special Educational Needs and Disabilities Information, Advice and Support Service Contract</p> <p>Resolved:-</p> <p>1.1 Following the appropriate procurement processes and in line with the Council's Procurement and Contract Procedure rules, that the Director Law and Governance be authorised to agree and enter into a new contract with the successful tenderer for the provision of a Special Educational Needs and Disabilities Information, Advice and Support Service (SENDIASS) for a three year period from 1 April 2023 to 31 March 2026 (with the option to extend for a further year) on terms to be agreed by the Director of Children's Services and Education.</p> <p>1.2 That the Director Law and Governance be authorised to make any necessary exemptions to the Council's Procurement and Contract procedure rules to allow action in point 1 to be</p>	<p>The Children and Families Act 2014 requires local authorities to provide children with Special Educational Needs or Disabilities (SEND) for whom they are responsible with impartial information and advice about matters relating to their SEND.</p> <p>On 8 October 2014 Cabinet duly approved the establishment of a new SENDIASS service in Sandwell (Minute No 58/14 refers).</p> <p>The current contract with Action for Children for the delivery of the SENDIASS service expires on 31 March 2023.</p> <p>This report seeks approval to go out to tender again to identify a suitable agency to operate the service.</p>	<p>In some local authorities the service has been provided internally. This has led to problems about how the service is viewed by parents. In addition, this approach has led to problems internally in addressing issues and determining roles. This option has been discounted as it fails to give the necessary impartiality for families.</p>	

	Item	Reason for Decision:	Alternative options:	Lead officer:
	undertaken.			
28	<p>2021/2022 Financial Outturn</p> <p>Resolved:-</p> <p>1.1 Receive the financial outturn reports of the Capital Programme (Appendix D), Key Performance Indicators (Appendix E), each service area (Appendices F to L), Housing Revenue Account (Appendix M), Schools (Appendix N), and Treasury Management (Appendix O) and refer them to the Budget and Corporate Scrutiny Management Board for consideration and comment.</p> <p>1.2 Approve the allocation of £0.141m to Sandwell Children’s Trust to fund Covid-19 pressures, which is in addition to the transfers made during the year and represents total funding of £1.124m from the Covid Emergency Grant in 2020/21, as reflected within the Children’s Services Outturn report (Appendix 1K).</p> <p>1.3 Approve the Revenue Contributions to Capital Outlay (RCCO) and reserve transfers of £5.542m set out on Appendix 1 and Appendix 4.</p> <p>1.4 Note the new grants that have been</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. The recommended treatment of the year end variances supports the financial sustainability of the council.</p>	<p>Cabinet could vary the proposed transfer to the Sandwell Children’s Trust, the use of revenue to fund capital costs (RCCO) and the proposed treatment of the year end variances from budget.</p>	

	Item	Reason for Decision:	Alternative options:	Lead officer:
	received during the final quarter of 2021/22 as shown on Appendix 5.			
30	<p>Fair Cost of Care and other Adult Social Care Market Pressures</p> <p>Resolved:-</p> <p>To consider proposals in relation to Fair Cost of Care and other Adult Social Care market pressures. (Exempt information relating to the financial or business affairs of any particular person (including the authority holding that information)).</p>	<p>This report is to seeking approval for a package of financial measures to support part of the Adult Social Care and Support provider market namely Supported Living, Complex Residential, Day Care, Home Care and Extra Care (Non-Framework) and Older Peoples Residential and Nursing sectors paid below standard rate. These providers have not benefited from annual uplifts unlike the 'in scope' services for the Fair Cost of Care exercise defined by the Government.</p>	<p>Several options were identified but officers believed the recommendation was the most appropriate choice going forward.</p>	
31	<p>Queens Square Shopping Centre - Lease Assignment</p> <p>Resolved:-</p> <p>That the Cabinet approve the refusal of landlord's consent to the assignment of the headlease of Queens Square Shopping Centre, West Bromwich, to Future High Street Living Limited. Exempt Information relating to the financial or business affairs of any particular person (including the authority holding that information).</p>	<p>The poor financial standing of the proposed assignee and unavailability of suitable guarantors.</p>	<p>Several options were identified but officers believed the recommendation was the most appropriate choice going forward.</p>	