

Agenda Council

You are hereby summoned to attend a meeting of the Sandwell Metropolitan Borough Council, to be held on Tuesday, 28 March 2023 at 6.15 pm (or on the rising of the Extraordinary Meeting of Council) for the purpose of transacting the following business:-

The Mayor of Sandwell, Councillor Richard Jones, in the Chair

- | | | |
|----------|--|----------------|
| 1 | Apologies for Absence | 9 - 10 |
| | To receive apologies for absence (if any). | |
| 2 | Declarations of Interest | 11 - 12 |
| | Members to declare any interests in matters to be discussed at the meeting. | |
| 3 | Minutes | 13 - 26 |
| | To confirm as a correct record, the minutes of the meeting held on 21 February 2023. | |
| 4 | Urgent Business | 27 - 28 |
| | To consider any urgent business (with prior approval by the Mayor). | |
| 5 | Announcements | 29 - 30 |
| | To receive announcements from the Chief Executive and the Mayor. | |



6 **Petitions** 31 - 32

To receive petitions under Standing Order No. 8.

7 **Written Questions** 33 - 36

To consider written questions under Standing Order No. 9 from

- (a) Elected Members
- (b) Members of the Public

to:-

- (i) the Mayor;
- (ii) the Leader of the Council;
- (iii) any other member of the Cabinet;
- (iv) any person appointed to preside at a committee, sub-committee or panel;
- (v) 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 Jalil);
 - (iii) Transport for the West Midlands (Councillor Webb);
 - (vi) a nominated member appointed by the Council to the Board of Sandwell Leisure Trust;
 - (vii) 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	Pay Policy 2023 and Gender Pay Gap Reporting	37 - 50
	To consider the Pay Policy 2023 and Gender Pay Gap Report.	
9	Section 41 of the Local Government Act 1985 Update	51 - 92
	To receive updates from the Council's lead representatives on:-	
	(a) Transport for the West Midlands;	
	(b) West Midlands Police and Crime Panel;	
	(c) West Midlands Combined Authority.	
10	Annual Report of the Ethical Standards and Member Development Committee 2022-2023	93 - 112
	To receive the annual report of the Ethical Standards and Member Development Committee.	
11	To receive the minutes of Cabinet	113 - 138
	To receive the minutes of the meeting of the Cabinet held on 15 February 2023.	
12	To receive the minutes of Budget and Corporate Scrutiny Management Board	139 - 148
	To receive the minutes of the meetings of the Budget and Corporate Scrutiny Management Board held on 2 February and 1 March 2023.	

13 **To receive the minutes of the Ethical Standards and Member Development Committee** 149 - 160

To receive the minutes of the meeting of the Ethical Standards and Member Development Committee held on 7 March 2023 and consider the recommendation arising from the meeting in relation to:-

- (a) DBS Checks for Elected Members.

14 **To receive the minutes of the General Purposes and Arbitration Committee** 161 - 166

To receive the minutes of the meeting of the General Purposes and Arbitration Committee held on 14 March 2023 and consider the recommendation arising from the meeting in relation to:-

- (a) Nominations for Mayor 2023/24

And, in connection with (a), receive and consider:-

- (b) Nominations for Deputy Mayor 2023/24.

15 **To receive the minutes of the Audit and Risk Assurance Committee** 167 - 174

To receive the minutes of the meeting of the Audit and Risk Assurance Committee held on 19 January 2023.

16 **Notices of Motion**

To consider the following motions received under Standing Order No. 12:-

16(a) **Motion to explore the introduction of an Additional Licensing Scheme for Houses of Multiple Occupation across Sandwell**

Proposer: Councillor Dunn
Seconder: Councillor Wilkes

“That this Council recognises that Houses of Multiple Occupancy (HMOs) with under five occupants is difficult to monitor due to the lack of requirements needed when registering with Local Authorities and is therefore having an impact on the wellbeing of residents within our community.

As a result, this Council moves that the Cabinet Member for Housing commissions a report to the next meeting of Cabinet, which outlines the feasibility of having an Additional Licensing Scheme, for all HMOs within Sandwell Metropolitan Borough, which runs alongside the Mandatory Licensing Scheme, pursuant to Section 56 of the Housing Act 2004 and report the findings of this Report to the next Full Council Meeting, which falls in the next Municipal Year.”

16(b) **DBS Legislation Review**

Proposer: Councillor Allcock
Seconder: Councillor Crompton

The work the Disclosure and Barring Service (DBS) does is vital to safeguarding initiatives across the UK and they undertake millions of checks every year.

However, a legal loophole that allows dangerous individuals to potentially bypass these measures exist. By simply changing one's name by deed poll, the link to an individual criminal record is broken.

By law, people convicted of sex offences or those on the sex offenders' register must inform the police if they change their name and failure to do so can lead to a 5-year prison sentence. If the individual in question decides to change their name without informing the police, they could potentially disappear and bypass the DBS process.

Also during the development of the Sandwell Council's DBS check protocol, it has become apparent that the "Enhanced Disclosure" criteria is somewhat vague in respect to the duties undertaken by Councillors. The reality is that we do not know what level of exposure to vulnerable persons we will have whilst carrying out our duties and Enhanced checks that offer greater level of scrutiny and assurance may be declined by DBS.

This Council requests that the Leader of the Council, with cross party support, write to the Minister for Safeguarding, Sarah Dines MP to close this loophole in the legislation and consider the role of a Local Councillor as automatic qualification for Enhanced Checks as part of the planned Government review.

16(c) **Dog Waste**

Proposer: Councillor W Gill

Seconder: Councillor Chapman

"This Council recognises the impact of dog mess in our local communities and the concerns that residents raise about the issue, particularly in hot-spot areas like in parks and on popular dog walking routes.

This Council recognises and reaffirms its duty to ensure Sandwell's streets are safe and clean.

This Council requests that the executive work with Serco to explore the option of introducing more bins onto our local housing estates, parks and nature reserves, to encourage people to pick up and dispose of their dog waste – and encourages the Council’s communications department to continue to emphasise the importance of clearing up after your pets.

That this Council requests that the Cabinet Member explores the option of a local database of ‘dog dna’ to trace, fine and bill any people who leave their dog waste on our streets as this has proven in other areas of both the United Kingdom and the western world to significantly reduce the amount of dog waste reported to local authorities.”

16(d) **West Bromwich Albion**

Proposer: Councillor Trumpeter
Seconder: Councillor William Gill

“That this Council recognises the benefit of having local sports teams like West Bromwich Albion in our community.

And it is acknowledged that fans have concerns surrounding the majority shareholder and the use of club funds, but this Council welcomes the steps taken by central government to introduce a white paper which will help reform football governance.

Finally, this Council will commit to work proactively with groups like Action for Albion along with West Midlands Police to assist in any necessary road closures and management of the ongoing lawful protests that fans are engaging in.”

17 **Additional urgent item - Appointments to Committees and Boards**

175 - 178

To consider revisions to the appointments to Committees and Boards.



Shokat Lal
Chief Executive
Sandwell Council House
Freeth Street
Oldbury
West Midlands

Distribution
All Members of Council

Contact: democratic_services@sandwell.gov.uk

Information about meetings in Sandwell



If you are attending the meeting and require assistance to access the venue, please contact Democratic Services (democratic_services@sandwell.gov.uk).



If the fire alarm sounds, please follow the instructions of the officers present and leave the building by the nearest exit.



Only people invited to speak at a meeting may do so. Everyone at the meeting is expected to be respectful and listen to the discussion.



Agendas with reports with exempt information should be treated as private and confidential. It is your responsibility to ensure that any such reports are kept secure. After the meeting confidential papers should be disposed of in a secure way.



This meeting may be recorded and broadcast on the Internet. If this is the case, it will be confirmed at the meeting and further information will be provided.



You are allowed to use devices for the purposes of recording or reporting during the public session of the meeting. When using your devices they must not disrupt the meeting – please ensure they are set to silent.



Members who cannot attend the meeting should submit apologies by contacting Democratic Services (democratic_services@sandwell.gov.uk)



All agenda, reports, minutes for Sandwell Council's meetings, councillor details and more are available from our website (<https://cmis.sandwell.gov.uk/cm5/>)

This page is intentionally left blank



Apologies

To receive any apologies from members

This page is intentionally left blank



Declarations of Interest

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

This page is intentionally left blank

Minutes of Council

**Tuesday 21 February 2023 at 6pm
at Sandwell Council House, Oldbury**

Present: His Worshipful The Mayor, Councillor R Jones;
Deputy Mayor, Councillor Taylor;

Councillors Abrahams, Ahmed, Akpoteni, Allen, Anandou, Ashman, Carmichael, Chidley, Crompton, Dhallu, Dhariwal, Dunn, Fenton, Fisher, Gavan, E A Giles, E M Giles, J Giles, L Giles, W Gill, Hackett, Hartwell, Hinchliff, Hughes, Z Hussain, O Jones, S Jones, Kalari, Kaur, Khatun, Lewis, Mayo, McVittie, Melia, Millard, Moore, Owen, Padda, Piper, Preece, Rahman, Randhawa, Rollins, Simms, Singh, Smith, Uddin, Webb and Williams.

Officers: Shokat Lal – Chief Executive; Surjit Tour – Director of Law and Governance and Monitoring Officer; Simone Hines – Director of Finance; Elaine Newsome – Service Manager – Democracy; Suky Suthi- Nagra - Democratic and Member Services Manager; Stephnie Hancock – Deputy Democratic Services Manager; Trisha Newton – Deputy Democratic Services Manager; Connor Robinson – Democratic Services Officer; John Swann – Democratic Services Officer; Kennedy Brown – Sergeant at Arms.

20/23 **Apologies for Absence**

Apologies for absence were received from Councillors Akhtar, Allcock, Bhullar, Chapman, Choudhry, Costigan, Davies, G Gill, M Gill, S Gill, A Hussain, Jalil, Shaeen, Trumpeter and Wilkes.



21/23 **Declarations of Interest**

No declarations of interest were received.

22/23 **Minutes**

Resolved that the minutes of the meeting of Council held on 31 January 2023 be approved as a correct record and signed by the Chair.

23/23 **Additional Item of Business**

There were no additional items of business to consider.

24/23 **Minute Silence**

The Council observed a minute silence to mark the passing of murdered teenager Brianna Ghey.

25/23 **Mayor's Announcements**

The Mayor welcomed Shokat Lal, the newly appointed Chief Executive, and on behalf of the Council wished him success in his new role.

Details of Mayoral and Deputy Mayoral engagements since the last meeting of Council had been circulated to members.

26/23 **Petitions**

No petitions were received under Standing Order No, 5.



27/23 **Written Questions**

Questions received under Standing Order No. 6 were asked of the relevant members and responses received.

28/23 **General Fund and HRA Budget and Capital Programme and Council Tax Resolution 2023/24**

Council considered the Council Finances and Council tax Resolution for the period 2023/24.

The provisional Local Government Finance Settlement was announced on 19 December. The key points from the settlement were as follows:-

- the Council Tax referendum limit would be 2.99% for local authorities, with social care authorities allowed an additional 2% Adult Social Care precept;
- the inflation measure used to increase government funding within the Settlement Funding Amount would be CPI (10.1%) rather than RPI (12.6%);
- Local Government Funding Reform – the Fair Funding Review and reset of Business Rates growth would not be implemented in the next two years;
- the Social Care Grant had increased by £1.5bn to £3.85bn nationally, although £161m of the increase was due to the rolling-in of the Independent Living Fund;
- no change to the Better Care Fund;
- new and additional Adult Social Care Market Sustainability and Improvement Fund intended for local authorities to make tangible improvements to Adult Social Care;
- new Adult Social Care Discharge Fund aimed at reducing delayed transfers of care;
- Reduced Services Grant – from £822m to £464m nationally, due to the cancellation of the 1% National Insurance increase and to move funding to the Supporting Families Programme;
- abolished the Lower Tier Services Grant.



The Council had benefited from additional Social Care grant funding from the settlement, particularly for Adult Social Care, but some of its non-ringfenced funding had been reduced.

Fees and Charges

An external review of Fees and Charges had been undertaken as part of the budget setting process to ensure that each charge was appropriate and achieving its objective. Where charges were intended to either break even or maximise income, analysis had been carried out to look at the total costs of providing the service to understand what the position was.

Reserves Position

The Council had two types of reserves:-

- earmarked Reserves which were for specific future projects, commitments or risks, both revenue and capital;
- unallocated balance, which was to ensure the Council can manage unexpected financial challenges.

The level of unallocated balances at the end of March 2022 was £14.7m following a restructuring exercise of the Council's earmarked reserves. The previous level of unallocated balances was deemed to be at the lower end of prudent and lower than many of the Council's nearest neighbours. This was anticipated to remain at the same level at the end of March 2022 and through 2023/24, although the Council was experiencing significant cost pressures during the current financial year.

Council Tax Proposals

The draft budget assumed a 2.99% increase in Council Tax, made up of 1.99% 'core' increase and 1% for Adult Social Care in line with previous Council Tax Referendum Limits.



Minutes of Council – 21 February 2023

The provisional settlement confirmed a referendum principle of 2.99% for core Council Tax and 2% for the Adult Social Care precept. This meant that the Council could raise Council Tax by a total of 4.99% in 2023/24.

Each 1% increase in Council Tax raised approximately £1.2m in additional Council Tax income and ensured that the Council Tax base was maximised for future years. Due to the referendum principles that limited Council Tax increases every year, if the Council opted not to apply the maximum increase, the Council Tax base would be permanently reduced and the additional income would be forgone every year.

The majority of properties in Sandwell were in Council Tax Bands A and B, with 43% being in Band A and 33% Band B. A Band B property, as an example, currently pays £1,225.68 per year for the Council's element of the Council Tax.

Housing Revenue Account

The Housing Revenue Account (HRA) was a ring-fenced account for the Council's housing stock and was shown separately to the General Fund. Income came from rent and service charges and expenditure related to the management and maintenance of the stock.

Capital programme

The total Capital Programme for 2023/24 was recommended to be set at £186.5m, of which £77m is for the HRA. This was to be funded by a combination of grants, earmarked reserves, revenue contributions, Right to Buy receipts and borrowing.

The Programme had been reviewed by the Corporate Asset Management Board to ensure that projects still met corporate priorities and in some cases, projects had been removed from the programme and any funding reallocated.



Minutes of Council – 21 February 2023

The Deputy Leader and Cabinet Member for Finance and Resources wished to place on record his thanks to the finance team.

In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, and Standing Order 14 (4), the amendment relating to Council Finances 2022-23 was put to a named vote as follows:-

For

Councillors Ahmed, Akpoteni, Allen, Ashman, Carmichael, Chidley, Crompton, Dhallu, Dhariwal, Fenton, Gavan, E A Giles, E M Giles, J Giles, L Giles, Hackett, Hartwell, Hinchliff, Hughes, Z Hussain, O Jones, R Jones, S Jones, Kaur, Khatun, Lewis, Mayo, McVittie, Melia, Millard, Moore, Owen, Padda, Piper, Preece, Rahman, Randhawa, Rollins, Simms, Singh, Smith, Taylor, Uddin and Webb.

Against

Councillors Abrahams, Anandou, Dunn, Fisher, W Gill, Kalari and Williams.

Abstentions

None.

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

Resolved:-

- (1) that the expenditure level for 2023-24 and the resultant Council Tax be approved;
- (2) that the budget for 2023/24 be approved;
- (3) that the supporting information on the robustness of the budget process and adequacy of the Council's reserves be noted;



Minutes of Council – 21 February 2023

- (4) that the Treasury Management & Investment Strategy together with prudential indicators outlined be approved;
- (5) that the Capital Programme 2022/23 to 2026/27 and the Capital Strategy be approved;
- (6) that the amount of 76,764.73 as its Council Tax base for the year 2023/2024 in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 made under Section 33 (5) of the Local Government Finance Act 1992 be noted;
- (7) that the following amounts be calculated by the Council for the year 2023/2024 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992: -
 - (a) Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) (a) to (f) of the Act; £1,296,420,058
 - (b) Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) (a) to (d) of the Act; £1,169,411,461
 - (c) Being the amount by which the aggregate at 9(a) above exceeds the aggregate at 9(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year; £127,008,597
 - (d) Being the amount at 9(c) above, all divided by the amount at 8 above, calculated by the Council in accordance with Section 31B(1) of the Act, as the basic amount of its Council Tax for the year; £1,654.52



Minutes of Council – 21 February 2023

(e)	Valuation Bands £:-	
	A	1,103.01
	B	1,286.85
	C	1,470.68
	D	1,654.52
	E	2,022.19
	F	2,389.86
	G	2,757.53
	H	3,309.04

Being the amounts given by multiplying the amount at 9(d) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands;

- (8) that for the year 2023/2024 the major precepting authorities have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act, 1992, for each of the categories of dwellings shown below be noted:-

Valuation Bands	West Midlands Fire and Rescue Authority	Police & Crime Commissioner for the West Midlands
	£	£
A	48.68	135.03
B	56.79	157.54
C	64.90	180.04
D	73.02	202.55
E	89.24	247.56
F	105.47	292.57
G	121.69	337.58
H	146.03	405.10



- (9) that, having calculated the aggregate in each case of the amounts at 9(e) and 10 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, sets the following amounts as the amounts of Council Tax for the year 2023/2024 for each of the categories of dwellings shown below:-

Valuation Band	£
A	1,286.72
B	1,501.18
C	1,715.62
D	1,930.09
E	2,358.99
F	2,787.90
G	3,216.80
H	3,860.17

- (10) that the Chief Financial Officer to take any necessary action to collect revenues and disburse monies from the relevant accounts be authorised;
- (11) that the requirements of any relevant legislation, as a consequence of the approval of the Council's Finances 2023/2024 report, to consider reports with on the grounds that in the opinion of the Council the items are urgent be dispensed.

29/23

Local Council Tax Reduction Scheme

Council considered the Local Council Tax Reduction Scheme.

The Local Council Tax Reduction Scheme (LCRTS) provided crucial support to low income families and the most vulnerable residents.



Minutes of Council – 21 February 2023

The Local Council Tax Reduction Scheme was based on income bands and residents on very low incomes could continue to receive 100% support.

Sandwell was one of only a few nationally that still provided 100% support.

The matter had been considered by Cabinet on 15 February 2023.

Resolved that the Local Council Tax Reduction Scheme for 2023/24 be approved.

30/23 **Revisions to Appointments to Committees and Boards**

Council considered revisions to the appointments to committees, boards and other bodies.

Resolved that the revised appointments to committees, boards and other bodies, as set out at Appendix A, be approved.

31/23 **Minutes of Cabinet**

The minutes of the meeting of the Cabinet held on 18 January 2023 were received.

31/23(a) **Council Tax Award of Discount Policy**

Approval was sought to the Council Tax Award of Discount Policy.

Resolved that the Council Tax Award of Discount Policy be approved.



32/23 **Notice of Motions**

The Council proceeded to consider motions received under Standing Order No. 7.

32/23(a) **Tackling Fly Tipping in Sandwell**

The motion had been withdrawn.

32/23(b) **Dropped Kerbs Initiative**

It was moved by Councillor Kalari and seconded by Councillor Anandou:-

‘This council acknowledges the need for off street parking and its effect on road safety in residential areas. We acknowledge that with the current cost of living crisis and the annual increase of cars on the road, it is imperative that we are innovative in our approach to making off street parking as affordable and accessible for all residents.

The council moves to invite the executive to explore the benefits of establishing a local authority Company to carry out the installation of dropped kerbs at an affordable price to residents’.

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

32/23(c) **Investment in Defibrillators**

It was moved by Councillor W Gill and seconded by Councillor Fisher:-

‘This Council recognises the importance of having defibrillators accessible, especially in public places, sports grounds and Government funded facilities.



Minutes of Council – 21 February 2023

This Council understands the role that it has in facilitating the delivery of new defibrillators across our Borough.

This Council acknowledges the benefits of the new rollout of defibrillators by the Government to all state-funded schools that currently don't have one, with over 20,000 expected to be delivered by the end of the academic year to 18,000 schools.

This Council commits to working with the local community to find suitable places to place defibrillators, acknowledging that they are most effective within 3 minutes of a person collapsing.

This Council, therefore, resolves to invite the executive to commission a report into the accessibility of defibrillators in Sandwell and take any steps necessary to ensure that there is a defibrillator within a 3-minute radius of our town centres and high-streets'

In accordance with Standing Order No.12, Councillor Hartwell moved the following amendment to the Motion, seconded by Councillor Millard:-

'This council recognises the importance of having defibrillators accessible, in public places, sports grounds, and government funded facilities; especially in schools and this council supports the installation of defibs by the end of the 2022/ 23 academic year.

This council understands the role that it has in facilitating the delivery of new defibrillators across our borough – and fully supports the initiative and will provide all the support necessary for the Sandwell schools who apply for the scheme.

This Council acknowledges the benefits of the new rollout of defibrillators by the government to all states- funded schools that currently don't have one. Nationally over 20,000 are expected to be delivered by the end of the academic years to 18,000 schools.



Minutes of Council – 21 February 2023

We ask that this Council continues to work with the local community to find suitable places to install defibrillators, acknowledging that they are most effective within 3 minutes of a person collapsing, and will continue to use www.defibfinder.uk to ensure local defibs are recorded when the Council is informed and also to monitor each town in Sandwell for coverage.

It is also important that this Council also recognises the importance of Bleed Kits in the community. There are many ways for a catastrophic bleed to occur, such as from a car accident or a work related incident as well as through knife crime.

As both defibs and bleed kits are placed in the community to save lives we ask the executive to commission a report into the accessibility of Bleed Kits in the community while it looks at the location of defibs in Sandwell as we have recently become aware that West Midlands Police have installed 200 around the West Midlands. We also ask that the Council makes businesses aware of the importance of Bleed Kits and that this Council website links to the Daniel Baird Foundations resource page <http://controlthebleed.org.uk>

The amendment was accepted, the amended motion was put to the vote and, having been carried, it was RESOLVED accordingly.

Meeting ended at 8.26pm following an adjournment between 7.00 – 7.13pm

Contact: democratic_services@sandwell.gov.uk



Appendix A

Revised appointments to Committee/Boards/Roles

Audit and Risk Assurance Committee	Councillor Lewis to replace Councillor Melia
Health and Adult Social Care Scrutiny Board	Councillor Taylor to replace Councillor Melia
Town Lead Member for West Bromwich	Councillor E A Giles to replace Councillor Melia

Revised nominations to Other Bodies

Local Organisation	Term of Office	Current Representative(s)	Nomination(s)
Mackmillan Educational Foundation	4 years expiring annual meeting 2023 4 years expiring February 2027	Councillor Carmichael Councillor Mabena Mr P Webb	Councillor Carmichael Councillor Kalari Councillor Mayo Councillor Millard Councillor Smith Councillor Webb
River Trent Regional Flood and Coastal Committee	1 year expiring annual meeting 2023	Councillor Melia	Councillor Jalil
Standing Advisory Council on Religious Education (SACRE)	1 year expiring annual meeting 2023	Cabinet Member for Children and Education Councillor Melia Nominated representatives: Councillor Lewis and Bostan respectively	Cabinet Member for Children and Education Councillor Chidley Nominated representatives: Councillor Lewis and Bostan respectively
Akrill Trust	4 years expiring annual meeting 2025 4 years expiring February 2027	Councillor Melia	(Resigned) Councillor Randhawa





Urgent Business

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

This page is intentionally left blank



Events attended, by the Mayor, since 22 February 2023

- Lunch to thank Bruno Peek CVO – Birmingham
- 1 Minute silence – Ukraine
- Constitution & agreement signing - West Smethwick Park
- Sandwell Walk with Pride
- Speaker at the Salvation Army Home League
- Ormiston Forge Academy - Student Leaders Workshop
- Opening of the new Canalside Cemetery
- Pension Signing
- Video for launch of Coronation Card competition
- Visit – Police Cadet Unit
- Mesty Croft Primary - Poetry Slam
- World Day of Prayer Service and refreshment
- Community Wealth Event - The High Sheriff of the County of WM, Mr David Moore OBE
- Visit St Martins CE Primary School
- Visit Hargate Primary School
- Citizenship Ceremony
- Grand Opening - Latham's Security Doorsets Limited
- Bridgetown concert band event
- Tour & Cuppa - Tracey Grainger
- Talk to Sandwell U3A
- Tipton Civic Society visit to the Big House
- Civic Tour of Walsall Arboretum
- Sandwell Young Carers for Young Carers Action Day
- Mayor's Charity Gala at Pelsall Community Centre
- Gurpreet Bhatia - Foodbank Collection
- Chief Executive – Visit Big House
- Installation of the new High Sheriff of the West Midlands, Mr Wade Lyn CBE DL CD

This page is intentionally left blank



Petitions

To receive any petitions under Standing Order No. 8 (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).

This page is intentionally left blank

Report to Council

28 March 2023

Subject:	Written Questions
Director:	Surjit Tour – Director of Law and Governance and Monitoring Officer

The following written questions have been received:-

7(a) From Councillor Millar to the Cabinet Member for Finance and Resources

In the only budget proposed last month, you spoke about inflationary pressures and the amount of money that this council has lost over the years – I believe you said that this was over £700million. You also spoke about many other budgetary pressures and real-term cuts – can I ask you to explain what those are.

7(b) From Councillor John Giles to the Leader of the Council

Grant Thornton have been reviewing our systems and auditing us on behalf of the government for over a year now and I know that you have spoke many times about the improvements that have been made. Every time I see anything on social media it refers to the past or old reports – for clarity can I ask the Leader to let this council know what the reality and facts are now.

7(c) From Councillor Khatun to the Cabinet Member for Communities

I was pleased to read in a recent press release that Black Country Women’s Aid who help both men and women who are victims of domestic abuse received funding from us again, this time for a 5 year period. I would like to thank the cabinet member for this and ask him, what type of service will this funding provide to the residents of Sandwell?



7(d) From Councillor Liz Giles to the Cabinet Member for Adult Social Care and Health

Can I congratulate the cabinet member for the excellent facility of Harvest View that has been provided for the residents of Sandwell. It is a credit to Sandwell and the wider West Midlands. I know my residents in Charlemont & Grove Vale will be happy knowing that this is where they can go for extra support after hospital or even before to prevent hospitalisation. What I want to ask is that I have been made aware that the top floor of the facility is not open yet – can I ask why that is?

7(e) From Councillor Hinchliff to the Cabinet Member for Children and Education

We have families in Sandwell Borough that are struggling at the moment through no fault of their own caused by spiralling energy bills, food prices, mortgages etc – some those families most affected are those with children. It is so important that NO CHILD SHOULD GO HUNGRY – it has been proven that children who eat a regular meal have better health and greater attainment in the classroom. Can I therefore ask the cabinet member for childrens what the take up is of the school voucher scheme in Sandwell?

7(f) From Councillor Randhawa to the Cabinet Member for Leisure and Tourism

This council did a fantastic job with the Queens Jubilee last year and so many people praised this council for the efforts it made that for the people. I have had residents and businesses contact me asking about the Kings Coronation and want to know what Sandwell is planning for this event. Can you let us know what is available to the public and where they go for the information?

7(g) From Councillor Smith to the Leader of the Council

Sewage seems to be hitting the headlines on a daily basis, whether this is by pumping raw sewage through an overflow system into the sea as we have seen over and over again or by pumping it into local rivers and streams. I would simply like to ask if any of the water-courses in Sandwell are polluted by untreated sewage through an overflow?



7(h) From Councillor William Gill to the Cabinet Member for Communities

“An accident waiting to happen” and “a death trap” were both phrases used to describe the parking issue along Whitehall Road, Tipton during my recent local residents survey in the area – I would therefore like to question the Cabinet Member for Communities if it would be possible to consider making the Council car-park on Whitehall Road free – all year round – to ensure that dangerous parking is reduced so both residents and businesses feel safer?

7(i) From Councillor Fisher to the Cabinet Member for Environment Services

We all know the importance of using litter and dog waste bins, this not only helps keep our streets clean and tidy, but helps the environment and wildlife. We should be encouraging Sandwell residents to use litter and dog bins as much as possible. With the Great British Spring Clean running from 17th March to 2nd April that's being organised by Keep Britain Tidy, seems a perfect time to act.

Before I was elected back in 2021 I was campaigning for new litter bins for Charlemont with Grove Vale ward, to replace the ones that were in poor condition or vandalised. And I also asked for new bins for several locations, that haven't got any bins at all. For the past 2 years I have been told new bins will be rolled out across the borough, including Charlemont with Grove Vale, and I'm still waiting. I think the residents of Charlemont with Grove Vale have been patient and waited long enough, so can the cabinet member please give me a date, when we will see the bins that were removed, replaced in Charlemont With Grove Vale.

7(j) From Councillor Trumpeter to the Cabinet Member for Regeneration and Growth

The former Mill Pub on Beaconview Road in Charlemont with Grove Vale was demolished circa 2016, and since then the site has been a hot spot for fly tipping. Vegetation has grown to an unacceptable level and we have received many complaints from residents about this particular piece of land being an 'eye sore'. There is also a small parcel of land on Stanway Gardens which is also blighted by the same problems. Since demolition and clearance no effort has been made by the landowners to develop either site.



Could the cabinet member advise on what the council can do to ensure landlords develop within a reasonable timescale and what can we do to ensure landlords make more sites attractive in the interim?

7(k) From Councillor Chapman to the Cabinet Member for Environment Services

In every ward in Sandwell there are some areas where bulky waste items such as fridges, sofas and mattresses are dumped in front and rear gardens, blighting the area.

I would therefore like to question the Cabinet Member for Environment Services if it would be possible to consider having an annual bulk waste collection amnesty which would be free of charge for residents, which would allow such items to be removed.



Report to Council

28 March 2023

Subject:	Pay Policy 2023 & Gender Pay Gap Reporting
Director:	Business Strategy and Change
Contact Officer:	Victoria Lee, Head of Human Resources victoria_lee@sandwell.gov.uk David Briggs, Assistant HR Business Partner david_briggs@sandwell.gov.uk

1 Recommendations



- 1.1 that the Pay Policy Statement 2023, as now submitted, be approved, in advance of publishing prior to 31 March 2023.
- 1.2 that the Gender Pay Gap data, as now submitted, be approved, in advance of publishing prior to 30 March 2023.

2 Reasons for Recommendations

- 2.1 Each year the Council is required by the Localism Act 2011, to prepare and publish a Pay Policy Statement setting out its policies relating to: the remuneration of their chief officers, the remuneration of their lowest-paid employees, and the relationship between the pay of chief officers and that of other employees.
- 2.2 Each year the Council is also required by the Equality Act (Specific Duties and Public Authorities) Regulations 2017, to prepare and publish its Gender Pay Gap data. These provisions form part of a range of transparency obligations placed upon local authorities.



3 How does this deliver objectives of the Corporate Plan?

	Strong resilient communities - Sandwell now has a national reputation for getting things done, where all local partners are focused on what really matters in people's lives and communities
	A strong and inclusive economy - Our workforce is skilled and talented, geared up to respond to changing business needs and to win rewarding jobs in a growing economy.

4 Context and Key Issues

Pay Policy Statement

4.1 The Localism Act determined that the Statement must cover a range of the authority's policies relating to the pay of Chief Officers including: -

- The level and elements of remuneration for each officer (including salary, bonuses, performance-related pay and benefits in kind);
- remuneration of chief officers on recruitment;
- increases and additions to remuneration and
- the approach to the payment of chief officers on their ceasing to hold office or to being employed by the authority.

4.2 Supplementary Guidance has since added to and clarified the information required to be published, notably that the Council should be given the opportunity to vote before: -

- large salary packages (are) offered in respect of a new appointment" and "large severance packages are approved for staff leaving the organisation".
- and that the Council should state the thresholds at which it wishes to require approval.

The Guidance considered that £100,000 is an appropriate threshold.



- 4.3 Section 40 of the Localism Act requires the Council to have regard to this guidance in the exercise of its functions under pay accountability provisions. The Council follows the spirit of the guidance, should particular circumstances dictate, and this approach has duly been reflected in the Pay Policy Statement.
- 4.4 The Council's previous Annual Pay Policy statements had informed that the pay ratio between the median FTE employee and the Chief Executive reduced in 2021 from 1:6 to 1:5 and has remained fairly static ever since. However, it should be noted that this median salary figure has continued to increase over the last 12 months from £28,672 to £30,151 per annum, or by 5.2%.
- 4.5 Overall pay level ratios within the Council, when comparing its lowest paid employees to chief officers, and then to average earnings, will remain the same as last year.
- 4.6 The Pay Policy Statement for the Council for 2023, covering the period 1 February 2022 to 31 January 2023 is attached for approval, prior to publishing.

Gender Pay Gap Reporting

- 4.7 The Council is required to publish the following statistics on its public-facing web site, and report the same, to the government online:
- The mean gender pay gap
 - The median gender pay gap
 - The proportion of male and female employees in each pay quartile
 - A narrative to supplement the data
- 4.8 The gender pay gap is an equality measure that shows the difference in average earnings between men and women, expressed as a percentage of male earnings.
- 4.9 The legislation details that employees at 'Maintained Schools' must be treated as if employed by the governing body, therefore the Council must exclude schools from its gender pay gap reporting.



- 4.10 Sandwell Council's 'mean' Gender Pay Gap figure for 2023 has narrowed from 3.4% to 0.6% over the last 12 months.
- 4.11 It should be noted that the first 'mean' Gender Pay Gap figure, published in 2018, was 8.4%. It was agreed that the Council would use this figure as an initial baseline to enable the monitoring of progress.
- 4.12 By way of a benchmark, the Office for National Statistics (ONS) recently published the results of its annual survey of the gender pay gap in the United Kingdom. The mean Gender Pay Gap figure as at 1 April 2022 was 8.3%.
- 4.13 In addition, it should be noted that the median Gender Pay Gap figure has also narrowed in the last year from 10.4% to 3.3%.
- 4.14 Although the Gender Pay Gap figures continue to reduce, the causes of any gender pay gap remain complex and overlapping and there is not one single over-riding reason why a gender pay gap exists. For the purposes of this report however, the following three points are worthy of note:
- 4.15 In October 2017, Cabinet agreed for the Council to start paying the hourly rate set and promoted by the Living Wage Foundation, as a minimum, to all its internal employees. By paying the Foundation Living Wage, Sandwell is honouring a long-term commitment to improve the lives of employees at the lower end of the pay scale and has voluntarily taken a stand to ensure employees earn a wage which is sufficient to live on. The Council's decision to pay this hourly rate has been applied consistently ever since, to all Council and school based (non-teaching) employees. Reporting has identified that around 80% of those employees receiving this wage are female.
- 4.16 Each April, and in accordance with their terms and conditions of employment, employees receive a pay increment until they reach the top of their respective grade. Analysis has identified that in pay bands A to J 741(39%) male and 1151 (61%) female employees are not currently at the top of their grades. Therefore, incremental progression is still available for more female employees than male employees. In summary, over time, female employees pay will further reflect the male position which in turn will close the gender pay gap still further.



4.17 There has been an improvement over the last 4 years in the number of female employees employed in more senior roles.

Grade	Gender	Director	Service Manager	Band J	Band I	Band H	Band G	All grades
2022/23	Male	4	14	24	37	85	153	1659
	Female	6	18	14	50	105	183	2318
2021/22	Male	4	14	26	32	91	144	1713
	Female	4	18	14	47	98	168	2367
2020/21	Male	6	17	23	34	85	149	1731
	Female	6	15	13	44	96	174	2413
2019/20	Male	6	21	27	33	89	152	1739
	Female	4	14	16	35	92	167	2381

4.18 A supporting narrative to explain and compliment the Council's gender pay gap data will be developed and published.

4.19 All calculations have been made in line with the regulations set out in the gender pay gap reporting legislation.

Consultation

4.20 There are no specific consultation requirements to be carried out with Customers or Stakeholders as a result of the contents of this report.

5 Alternative Options

5.1 In accordance with the requirement of the Localism Act 2011, and the Equality Act (Specific Duties and Public Authorities) Regulations 2017, the Council is required to publish the pay policy statement prior to 31 March 2023 and its gender pay gap data prior to 30 March 2023.

5.2 There are not any alternative courses of action available that would otherwise satisfy these requirements.



6 Implications

Resources:	There are no specific resource implications arising from the contents of this report.
Legal and Governance:	<p>Personal data relating to chief officers' pay will appear in the public domain.</p> <p>The Council will be acting illegally if it does not comply with the requirement to publish a Pay Policy Statement as soon as is reasonably practical after it's approved and, in any event, by the end of March in each year.</p> <p>The Council must publish a report setting out its gender pay gap data relating to all its employees by the end of March each year.</p> <p>Section 40 of the Localism Act requires authorities to have regard to guidance issued by the Secretary of State in the exercise of their functions under pay accountability provisions.</p>
Risk:	<p>Publication of these statistics are part of the range of obligations placed upon local authorities to be open and transparent.</p> <p>The Corporate Risk Management Strategy (CRMS) has been complied with – to identify and assess the significant risks associated with this decision/project.</p> <p>Based on the information provided, it is the officers' opinion that there are no significant risks associated with the decisions being sought that need to be reported.</p>
Equality:	An initial screening was undertaken in January 2012 when the first annual pay policy statement was being developed. It was agreed at this time that the subject of the statement did not meet the criteria for undertaking a full EIA.



	An initial screening was carried out in January 2018 on Gender Pay Gap reporting, when the first set of data was produced. It was agreed at this time that a full EIA was not required.
Health and Wellbeing:	There are no specific health and wellbeing implications arising from the contents of this report.
Climate Change:	There are no specific climate change implications arising from the contents of this report.

7 Conclusions and Reasons for the Recommendations

- 7.1 The Council is required, by the Localism Act 2011 and its supplementary guidance, to prepare a Pay Policy Statement each year as detailed in this report.
- 7.2 In addition, the Council is required, by the Equality Act (Specific Duties and Public Authorities) Regulations 2017, to prepare and publish its Gender Pay Gap data.
- 7.3 The Council will be acting illegally if it does not comply with these acts and publish this data as soon as is reasonably practical after its approval and, in any event, by 31 March 2023 and 30 March 2023 respectively.

8. Appendices

Pay Policy Statement 2023

9. Background Papers

- 9.1 Section 38, 40 and 43 of the Localism Act 2011
- 9.2 Supplementary Guidance provided by the Department for Communities and Local Government
- 9.3 Equality Act (Specific Duties and Public Authorities) Regulations 2017.



This page is intentionally left blank

SANDWELL MBC

PAY POLICY STATEMENT 2023

Introduction and Purpose

Under section 112 of the Local Government Act 1972, Sandwell Council has the “power to appoint officers on such reasonable terms and conditions as authority thinks fit.” This Pay Policy Statement (the ‘statement’) sets out the Council’s approach to pay policy in accordance with the requirements of Section 38 of the Localism Act 2011 and Supplementary Guidance provided by the Department for Communities and Local Government.

The purpose of the statement is to provide transparency with regard to the Council’s approach to setting the pay of its employees by identifying:

- the methods by which salaries of all employees are determined;
- the detail and level of remuneration of its most senior staff i.e. ‘chief officers’, as defined by the relevant legislation;
- the Committee or Panel responsible for ensuring the provisions set out in this statement are applied consistently throughout the Council and recommending any amendments to the full Council.

Once approved by the full Council, this policy statement will come into immediate effect and will be subject to review on a minimum of an annual basis in accordance with the relevant legislation prevailing at that time.

This statement covers the period 1 February 2022 to 31 January 2023.

Legislative framework

In determining the pay and remuneration of all of its employees, the Council will comply with all relevant employment legislation. This includes the Equality Act 2010, Part Time Workers (Prevention of Less Favourable Treatment) Regulations 2000, The Agency Workers Regulations 2010 and where relevant, the Transfer of Undertakings (Protection of Employment) Regulations 2006. With regard to the Equal Pay requirements contained within the Equality Act, the Council ensures there is no pay discrimination within its pay structures and that all pay differentials can be objectively justified through the use of equality-proofed Job Evaluation mechanisms which directly relate salaries to the requirements, demands and responsibilities of each role.

Pay Structure

The Council has adopted and applies the Local Government Single Status Job Evaluation Scheme and uses the nationally-negotiated pay spine as the basis for its local grading structure. This determines the salaries of the vast majority of the Council's non-teaching workforce. Since April 2009, there have been seven "cost-of-living" increases in the national pay spine. These were effective on 1 April 2013, 1 January 2015, and then on 1 April each year thereafter, up to and including 1 April 2022.

The current salaries of Chief Officers were determined following an independent evaluation of their duties and responsibilities in 2010 and reviewed for Corporate Services in 2014. Chief Officers earning less than £100,000 per year received a cost-of-living salary increase on 1 January 2015, and all Chief Officers received a 1% pay rise on 1 April 2016 and 1 April 2017, a 2% pay rise on 1 April 2018 and 1 April 2019, a 2.75% pay rise on 1 April 2020, a 1.75% pay rise on 1 April 2021 and a £1,925 pay rise on 1 April 2022.

All other pay-related allowances are the subject of either nationally or locally negotiated rates, having been determined from time-to-time in accordance with collective bargaining machinery and/or as determined by council policy.

In determining its grading structure and setting remuneration levels for all posts, the Council takes account of the need to ensure value-for-money in respect of the use of public expenditure, balanced against the need to recruit and retain employees who are able to meet the requirements of providing high quality services to the community, delivered effectively and efficiently and at times at which those services are required.

New appointments should normally be made at the minimum of the relevant grade, although this can be varied, where necessary, to secure the best candidate.

Employees of the local authority's schools and those on teachers' terms and conditions of service who are not attached to a school, do not fall within the scope of this policy.

Senior Management Remuneration

For the purposes of this statement, senior management means 'chief officers' as defined within s43 of the Localism Act. The posts falling within the statutory definition, together with details of their basic salaries as at 31 January 2023 are set out below;

a) Chief Executive (one post)

The annual salary of the post designated as the Chief Executive is £155,779. This amount is inclusive of Returning Officer duties. This post is currently being covered by an interim arrangement.

b) Directors (nine posts)

The annual salaries of Directors posts fall within a range of six incremental points between £98,443 rising to a maximum of £114,478.

The total number of Chief Officer posts above, is ten. This is the same number as reported in 2022.

Salaries specified above are inclusive of a travel allowance.

Recruitment of Chief Officers

The Council's policy and procedures with regard to the recruitment and appointment of chief officers is set out within the Officer Employment Procedure Rules under Part 4 of the Constitution. The determination of the remuneration to be offered to any newly appointed chief officer will be in accordance with the pay structure and relevant policies in place at the time of recruitment.

When making appointments, the Council will follow the spirit of Supplementary Guidance issued by the Secretary of State, should circumstances dictate.

Additions to Salaries of Chief Officers

With the exception of progression through the incremental scale of the relevant grade being subject to an annual assessment of performance, the level of remuneration is fixed.

Payments on Termination of Chief Officers

The Council's approach to discretionary payments on termination of employment of chief officers, prior to reaching normal retirement age, is set

[ILO: UNCLASSIFIED]

out within its Pensions Policy Statement in accordance with Regulations 5 and 6 of the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006 and Regulation 31 of the Local Government Pension Scheme (Membership, Contribution and Benefits) Regulations 2013.

In appropriate circumstances, any other payments falling outside the provisions, or the relevant periods of contractual notice shall be dealt with by the Committee established by the Council to deal with Chief Officers' Terms and Conditions of Employment.

When making payments to Chief Officers on their termination, the Council will follow the spirit of Supplementary Guidance issued by the Secretary of State, should particular circumstances dictate.

Publication

Upon approval by the full Council, this statement will be published on the Council's Website. (www.sandwell.gov.uk). In addition, for chief officers, where their full time equivalent salary is at least £50,000, the Council's Annual Statement of Accounts will include a note setting out the total amount of:-

- salary, fees or allowances paid to or receivable by the person in the current and previous year;
- any bonuses so paid or receivable by the person in the current and previous year;
- any sums payable by way of expenses allowance that are chargeable to UK income tax;
- any compensation for loss of employment and any other payments connected with termination;
- any benefits received that do not fall within the above.

Lowest Paid Employees

The lowest paid persons employed under a contract of employment with the Council are employed on full time (37 hours per week) equivalent salaries in accordance with the minimum Spinal Column Point currently in use within the Council's grading structure.

In the period 1 February 2022 to 31 March 2022 the minimum annual full-time salary was £18,333. In the period 1 April 2022 to 31 January 2023, the minimum annual full-time salary was £20,258.

The relationship between the rate of pay for the lowest paid and chief officers is determined by the processes used for determining pay and grading structures as set out earlier in this Pay Policy Statement.

The statutory guidance under the Localism Act recommends the use of pay multiples as a means of measuring the relationship between pay rates across the workforce and that of senior managers, as included within the Hutton ‘Review of Fair Pay in the Public Sector’ (2010). The Hutton report was asked by Government to explore the case for a fixed limit on dispersion of pay through a requirement that no public-sector manager can earn more than 20 times the lowest paid person in the organisation.

The report concluded that the relationship to median earnings was a more relevant measure and the Government’s Code of Recommended Practice on Data Transparency recommends the publication of the ratio between highest paid salary and the median average salary of the whole of the authority’s workforce.

On 31 January 2023, the median Full Time Equivalent (FTE) salary was £30,151.

The pay level ratios within the Council as at 31 January	2023	2022	2021	2020	2019	2018	2017	2016
a) between the lowest paid FTE employee and the Chief Executive’s pay	1:8	1:8	1:8	1:8	1:9	1:9	1:10	1:10
b) between the lowest paid FTE employee and median Chief Officers’ pay	1:6	1:6	1:6	1:6	1:6	1:7	1:7	1:7
c) between the median FTE earnings and the Chief Executive’s pay	1:5	1:5	1:5	1:6	1:6	1:5	1:5	1:5
d) between the median FTE earnings and median Chief Officers’ pay	1:4	1:4	1:4	1:4	1:4	1:4	1:4	1:4

Ratios have been rounded to the nearest whole figure.

As part of its overall and ongoing monitoring of alignment with external pay markets, both within and outside the sector, the Council will use available benchmark information as appropriate.

Accountability and Decision Making

In accordance with Part 3 (Responsibility for Functions) of the Council’s Constitution, the Council’s executive is responsible for making

[ILO: UNCLASSIFIED]

recommendations and/or determining issues relating to the Council's Corporate Pay, Terms and Conditions and Grading Structure and severance arrangements in relation to employees of the Council, with the exception of posts which are defined as Chief Officer posts in accordance with Sections 2 (6), (7) and (8) of the Local Government and Housing Act 1989.

The Council each year will establish a committee responsible for determining matters in relation to the employment, remuneration and terms and conditions of employment of the Head of the Paid Service and Chief Officers of the Council as defined in Sections 2 (6), (7) and (8) of the Local Government and Housing Act 1989.

Report to Council

28 March 2023

Subject:	Reports from the Council's representative on Transport for West Midlands, Police and Crime Panel and West Midlands Combined Authority
Director:	Surjit Tour – Director of Law and Governance and Monitoring Officer Surjit_Tour@sandwell.gov.uk
Contact Officer:	Trisha Newton Trisha_newton@sandwell.gov.uk

1 Recommendations

- 1.1 That Council receives updates from the Council's representatives on the Transport for the West Midlands, Police and Crime Panel and West Midlands Combined Authority.







2 Reasons for Recommendations

- 2.1 The Council, at its annual meeting on 24 May 2011, approved an arrangement whereby members nominated pursuant to Section 41 of the Local Government Act 1985 to answer questions on the discharge of the functions of any joint authority or any joint board of which the Council is a constituent authority (Section 41 members) would report to the Council twice a year on important and contentious matters relating to the joint authority/board, and on any other occasion by exception. Procedural Standing Orders provide that any member of the Council shall be entitled to ask questions of the relevant members and the Council on these reports.

Reports are attached in respect of Transport for the West Midlands (Councillor Webb), West Midlands Police and Crime Panel (Councillor McVittie) and West Midlands Combined Authority (The Leader).



2 How does this deliver objectives of the Corporate Plan?

		The involvement of Council representatives in the decision-making process of joint authorities will encourage better understanding of local and wider needs and viewpoints.
		
		

3 Context and Key Issues

- 3.1 Council will receive an update on the work undertaken by Transport for the West Midlands, Police and Crime Panel and West Midlands Combined Authority from the member nominated pursuant to Section 41 of the Local Government Act.

4 Alternative Options

- 4.1 It is usual practice to receive six monthly update reports.

5 Implications

Resources:	There are no strategic resource implications arising from this report.
Legal and Governance:	Under Section 41 of the Local Government Act 1985, arrangements have been made for enabling questions on the discharge of a joint authority's functions to be put in the course of the proceedings of any constituent district council. A member is nominated by the joint authority for that purpose (the Section 41 member).



	It is customary for the Council to receive six monthly reports from those members appointed pursuant to Section 41 of the Local Government Act 1985 to answer questions put to them at council meetings relating to the discharge of functions of joint authorities. This was the case in respect of the West Midlands Police Authority until the Police and Crime Commissioner [PCC] took office on 22 November 2012. The West Midlands Police Authority ceased to exist at that point. The West Midlands Police and Crime Panel, on which the Council is represented, now holds the Police and Crime Commissioner to account.
Risk:	There are no direct risks associated with this report.
Equality:	There is no requirement for an equality impact assessment.
Health and Wellbeing:	There are no direct health and wellbeing implications from this report.
Social Value	There are no direct social value implications from this report.
Climate Change	There are no direct implications arising from this report.
Corporate Parenting:	There are no direct implications arising from this report.

7. Appendices

Appendix A – Transport for West Midlands update.

Appendix B – West Midlands Police and Crime Panel update.

Appendix C – West Midlands Combined Authority update.

8. Background Papers

None



This page is intentionally left blank

Sandwell Metropolitan Borough Council

Transport for West Midlands (TfWM)

March 2023

1. Local Transport Plan (LTP)

The new West Midlands LTP (WMCA's Statutory Transport Plan) Core Strategy sets out a vision for travel in which private vehicles will continue to play an important role, but the West Midlands should be a place where everyone can thrive without having to drive and own a car. A well-connected 45-minute region of 15-minute neighbourhoods where people can travel to access what they need through a mix of walk, wheel, and ride modes.

To deliver against our ambitions and deliver the behaviour change required, the Core Strategy sets out an approach for a dynamic plan and introduces a range of policies and actions that the region will need to consider and progress across **6 Big Moves**. Action across the Big Moves should not be taken in isolation and through developing programmes of activity we will need to consider how a range of complimentary policies can be used to deliver the most effective outcomes, as well as review and monitor the impact of our policies which will help with on-going discussions with elected members and the public on how and where progress can be made.

The Six Big Moves are:

- Behaviour Change
- Accessible & Inclusive Places
- Walk, Wheel, Cycle and Scoot
- Public Transport & Shared Mobility
- A Safe, Efficient and Reliable Network
- A Green Transport Revolution

The Core Strategy also sets out a commitment to develop 4 supporting **LTP Area Strategies** (covering Birmingham, the Black Country, Coventry and Solihull) in partnership with local authorities. The rationale for these area strategies is to help translate the Big Moves into local areas whilst recognising that the region is diverse. Through the Area Strategies we can collaboratively build a shared plan for what works best where, including how best to engage and communicate with local communities and stakeholders on the changes that could be made in different places.

To support the development of the Area Strategies and to enable a consistent approach across the region, TfWM has developed **Area Strategy guidance**. This guidance will form the basis for WMCA and local authorities to start development of the LTP Area Strategies. The development of Area Strategies as part of the region's statutory LTP is not intended to replace local authorities' own transport plans and strategies.

As noted, the Government will require LTPs to be able to demonstrate and quantify their impacts and is shortly due to publish updated LTP guidance which will also set out how they expect Local Transport Authorities to quantify the impact of LTPs on transport carbon emissions.

Consultation will be undertaken for 8 weeks on the draft Big Moves from 20th February 2023. The Area Based Strategy framework will also be available for comment for those who might wish to, but as a working technical document. It is also proposed that TfWM and local authority transport officers will begin initial discussions on the development of the Area Strategy documents.

An Implementation Plan will also be developed setting out priorities for action together with a proposed funding strategy. It is proposed that engagement on a set of 4 Area Strategies and draft Implementation Plan takes place before the end of 2023.

2. Bus Network

Background

As detailed in previous reports, local bus services across the country are suffering from reduced passengers and revenues, significantly increasing costs and driver shortages. Whilst services in the West Midlands have seen passenger levels recover better than most other parts of the country this has resulted in a number of bus services being no longer viable to operate without public sector support and also a significant increase in the costs of providing the subsidised network. Taken collectively this has resulted in a £6m pressure to maintain a network equivalent to 90% of mileage operated prior to the pandemic.

Network Review

As a result of these pressures and as was a requirement of the DfT, a comprehensive operator led network review was undertaken during the Autumn. The key outcome of the review was for operators to implement a network they believe is sustainable in the longer term and for TfWM to then assess the implications of those commercial changes and seek to mitigate the impact as far as possible within the policy framework and budget available to the Authority.

Following the review of the commercial networks and the impact on the subsidised services TfWM identified 39 services that were potentially 'at risk' against the access standards policy framework and the forecast outcome of the competitive tendering exercise.

The outcome is detailed below and the associated appendices.

Retained Services

Following the review of services of the 39 which were identified as being at risk, 8 have been retained with no changes.

Retained with Changes

The services have been retained with changes to the current provision. The reasons for the changes can be for a number of reasons including.

- Changes to the commercial viability, route or times of commercial services.
- Amendment to existing contracts to bring them within the value for money criteria of the access standards. Such changes could include reductions in frequency or overall hours of operation.
- Service enhancements due to transformation change aligned with the West Midlands Bus Service Improvement Plan (BSIP).

Further details on these service changes are available at the following web link.
<https://www.tfwm.org.uk/plan-your-journey/ways-to-travel/buses-in-the-west-midlands/upcoming-bus-changes/bus-service-changes-from-1-january-2023/>

Withdrawn Services

Following a competitive tendering exercise, several services did not meet the revised value for money criteria specified within the TfWM access standards framework. These services will be withdrawn from 1st January 2023.

TfWM have been working with passengers and stakeholders to inform them of their next nearest alternative service including Ring & Ride and Demand Responsive Services, where available. Further details including alternative services available for passengers is available at.

<https://www.tfwm.org.uk/plan-your-journey/ways-to-travel/buses-in-the-west-midlands/upcoming-bus-changes/bus-service-changes-from-1-january-2023/>

School Services

As part of the network review process National Express had proposed to deregister 21 dedicated school bus services. Transport for West Midlands and stakeholders were clear that they were not supportive of any change to dedicated school services and particularly at the mid-point of the academic year.

National Express have subsequently reviewed this proposal and are retaining services or proposing alternatives.

Where services have changed, TfWM have challenged National Express to ensure that sufficient and target engagement has been undertaken to ensure every parent, pupil and school knows what their revised arrangements are from January.

BSIP Transformational Service Enhancements

As part of the West Midlands Bus Service Improvement Plan (BSIP) several transformation objectives for the Bus Network were proposed. The network review provided an opportunity to meet some of these objectives whilst also seeking to mitigate the impact of the commercial changes on the network.

Partnership Services

As part of the Network Review, TfWM have worked with and facilitated discussions between commercial bus operators to improve the bus service provision on routes where there is commercial competition.

Work has been carried out on the services where existing partnership services are in place and also on routes where there is not an existing partnership operation. This has resulted in improved co-ordination or new co-ordination on some services.

The existing partnerships routes continue to have joint ticketing acceptance and a co-ordinated timetable. The new partnership routes do not have a joint ticketing agreement in place, however journeys are logically co-ordinated and/or evenly spaced so passengers can easily determine which operator is operating a journey.

An overview of the changes to existing partnership routes operating in Sandwell and the new partnerships routes are listed below: -

Service 40 Wednesbury – West Bromwich (Diamond Bus and NXWM)

- *Existing Partnership Route.* Revised timetable introduced from 27 November 2022.

Service 42/43 – West Bromwich – Great Bridge – Tipton/Bilston (Diamond Bus and NXWM)

- *Existing Partnership Route.* Revised timetable and route. Service 42 journeys no longer serve Dudley with service 229 providing alternative journeys between Tipton and Dudley. Introduced from 01 January 2023.

Service 16/16W – Birmingham – Hampstead – West Bromwich/Great Barr (Diamond Bus and NXWM)

- *New Partnership Route.* Revised timetable and route. Timetables of service 16/16W journeys are co-ordinated with the new provision replacing existing service 46.

Service 45/401E – Walsall – Stone Cross – West Bromwich (Diamond Bus and NXWM)

- *Diamond Bus to operate all journeys.* A revised service 45 timetable is introduced replacing 401E journeys. Introduced from 01 January 2023.

Stakeholder Engagement

To manage the impact to customers and ensure residents are supplied with the relevant information regarding their travel options from January, a number of stakeholder letters were issued, and briefing sessions held with Councillors and MPs from across the region.

On 11th October, a letter was sent from Anne Shaw, Executive Director of TfWM, to every leader, councillor, and MP in the West Midlands, outlining the reasoning for the network review, the steps that were being taken to mitigate any loss of service and a list of the services that were ‘at risk’ following the commercial operator’s review. This was followed by an offer of briefing sessions, by met area, where the team talked through in detail what was being done and the potential impacts to each area.

Following the outcome of the first round of tenders, another letter was issued to the same recipient group on 5th December with an update of work that had been undertaken and the outcome these tenders.

In addition to the above, the team have been in communication with a number of councillors and have answered any queries that have been directly sent.

Passenger Information

The scale of the review has resulted in significant change to the majority of passenger information displays across the bus network. This will include over 9,000 printed timetable displays, 1,500 bus stop flags and 1,630 RTI electronic information displays. This is across the network at stops, interchanges, and bus stations.

Unfortunately, due to the scale of the review and the significantly condensed timescales, it has not been possible to update all of the information prior to the changes on the 1st January. However, we have displayed over 5,000 posters across the network informing passengers of the upcoming changes and providing links to digital up to date information. The same information has also been provided to local libraries and other community hubs, for whom we have contact information, requesting that the poster be displayed in a prominent area.

Passengers without access to digital information can access the same information and timetables by calling the TfWM customer contact centre and also by speaking to the passenger support team at TfWM Bus Stations.

We have worked with Bus Operators to provide information on buses and particularly where operators are changing, or services are no longer being operated.

Future Operator Support

The DfT have confirmed that further funding will be available for bus operators and local transport authorities for the period January to June 2023. This will enable operators to continue to commit to the 90% network implemented on 1st January 2023. However, National Express have indicated that without further support it is unlikely that this network will be sustainable. TfWM in conjunction with the other city regions continue to liaise with the DfT to communicate this significant risk and seek longer term funding for local bus services.

National Express have informed us that a further 10% of the network could be at risk from June 2023 without additional funding or revenue. Our ability to mitigate the impact of further commercial de-registrations is significantly diminished given we have fully committed the budget for subsidised bus service for 2023 / 2024 as part of this network review process.

Proposals within the West Midlands Bus Service Improvement Plan will also deliver passenger growth and therefore revenues for bus operators and efficiency savings for reinvestment back into the bus network. Operators have already committed to a fares freeze to 2025, reform of fares and ticketing will commence from early Spring 2023 followed by a £multi-million ticketing incentive programme and an unprecedented programme of bus priority measures. These initiatives will be subject to separate reports to TDC.

TfWM are working through the Trailblazing Devolution Deal including the devolution of Bus Service Operators Grant, which is currently paid to operators directly by the

DfT to reimburse for fuel duty and other initiatives. Devolving this locally will enable the funding to be targeted to delivering aspects of the network important for the region. DfT have been suggesting reform of BSOG, we don't yet know whether Government intend to maintain the existing level of funding and seek to do more with operators for the money or reduce the pot overall. TfWM believe that any reduction in funding will lead directly to a reduction in local services.

TfWM have committed to continue to pay operators for acceptance of travel under the English National Concessionary Travel Scheme (ENCTS) at pre-Covid patronage estimates until the end of December 2022. At the time of writing the rate for future payments of ENCTS is undecided.

Network Performance

At the time of writing the performance of the network remains challenging for passengers. In week commencing 10th December, 4% of all mileage was not operated largely due to driver shortages although an increase in congestion due to increased shopping and leisure traffic exasperated by the rail strikes has also contributed.

It is anticipated by National Express that the changes to the Network in January will have a positive impact on performance and positively the month of November saw the number of new drivers entering National Express exceed those leaving.

From January future funding for West Midlands bus operators will be directly linked to their performance in delivering the network. It is hoped this will further improve performance across the network.

3. Rail Network

WMT's performance is now measured against Time to 3 (T-3). Trains are measured throughout their journey and must reach their destination within 3 minutes of their booked time to be considered on time. WMT's most recent T-3 result (Period 11 – January to February) was 79.1%. This was a marked improvement on the performance during the preceding period.

For a train company with the size and complexity of WMT the normal range of a "good" T-3 measure would be between 80-90%, anything above 90% would be considered very good and anything below 80% considered poor.

West Midlands Railway services outperformed those of London Northwestern. The former recorded a T-3 of 81.3%, 7.3% better than the latter (74%). The most significant incident of Period 11 in the West Midlands occurred on 16 January when half a mile of overhead electric power wiring was damaged. The damage closed the railway between Birmingham New Street and Wolverhampton via Winson Green for around a day. Services were still able to run between the two cities using the diversionary route via Aston and Handsworth. However, only a limited frequency was possible due to needing to fit these trains around those that were already operating via Aston and Perry Barr (CrossCity and Chase Line services).

WMT's traincrew recovery programme continues to progress well. As of 11th January they had 769 drivers on their books (98% of headcount). Of these, 672 were available to work, the highest this figure has been since the start of pandemic. WMT also have 107 trainee drivers in the business. The progress made by the recovery programme

means WMT have experienced considerably fewer cancellations due to traincrew availability. However, the risk has not been eliminated entirely. WMT's terms and conditions are some of the most restrictive in the industry, meaning that they cannot always translate driver numbers into staff working trains. Any changes to terms and conditions will require negotiation with the trade unions.

Industrial Action

The rail industry is currently experiencing its most widespread and sustained period of industrial action since the 1980s. Since June 2022, members of the ASLEF, RMT and TSSA trades unions employed by Network Rail and the DfT contracted train companies have taken more than 20 days of strike action, not including an extensive period over Christmas where RMT staff would not volunteer for Rest Day Work and overtime.

The strikes have led to extensive disruption on the local and national rail network. On 28th and 29th December WMT were unable to run any services at all due to action by the TSSA union. Similarly, the RMT's Rest Day Work and overtime ban prevented Chiltern Railways from operating any services north of Banbury for nearly an entire month.

Talks between the unions and the employers have been ongoing for some time. There is evidence that they can bring about positive results. For example, TSSA members employed by the train companies have recently voted to accept a two-year 9% pay deal. The deal will mean a 5% increase in 2022/2023 or a minimum of £1,750, whichever is the greater, and a further 4% the following year. The agreement also means there will be no compulsory redundancies among certain grades of staff, including station-based workers and all on board staff, until the end of 2024.

However, ASLEF have recently rejected an offer from the train companies. This was for a 4% pay rise back-dated to 1 April 2022, and a further 4% for the 2023/24 financial year. This was accompanied by a commitment to no compulsory redundancies until at least 31 March 2024. The rejection was followed by the announcement of two days of strike action.

An offer from the train companies has also been rejected by the RMT. This was a 'best and final offer' that the train companies said would improve how the industry delivers services to passengers, in exchange for a pay increase of 5% and 4% that respectively covered the 2022 and 2023 pay awards. However, the RMT rejected the offer and called more strikes dates across March and April, as well as an overtime ban for members employed by Network Rail.

Rail Industry Reform

On 7 February the Secretary of State for Transport announced that the Great British Railways (GBR) organisation proposed in May 2021's William's-Shapps Plan for Rail would be going ahead. This ends months of speculation and brings some welcome clarity to the industry. According to the Secretary of State, the new GBR – an arms-length body of government – will act as 'a guiding mind to coordinate the entire network'. The exact role of the private sector in this new model was not described in detail, but the Secretary of State did say that private companies would be involved "not just in running services but in maximising competition, innovation and revenue growth right across the industry".

Now that the central recommendation of the Plan for Rail has been confirmed, WMRE and the GBR Transition Team (GBRTT) should be able to accelerate talks on what a future partnership between WMRE and GBR might look like. These discussions have been ongoing for some time and are linked to the Trailblazer Devolution Deal (TDD) being agreed by WMCA with the Department for Levelling Up, Housing and Communities (DLUHC). They aim to build on the existing partnership between WMRE and DfT and ensure that a truly locally accountable railway is created as part of the GBR reforms.

The Secretary of State for Transport has announced that a decision on the future location for the GBR HQ will be made before Easter.

HS2 Update

Design and construction of the new high speed line continues with some noticeable milestones reached in recent months notably:

- First “triangular” viaduct piers cast for Curzon St Station approach lines
- One of the two tunnels under Long Itchington Wood in Warwickshire completed
- Boring of two 10 mile tunnels under the Chilterns has passed the halfway mark
- Planning permission granted for Washwood Heath Train Maintenance Depot
- Piling work finished for Colne Viaduct - UK’s longest bridge (3.4km) - and over 500m of viaduct’s piers and deck structure completed
- 300 additional apprentices announced in February 2023 - 200 of which are in West Midlands where circa 9,000 people are now working on the project
- Over 400 West Midlands business have now won work on HS2

There is as yet no update from government on an alternative option to the now scrapped Golborne Link section of HS2 Phase 2b which would have by-passed and relieved capacity on a congested section of the West Coast Main Line north of Crewe towards Wigan and would also have further reduced HS2 journey times from the West Midlands to Scotland by circa 15 minutes.



Map: HS2 Phase 2b Strategic Outline Business Case Update January 2022

The Transport Select Committee (TSC) had challenged the government to set out “alternative plans which add similar capacity as a minimum, by March 2023” (and the then Chair of the TSC, Huw Merriman, is now the Minister responsible for HS2). However, the government requirement that such an alternative must “fit within the existing budget envelope for the Integrated Rail Plan” would appear increasingly to be challenging to achieve.

WMRE, TfWM and WMCA continue to support calls for early delivery of HS2 services from the West Midlands to the north west and Scotland once HS2 Phase 2a to Crewe has been completed in the early 2030s.

In March 2023 the government announced it will prioritise delivering the first high-speed rail services running between new stations at Old Oak Common in west London and Curzon Street in Birmingham by the early 2030s.

Whilst the government remains fully committed to delivering HS2 from Euston to Manchester, the next 2 years will be used to rephase construction and optimise future delivery of Phase 2a between Birmingham and Crewe and to ensure an “affordable and deliverable design at Euston” with a view to delivering the station alongside high-speed infrastructure to Manchester by the early 2040s. This would mean that Old Oak would remain as the temporary London terminus for HS2 services for a decade, which will limit the number of services which can operate. However, this station will have good links via the new Elizabeth line to Heathrow Airport, the West End, the City and Canary Wharf.

The announcement also confirmed that work is continuing to develop HS2 East, the proposed route for HS2 services between the West and East Midlands, and to consider the most effective way to take HS2 trains to Leeds.

Midlands Rail Hub

The new Outline Business Case for Midlands Rail Hub was formally launched in December 2022 and has been submitted to government. Midlands Connect, Network Rail and West Midlands Rail Executive have all stressed the cost-effectiveness of delivering MRH in full into central Birmingham and that there is a strong case for continuing to develop the core elements of entire scheme (including both east and west chords at Bordesley) to the Full Business Case stage of development.

WMCA Mayor Andy Street underlined the case for delivering Midlands Rail Hub in full at his meeting with the Rail Minister on 9 February 2023 and it is hoped that the Secretary of State will issue formal “Decision to Design” the £137m Full Business Case for MRH in Spring/early Summer 2023.

New Timetables

The December 2022 timetable change was successfully implemented and early indications are that it is performing well. The timetable has delivered more regular service patterns on a number of routes. For example, the Birmingham to Wolverhampton service now operates at exactly 30-minute intervals, and departures from New Street to Tame Bridge Parkway are exactly 15 minutes apart.

Sandwell and Dudley station is now served by the Transport for Wales service to Mid/North Wales alongside the Avanti services to London and Scotland. Journey times to London on the Avanti services are currently longer than planned as Avanti isn't

operating at its full three trains per hour frequency between New Street and Euston. This means that for many journeys there is an extended layover at New Street and then a slower journey to London. This will be improved when Avanti is able to operate more services between Birmingham and London.

There is a significant timetable change planned on the Snow Hill lines for May 2023 with services moving to a regular 30-minute pattern, with 15-minute intervals between Snow Hill and Kidderminster. The timetable will particularly improve the service spacing to Dorridge and Whitlocks End but will also deliver significantly better performance as many short turnround times are increased.

In May 2023 CrossCountry are also improving their services with the restoration of half-hourly services between Birmingham and Manchester and Bristol.

Timetable changes for December 2023 are currently under discussion. These are linked to government decisions about reducing subsidy and may result in some service reductions.

West Midlands Grand Railway Collaboration (GRC)

The GRC continues to demonstrate the value of collaborative working with the board continuing to meet regularly. The board last met on 2nd March and continues to meet on a 6-weekly basis.

The GRC has a Customer and Commercial Directors forum which continues to be productive with the 3 workstreams (Closer Working, Information during disruption and Revenue Protection) all progressing well and demonstrating the value of collaborative working. We are holding another Customer Service Away Day on 28th April where colleagues from across the industry will be invited to come and discuss how we can make improvements for customers by working together and sharing ideas.

A trial to offer free sanitary products at stations has been launched across the 3 stations in Birmingham city centre in conjunction with International Women's Day. The initiative is aimed at making railway stations comfortable and welcoming environments for all passengers.

Industrial Action continues to be challenging for the industry with further strike days being called causing disruption to customers. The GRC is supporting the operators and Network Rail to ensure joined up communications to customers.

4. Project Delivery Programme

A headline summary of activity is set out below:

Sprint: Phase 2 - Sprint design development is currently underway. Aecom have been appointed to deliver the preliminary design. The internal Sprint delivery team are undertaking a review for constructability. On site we are undertaking GPR, (ground penetrating radar), surveys together with trial holes to ascertain the position and depth of utility services. On completion of this work, the design solutions will be passed to Sandwell officers for review and approval. It is anticipated that the scheme will be on site late Summer 2023.

Phase 1 Construction works have been completed, within budget and prior to the Commonwealth Games.

Dudley Port Integrated Transport Hub

Work is ongoing in partnership with Sandwell Council to transform Dudley Port Railway Station into an Integrated Transport Hub.

The programme is split into a series of phases which seeks to provide enhanced interchange, a significantly improved environment and better access from surrounding areas in the short to medium term, followed by proposals to redevelop the railway station in the longer term.

£2.4m from the City Region Sustainable Transport Fund has been allocated to support the delivery of short-term measures ready for when Metro arrives in late 2024 and to align with wider schemes being delivered within the area by the end of March 2027. The focus of “Phase 1” is to create a lighter, brighter and safer feeling interchange which provides more accessible routes to and through the interchange with enhanced customer facilities and information.

Phase 1 is being designed to complement adjacent projects including the Active Travel Fund 3 proposals along the A461 and the Wednesbury to Brierley Hill Sustainable Access Measures being led by the Black Country Transport Group and Sandwell & Dudley Councils as well as the Metro delivery which will include a new lift and stairs between Metro and the railway station ticket office area.

TfWM is currently finalising a Programme Business Case for submission next month. This will then allow progression and funding allocation for the Business Justification Case where further optioneering and detailed design for the funded short-term measures will be undertaken in consultation with Sandwell Council officers.

The Programme Business Case also considers a vision to deliver medium- and longer-term measures to transform the railway station providing an additional platform, lengthened island platform, step free access and new passenger facilities. While this is currently unfunded, including it in the Programme Business Case allows us to undertake further development to understand what a scheme could look like and costs which can then be used to identify funding opportunities. It also supports Network Rail’s Access for All bid where Dudley Port is identified as the regional top priority for step free access. We expect to hear the outcome of that bid in the next year.

West Midlands Rail Programme

The West Midlands Rail Programme is delivering new stations which will improve connectivity across the region and beyond, helping people to enjoy the wealth of jobs, educational opportunities and leisure pursuits available across the region.

Last year we delivered a new station at Perry Barr and improvements at University Station, to help ensure that our rail network was fit for Birmingham’s once-in-a-lifetime Commonwealth Games. That was only the start of our programme, and we are continuing to work hard to:

- Deliver a new, world-class University Station in support of the West Midlands’ world-class institutions.
- Build new stations at Willenhall and Darlaston, slashing travel times by public transport to Birmingham, Wolverhampton and Walsall by more than half.
- Build new stations on the Camp Hill Line in Birmingham, which will see services resume for the first time in more than eighty years.

As well as benefits to rail users, these stations will benefit travellers across the region by helping to reduce congestion on our roads.

University station

The new station will provide fifteen times more capacity than the current station and include facilities such as accessible toilets, retail and a purpose-built NHS facility in the station, the first of its kind in the UK.

This station is a long-term investment in the future of the West Midlands, and as a first step, we were delighted to open the widened platforms and canopies to support the Commonwealth Games.

Construction work has continued on the new buildings, bridges and public realm to deliver the full benefits of the scheme. Although work to the exterior of the new station buildings is largely complete, there is still much to do to complete the internal fit out and commissioning of the station. In particular we have experienced ongoing issues with the supply and installation of the internal wall cladding, putting further pressures on our completion schedule. Unfortunately, this has led to a revised opening date of autumn 2023. We remain committed to delivering the full benefits of this new state-of-the-art station as soon as possible and will continue to ensure the old station building and new extended platforms remain in use throughout the build.

New Stations

The Walsall stations (Willenhall and Darlaston) have seen on site progress with enabling works ongoing including ground remediation, de-vegetation, and demolition of buildings ready in preparation for the new stations. The next phase of the project will be grouting for mine remediation.

Enabling works are also underway at all three Camp Hill Line stations (Moseley Village, Kings Heath, and Pineapple Road) in advance of disruptive railway access in March to undertake platform construction works. A site presence has been established at all three stations and with demolition, de-vegetation, and intrusive surveys undertaken ahead of the main construction works.

Metro Programme

The Metro programme is based on the latest funding position and current project status. Work continues to progress with all extension projects being undertaken by the Midland Metro Alliance (MMA). During this period, the following activity has been undertaken:

Edgbaston Extension – The route to Edgbaston Village was completed in June 2022, and opened to passenger service in July, just before CWG. There is some small snagging work to be completed, and some works on the side streets as a result of the Metro scheme that BCC and TfWM are implementing. The service has already proven very popular with more journeys starting in Edgbaston than anticipated with around 8% of all Metro journeys starting on the new extension.

Wolverhampton City Centre Extension – We have faced some great difficulties getting agreement with the many stakeholders on some of the key design points for this extension. However, we are confident to get it opened in the Spring. We will open first to the station and then shortly afterwards offer a two terminus service alternating between the station and St George’s.

Wednesbury to Brierley Hill Metro Extension – Work has proceeded as planned on many sections of this extension, and in particular in Dudley Centre and at the Wednesbury connection into the existing line. After a lot of discussion across the WMCA and reviewing of finances, the commitment to deliver the full line was re-confirmed, but that the project will be delivered in two phases: top Dudley and then beyond to Brierley Hill, when finances permit. The TfWM team is working hard on resolving that financial issue. MMA has been instructed to proceed with works to Dudley and there is an increased level of activity along the route with many new structures now installed and track installation progressing in Dudley centre. Service is expected to start to Dudley in Autumn 2024.

Birmingham Eastside Extension (BEE) – Work has progressed well on Section 1 on Lower Bull St with tracks installed. This section will be completed next period. Demolition of King’s Parade will be completed in March 2023 and we will then be looking to start work on Section 2, through to the Clayton Hotel. Section 5 works in Digbeth High Street have completed on the North side with the planting under way along the urban realm. Works on the south side have now started in earnest.

Due to delays from HS2 project, Metro will not be able to start work on the middle section of the extension until January 2026, and so open the line in Spring 2027. In view of this we are looking at the possibility of adjusting the design to allow a partial opening as far as the Clayton Hotel earlier than the rest of the route.

East Birmingham to North Solihull Extension - TfWM is working with Government to gain further funding to develop a Full Business Case. There is a package in the current CRSTS funding to investigate the different options going forward.

Procurement contract for the new fleet from CAF was completed in October 2021 with a first phase of 21 trams. We have accelerated the delivery of these trams, and they will all be delivered in 2023.

Road Programme

Hagley Road – Hagley Road Corridor formed part of the CRSTS funding and option appraisal work is underway to develop the Strategic Outline Business Case for bus priority measures and cycling improvements, with further work planned to consider further option appraisal for rapid transit along the corridor including Metro.

5. Metro Operations - Midland Metro Limited (MML)

Work continues to repair the bodyside and bogie box cracking identified on the 2G fleet. This work is taking place at the Very Light Rail (VLR) centre in Dudley. A total of 6 trams are either in the process of repair at VLR or have had repairs undertaken. A further 5 trams require repair work undertaking and TfWM are working with the supplier CAF to facilitate these.

Due to these issues and other failures, there are still a significant number of 2G vehicles unavailable for service. TfWM are however working with the supplier CAF to bring the new 3G fleet into the UK ahead of schedule, and we already have 11 in Wednesbury. These vehicles were procured to operate on the extensions however are now in use to provide service in place of the defective 2G vehicles. As a result of this 3G availability in December 2022 Midland Metro Limited were able to improve headways on the system and are now in a position to provide a service every 10 minutes between Edgbaston Village and Wolverhampton.

Metro patronage has been volatile over recent months, with the industrial action through October and November leading to a degraded level of service being provided. Agreement was reached with Unite the Union on pay levels. This is a longer-term deal until April 2024 providing stability.

Patronage over the Christmas period was softer than anticipated, with the wider performance of the transport network also suppressing demand for Public Transport across the region with significant industrial action on the heavy rail network. Whilst Metro patronage initially increased during the earlier heavy rail industrial action in 2022, this trend has not continued as people avoid public transport on rail strike days if possible. Metro is however now seeing patronage levels over 100% of pre-Covid on most days, some of this growth as a result of the opening of 3 new stops on the Edgbaston extension.

Midland Metro Limited took the decision to freeze fares in January 2023. Looking ahead, the opening of the Wolverhampton Station extension is due in the spring and it is anticipated that the improved reliability of the Metro fleet will also encourage patronage to return to the network.

6. Active Travel

Active Travel Fund (ATF)

The following schemes are being delivered as part of the Sandwell's ATF Tranche 2 programme (indicative cost of £1.4m):

- Blackheath Town Centre Active Travel Interventions – Reallocation of road space and widening of footway to create a new permanent off-road segregated two-way cycleway along the Blackheath bypass from the Oldbury Rd/Henderson Way junction, along the bypass on A4100 Henderson Way to the High St/John St junction.
- Wednesbury Town Centre Active Travel Interventions - Reallocation of road space to provide a new segregated contraflow cycle lane within the town centre, new permanent footway sections, temporary widening of footways using barriers, new TTRO's and new signage and road marking scheme and decluttering of footways along various roads within the town centre to ensure wider footway space. New cycle parking at selected locations will also be provided.
- Bearwood High Street Active Travel Interventions - adjoining Bearwood Road is Waterloo Road and on the northern side of the High Street is Hadley Stadium sports centre which hosts inclusive cycling projects. On this side of the High Street there will be a reallocation of road space (along Bearwood Rd/Waterloo Rd) to provide a new two-way segregated cycle route from Beaks Road to Hadley Stadium with a Tiger Crossing for cyclists.

- A4123 Corridor (Dudley/Sandwell section) – this is a jointly promoted scheme by Dudley and Sandwell Councils. The scheme involves the provision of a dedicated permanent 2-way cycle route along this 1.2km section of the A4123 corridor running between Tipton Road (A4037) and Burnt tree (A461). This scheme is now completed.

Local Authority Capability Fund (LACF)

TfWM and the local authorities have successfully secured DfT revenue funding from the Local Authority Capability Fund. £1.9m will deliver West Midlands wide regional behavioural change activities and Local Cycling and Walking Infrastructure Plan (LCWIP) development. The fund is delivering adult cycle training, cycle maintenance training, plus led cycle rides in Sandwell. LACF is also funding the development of the Black Country Local Cycling and Walking Infrastructure Plan, to which Sandwell has been an active contributor. This project concludes 31st March 2023.

Cycling for Everyone

The Commonwealth Games cycling legacy programme Cycling for Everyone is in delivery with a suite of cycling activities to encourage deprived communities to enjoy cycling as an everyday way to travel and stay active. The project includes a bike giveaway, inclusive of adapted cycles, and an intensive community engagement approach to reach new audiences. The project was delivered in Langley, St Paul's, Soho and Victoria wards.

Living Streets Walk to School Programme

In May 2022, the Department for Transport announced the National allocation of £2.1m towards the continuation of Living Street's Walk to School Outreach Programme. This funding will help more pupils enjoy the fresh air, freedom and fun that walking to school brings in Sandwell. Living Streets will continue to work with us in the West Midlands until 31 March 2023.

Sandwell has 27 schools currently involved in the Living Streets 'Walk Once a Week' Programme.

West Midlands Cycle Hire (WMCH)

West Midlands Cycle Hire consists of 1,500 bikes across the seven Local Authorities, with 10% of the fleet being e-Bikes. Pedal bikes were launched within Sandwell in June 2021, with e-Bikes added to the fleet in December 2021.

Bikes are available to hire across 8 docking stations in Sandwell, focused around West Bromwich. Sites include close to the West Bromwich Metro stop, Sandwell College, High Street and Sandwell and Dudley Rail station. Key statistics/observations from Sandwell have been detailed below for reference:

- Total rides within Sandwell to-date: Pedal bikes, 5,341 journeys; e-Bikes, 569 journeys
- Average ride time per journey – 30 minutes
- Average distance travelled per journey – 3.38km
- Journeys within Sandwell are roughly a 50/50 split between A-A journeys, whereby the user returns the bike to the same dock that they hired it from, and

A-B journeys, whereby the bike is returned to a different location. This indicates a good scheme mix between leisure and utility journeys.

- 90% of bikes within Sandwell are returned to docking stations, representing positive customer behaviours. This compares favourably to other regions, where additional staff resourcing is required to return informally parked bikes to docking stations.

Walking and Cycling Programme

Development Work Stream

Sandwell will be using TCF funding to complete a study on the route A457 Corridor, Oldbury Town Centre to Smethwick High Street and Smethwick Galton Bridge Station.

The Outline Business Case for the Wednesbury to Brierley Hill Metro Corridor Access Improvements was submitted by Sandwell and Dudley to WMCA Corporate Assurance and is now approved.

The area under the bridge at the WBHE and A4123 is being widened to accommodate a cycle route and pedestrian access. This has been funded through TCF (£2m) and is being delivered by Midland Metro Alliance.

A third tranche of ATF3 was awarded to WMCA which included additional funding for Wednesbury to Brierley Hill Metro Corridor Access Improvements at stops for cycling. There is also funding for a regional School Streets programme. Ferndale Primary School and Glebefields Primary School will have school street delivered as part of this programme.

TfWM have recently completed a self-assessment for Active Travel England (ATE), which was a requirement ahead of the Capability and Ambition Fund (CAF, formerly Local Authority Capability Fund) and the fourth tranche of ATF. WMCA was awarded a score of 3 overall (out of a maximum of 4) following a submission of evidence. We are one of the few authorities in the country who have received this higher score.

ATE have awarded WMCA £3.4m of CAF following an application process which was submitted on 30 September. The following schemes are planned to be progressed through the development project cycle (e.g. feasibility studies, concept design) with this funding: Blackheath to Oldbury WM LCWIP route, A457 Oldbury to Smethick Black Country LCWIP route and WM LCWIP Route – Tipton to West Bromwich.

We are currently preparing a bid for ATF4 funding round which closes on 24 February 2023. This is a single year settlement with a focus on delivery projects, however development projects can be included within the bid. ATE have given indication that the outcome will be communicated before the end of the 22-23 financial year.

Delivery Work Stream

Friar Park Public Realm Improvements (completed)

Two applications for the Better Streets Community Fund were submitted within proximity of each other asking for improvements near the Millennium Community Centre and Friar Park Primary School. This project provided improvements at and between these two locations providing a safe and enjoyable space for local people to walk and cycle.

Smethwick Old Church and Dorothy Parkes Community Centre Public Realm Improvements

This project improved the public space outside of Smethwick Old Church and Dorothy Parkes Community Centre by reducing traffic speed and making it easier for people to walk and cycle in their local community.

Access improvements to existing crossings (completed)

The Better Street Community Fund contributed to improving the accessibility of an existing crossing for cyclists and those with mobility issues by providing small amount of dropped kerb. The crossing in Blackheath formed part of an existing cycle route between Blackheath and Rowley Regis Train Station and this small improvement helped to improve this route.

YMCA Cycle Parking (completed)

This project provided public cycle parking outside of the YMCA in West Bromwich Town Centre allowing people attending the YMCA and the wider town centre to be able to park their bikes securely.

Workwise

TfWM's Employment Outreach Lead works with Job Centres to promote discounted travel to those gaining new employment. This approach has been successful and was extended to include libraries, local employers and training providers.

A popular discounted travel scheme is Workwise which offers discounted tickets in the first three months of employment.

The offer includes two 4-week tickets FREE then a third 4-week ticket at a 50% discount from the standard price on selected bus, tram and nNetwork passes.

59 applicants in the Sandwell area were helped with travel to work through Workwise in the last quarter¹.

The Employment Outreach Lead continues to expand promotion to a portfolio of virtual advertising and engagement activity alongside non-virtual activity. This includes online recruitment events, online jobs fairs and social media engagement tools as well as digital newsletters and information packs.

Non-virtual activity includes attendance at jobs fairs, careers fairs and meetings throughout Sandwell. Partnerships with job centres in the Sandwell area have been established to help provide support for their clients in the transition from benefits to their first pay days in employment.

¹ Figures are from September 2022 to November 2022 to be in line with quarterly report dates

7. Safety, Security and Emergency Planning including Regional Transport Co-ordination Centre

The Safer Travel Partnership is a collaboration of organisations including TfWM, West Midlands and British Transport Police forces, Transport Operators and the 7 regional local authorities. They work together with the purpose of making the public transport network safer.

The Partnership is responsible for delivering the Safer Travel Partnership's 'Safer Travel Plan' the latest version was agreed with West Midlands Police Crime Commissioner, The West Midlands Mayor and the British Transport Police Authority in March 2022.

Since 2021 Safer Travel have employed 3 Transport Safety Officers (TSOs) whose primary role is to provide a visible presence on the Public Transport Network in the West Midlands, providing good Customer Service to Staff and Passengers to tackle low level Anti-Social Behaviour and improve the perception of safety for users of the transport network. The approach to be followed by the TSO's can be summarized as Engagement, Education, Encouragement and where necessary Enforcement. Following a successful bid to the Department of Transport last year, there are now 11 active TSOs in post. 8 additional TSOs joined us on 14th November and went operational on 5th December. All of the 11 TSOs are trained in all Civil Interventions (including Byelaws) as well as their Traffic Power to stop and direct traffic.

In the calendar year 2022 the 3 Transport Safety Officers have spent **6088** hours on patrol, had **79581** interactions with passengers and staff, engaged with **8790** passengers and issued **1081** verbal warnings.

In January 2023 they were on patrol for 994 hours which equates to 72% of their total duty time, 736 of which were directly linked to our Tasking priorities. A milestone figure of 1033 Verbal warnings were given out, 18779 interactions with travellers and staff were made and 5627 engagements with travellers and staff were carried out.

The Transport Safety Officers have provided a highly visible presence around the transport interchanges in Sandwell, the three bus stations at Cradley Heath, Wednesbury and West Bromwich, Metro stations and bus shelters and they have travelled on all modes of public transport dealing with issues identified in the Safer Travel Tasking process or by partners. They visited West Bromwich Bus garage to meet with drivers to inform them of their role and to encourage reporting of incidents by drivers. They assisted with an arrest of a male who for assault of a pregnant female at West Bromwich Bus Station. They have also continued to work closely with West Bromwich Neighbourhood Policing Team to deal with the long-term issue of Street Drinkers at West Bromwich Bus Station with members of the group receiving ASB warning letters and being dealt with for breaches of a criminal behaviour order.

RTCC continue to liaise with Sandwell Council Highways team for incidents that also impact National Highways' Strategic Road Network, allowing them to set VMS where available/appropriate, and mitigate on signals to any local approaches. This is most commonly at M5 Junction 1 with the teams in regular communication to ensure any issues that arise at this junction are swiftly responded to. CCTV that was part of the Highways Investment Scheme supports this response.

With the recent extensive roadworks at Dudley Port the RTCC have been giving this part of the network increased focus to ensure any network issues are appropriately supported. The team regularly liaise with the senior permit officer to help mitigate the works and have a strong collaborative and communicative partnership.

The Emergency Planning Team worked closely with Sandwell's Emergency Planning Team in response to the passing of Queen Elizabeth II. Ensuring a coordinated approach to messaging, available transport services, required transport mitigations and sharing of information and intelligence that would assist the response. Both teams liaising closely with the regions Local Resilience Forum to ensure communication and regional awareness is maintained.

Appendix 1 – Network Monitoring

Monitoring ensures TfWM understands changes in the performance of the transport system arising from schemes, for example the punctuality of public transport, modal usage, patronage and customer satisfaction. Covid-19 has had a major impact on the public transport network, but patronage is now starting to increase across all modes.

- Headline Measures

The table below shows performance change in January 2023 compared to the previous report (August 2022). Annual data (2020/21 and 2021/22) is also provided where available. Data is annualised (unless stated otherwise) and for the whole of the West Midlands Combined Authority area.

	Aug-22	Jan-23	% Change	2020/21	2021/22	% Change
Bus Punctuality				89.3%	81.4%	-8.9%
Bus Patronage	191.8m (July 2022)	206.5m (Dec 2022)	+7.7%	97.6m	174.7m	+79.1%
Rail Patronage	50.1m	56.4m	+12.5%	16.7m	39.8m	+137.8%
Tram Patronage	4.1m	4.1m	+16.8%	3.4m	4.8m	+41.0%
Tram Fleet Availability (by month)	99.2%	99.3%	+0.1%	98.8%	93.9%	-5.0%

Bus

Overall bus patronage in the West Midlands has been falling each month since the beginning of the COVID-19 pandemic, with decreases during the 1st lockdown and increases seen in August, September and October 2020 as lockdown restrictions eased. A further decline in bus patronage was seen in the winter months of November, December and January as the 2nd lockdown was in place. Since January 2021 bus patronage has started to recover each month with current annualised bus patronage (January 2022 – December 2022) standing at 206.5 million an increase of +7.7% compared to 191.8 million in July 2022 (annualised). Bus patronage in 2021/22 increased by +79.1% compared to 2020/21. Monthly bus patronage (December 2022) is now at 80.2% of pre-covid levels (December 2019).

Bus Punctuality stands at 81.4% of non-frequent bus services operated 'on time' (between 1 minute early and 05.59 minutes late) in 2021/22 compared to 89.3% in 2020/21.

During 2021/22 78% of those surveyed (sample size 926 users) were satisfied with the overall journey experience (Source: Travel Trends and Behaviours Survey 2021/22 Final Year Report, Human Insight, TfWM).

Rail

Rail patronage has also been impacted by Covid-19. Current annualised rail patronage is approximately -23.1% of pre-covid patronage and stands at approximately 56.4 million per year (an increase of +12.5%). Rail patronage in 2021/22 was 39.8 million (+137.8%) compared to 16.7 million in 2020/21.

During 2021/22 85% of those surveyed (sample size 250 users) were satisfied with the overall journey experience (Source: Travel Trends and Behaviours Survey 2021/22 Final Year Report, Human Insight, TfWM)

Tram

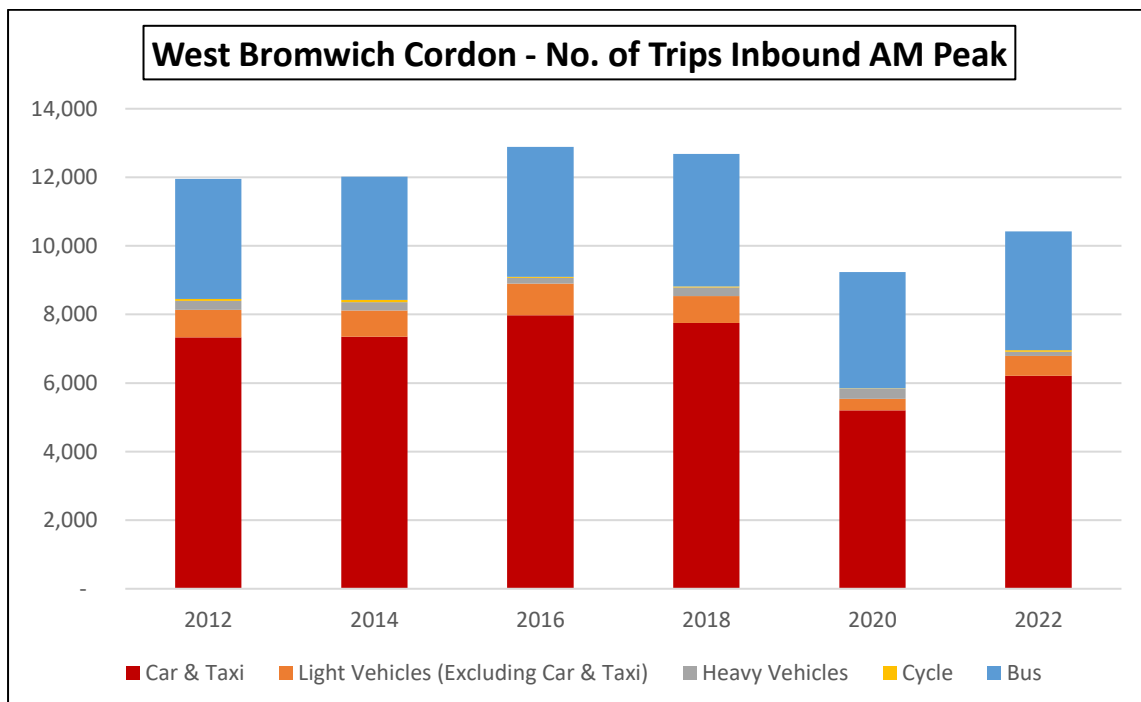
Tram patronage decreased from 8m passengers during the year period April 2019 to March 2020 (pre-covid) and is now 4.8m annually (January 2022 to December 2022), an increase of +16.8% compared to August 2022. The most recent annual tram patronage (2021/22) is 4.8m, an increase of +41.0% on 2020/21.

Fleet availability (i.e., proportion of rolling stock available as a percentage of the target number needed to run to timetable) stood at 99.3% in January 2023, an increase from 99.2% in August 2022. The average tram fleet availability in 2021/22 decreased by -5.0% compared to 2020/21.

During 2021/22 95% of those surveyed (sample size 139 users) were satisfied with the overall journey experience (Source: Travel Trends and Behaviours Survey 2021/22 Final Year Report, Human Insight, TfWM).

Modal Share West Bromwich

The latest West Bromwich cordon survey was undertaken in March 2022 and will be undertaken again in March 2024.



The AM Peak (07.30-09.30) public transport mode share has decreased slightly in 2022 to 40.0% (bus 35.3%, tram 4.7%) from 40.4% in 2020, mainly due to an

increased in trips using private vehicle modes (except heavy vehicles) and a decrease in tram trips.

Bus trips have increased by +2.0%, cycle trips by +370% (37 extra cycles), car and taxi by 19.4% and light vehicles by +73.2%.

Heavy vehicle trips decreased by -58.4% and tram trips by -18.6%. Overall public transport trips decreased by -0.9%.

Overall, all trips into West Bromwich (March 2022) have increased by +11.0%. The previous survey in West Bromwich was in March 2020, 2 weeks before the national lockdown.

Further details on modal share for all strategic centres can be found here: <https://community-engagement-tfwm.hub.arcgis.com/pages/modal-split>

West Midlands Police and Crime Panel – Update March 2023

Sandwell Metropolitan District Council

Date: March 2023

Report of the Panel Lead Officer: Kevin O' Keefe Chief Executive Dudley MBC

1 Purpose

- 1.1 Bi-annual reports on the activities of the West Midlands Police and Crime Panel are presented to Sandwell MBC for consideration. This report reflects on the work of the Panel between November 2022 and March 2023.
- 1.2 Sandwell is represented on the Panel by Cllr Zahir Hussain and Cllr Danny Millard. Cllr Richard McVittie is a named substitute member.

2 Recommendation

- 2.1 It is recommended that the information contained in the report be noted.

3 Role of the Police and Crime Panel

- 3.1 The Panel is a joint scrutiny body of the West Midland authorities with a dual role to 'support and challenge' the work of the Police and Crime Commissioner (PCC).
- 3.2 The Panel acts as a critical friend to the PCC on behalf of West Midlands residents and must perform the following statutory functions:
 - Review and comment on the PCC's draft Police and Crime Plan.
 - Review the PCC's Annual Reports.
 - Scrutinise decisions and actions of the PCC.
 - Review (with the power to veto) the PCC's proposed Council Tax precept.
 - Hold confirmation hearings before the PCC makes certain senior appointments (Chief Constable, Deputy PCC, Chief Executive and Chief Finance Officer), with the power to veto the Chief Constable appointment.
 - Handle non-criminal complaints about the conduct of the PCC and Deputy PCC, referring serious complaints to the Independent Office for Police Conduct (task delegated to the Birmingham Monitoring Officer).
 - Appoint an acting PCC if required.
 - Suspend the PCC if charged.

- 3.3 The Panel's work programme consists of statutory tasks (listed above) and wider exploratory work to build knowledge and insight into the strategic policing and the wider community safety and criminal justice landscape to fulfil its role to hold the PCC to account.
- 3.4 The Panel must maintain a strategic focus in scrutinising the work of the PCC, rather than operational detail.

4 Panel Membership

- 4.1 The Panel consists of 12 councillors representing the 7 West Midland districts. The membership reflects the political balance of the region and are appointed annually. Named substitutes are appointed for each councillor member. Two independent members also serve on the Panel
- 4.2 The Panel is currently recruiting an independent panel member and details of the post and application form are available on the [Panel's Independent Members website](#).
- 4.3 The Panel elected Councillor Suky Samra (Walsall MBC) as Chair and Kristina Murphy (Independent Co-opted Member) as Vice Chair for the 2022/2023 Municipal Year.

5 Meetings and agenda papers

- 5.1 Meeting papers, meeting dates, published reports, together with more information about the Panel can be found on the [Panel's website: www.westmidlandspcp.org.uk](#). Meetings are livestreamed for the public.

6 Panel Resources and Officer Support

- 6.1 The Panel continues to operate within the limits of the Home Office Grant. The Panel agreed in 2012 that members would not use this to draw special responsibility allowances, but travel and carer expenses can be claimed.
- 6.2 Dudley MBC's Chief Executive provides lead officer support. Birmingham City Council acts as secretariat and provides legal support. Solihull MBC supports the Panel with its scrutiny of the PCC budget and precept.

7 Highlights November 2022 – March 2023

- 7.1 The Panel met on 14 November 2022 to review the **PCC's Annual Report** setting out progress made towards his Police and Crime Plan objectives. The Panel recommended the PCC consider including more performance data and case study examples to demonstrate the impact of work. The Panel further recommended the annual report outline the action plan to address ongoing concerns about the rate of progress towards the 50% Stop and Search positive outcome rate objective and addressing disproportionality of those subject to a Stop and Search.

- 7.2 On 9 January 2023 the Panel examined the Commissioner’s work with criminal justice and community safety partners, and his oversight of West Midlands Police, to reduce **serious violence**. The Panel welcomed representatives of the Violence Reduction Partnership and West Midlands Police who outlined their focus and activities.
- 7.3 The Panel examined the Commissioner’s preliminary **budget proposals** and proposed **policing precept** ahead of formally reviewing the policing precept for 2022-23 at its 6 February meeting.
- 7.4 The Panel continued with its focus on key themes arising from its **Public Confidence in Policing** scrutiny inquiry, which an update the PCC’s oversight of West Midlands Police **Force Contact Improvement Plan** to improve its contact with the public and call handling performance, rebuilding **neighbourhood policing**, and West Midlands Police compliance to the **Victim’s Code** and impact of projects to support vulnerable **victims**.
- 7.5 The Panel welcomed a **public question** at the meeting about scrutiny of the PCC’s Police and Crime Plan objectives for **road safety**. The Panel had incorporated this topic into its work programme as a result of the question.
- 7.6 Anyone who lives, works or studies in the West Midlands can ask a question relating to the Panel’s role in scrutinising the PCC, more details can be found on the [West Midlands Police and Crime Panel getting involved webpage](#).
- 7.7 Panel members have continued to undertake **training** to support them in their role as well improving core knowledge on policing functions, for example call handling and police finance.
- 7.8 Earlier this month a group of Panel members also visited Lloyd House and received briefings on the commissioning, communications and policy team functions of the Office for the Police and Crime Commissioner and toured the WMP Force Contact and the CCTV suite.

8 Forward Plan

- 8.1 As Panel shapes its work programme for the 2023/2024 Municipal Year to assess the impact, actions and decisions of the PCC, there are opportunities for further dialogue and closer working with local scrutiny committees.

9 Finance Implications

- 9.1 There are no direct finance implications associated with this update report.

10 Legal Implications

- 10.1 A Police and Crime Panel must be maintained to carry out scrutiny functions and responsibilities as set out in the Police Reform and Social Responsibility Act 2011. The Panel membership must represent all the districts and reflect the political composition of the region.

11 Equalities Implications

- 11.1 This Police and Crime Panel is a joint committee of West Midlands Local Authorities. Therefore, it has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:
- 11.1.1 Eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under the Act.
 - 11.1.2 Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
 - 11.1.3 Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 11.2 The Panel considers these duties during work programme development, the scoping of work, evidence gathering and making recommendations. Including how policy issues impact on different groups within the community, particularly those that share a relevant protected characteristic; whether impact on particular groups is fair and proportionate; whether there is equality of access to services and fair representation of all groups within the West Midlands; and whether any positive opportunities to advance equality of opportunity and/or good relations between people are being realised.

12 Background Papers

- 12.1 West Midlands Police and Crime Panel Minutes and Agenda:
www.westmidlandspcp.org.uk

13 Contact officers:

Panel Lead Officer: Kevin O' Keefe Chief Executive Dudley MBC

Overview and Scrutiny Manager (Birmingham City Council): Amelia Wiltshire (07825 979253)

Scrutiny Officer (Birmingham City Council): Sarah Fradgley (0121 303 1727)

Report to Council

28 March 2023

Subject:	West Midlands Combined Authority - Update
Director:	Director Regeneration & Growth Tony McGovern
Contact Officer:	Senior Lead Officer, Jane Alexander Jane_Alexander@sandwell.gov.uk

1 Recommendations







- 1.1 That Council notes the update report and is asked to consider any other opportunities for the Borough arising in connection with the West Midlands Combined Authority.

2 Reasons for Recommendations

- 2.1 Being a constituent member of the West Midlands Combined Authority offers Sandwell Council access to funding and initiatives that positively impact the borough and the people of Sandwell.



3 How does this deliver objectives of the Corporate Plan?

		Participation as a constituent member of the West Midlands Combined Authority offers opportunity to contribute positively to all strategic outcomes contained in the Corporate Plan.
		
		

4 Context and Key Issues

Trailblazer Devolution Deal

- 4.1 Since the publication of the Levelling Up White Paper in February 2022, WMCA has been working with Local Authorities, HM Government and other regional partners to develop the West Midlands Trailblazer Devolution Deal. The Deal is seeking further devolved funding and powers for the region – building from previous devolution deals secured by the West Midlands. WMCA and partners are identifying the existing barriers and possibilities in the West Midlands, highlighting where devolution can best support the region to unlock and accelerate its regeneration potential and meet the needs of local residents.
- 4.2 WMCA partners were asked to articulate how their TDD proposals will help to achieve the 12 Levelling Up missions, set out by government.
- 4.3 To address these 12 Missions, WMCA have broken down the development of their TDD into 20 separate strands. The Combined Authority has been working in partnership across the region to draw up proposals for each strand.
- 4.4 The Council is working closely with WMCA and the six other LA Constituent members to negotiate a Trailblazer Devolution Deal with Government that could see devolution of significant new funding and powers to the Region to increase housing delivery, net zero, homelessness, digital and skills levels.



- 4.5 The Council has clearly articulated its “asks” from this TDD process. The priority ask from the TDD is for significant and new levels of support via different funding models, devolution of relevant capital funds and new partnerships with the Combined Authority, Private Sector and Central Government to tackle the most difficult issues that will deliver material progress on net carbon zero. This would generate a major regeneration boost for the borough in terms of new employment, new skills opportunities, SME start ups and the development of new technologies.
- 4.6 At the time of writing this report, the detailed wording of the TDD is being worked on in preparation for submitting to government in time for the budget in March 2023.

West Midlands Levelling Up Zones

- 4.7 Levelling Up Zones form part of the TDD proposals. The WMCA envisage that the Levelling Up Zones will be an innovative, long-term, comprehensive approach to unlocking private sector growth with coordinated public investment, and a focus on delivering wider outcomes for local communities. The Levelling Up Zones will provide a transformational opportunity for system change, social infrastructure provision, addressing inequalities, tackling deep-seated challenges and market failures, and exemplifying the path to net zero.
- 4.8 The Levelling Up Zones currently being developed in the West Midlands are:
- East Birmingham North Solihull Corridor
 - Wolverhampton Corridor (incl. Green Innovation Corridor)
 - Walsall Central
 - Wednesbury to Birmingham New Road (Tipton)
 - Dudley Corridor
 - Coventry and Warwickshire (including the Gigafactory)
- 4.9 The scope of funding and powers that will be devolved to the region to deliver the Levelling Up Zones is subject to Government approval via the TDD. It is understood that the WMCA intend to ask for a range of taxation powers and public investment tools, such as the ability to create tax-incentives for businesses within the Zones and to develop a Tax Increment Financing (TIF) model to help fund infrastructure works.



4.10 The WMCA has confirmed that the submission of the TDD will not commit Sandwell to the creation of a Levelling Up Zone. The funding and powers that are being sought through the TDD ask would provide a 'toolkit' of interventions that can be used if LUZ is created. This will allow Sandwell to have the flexibility to choose the interventions that are most appropriate for our sites and regeneration priorities. Detailed work with Local Authorities will continue to co-develop Levelling Up Zone proposals and the supporting evidence.

City Region Sustainable Transport Settlement (CRSTS)

4.11 Local authorities in the region have been working with the WMCA to establish the West Midlands City Region Sustainable Transport Settlement (CRSTS). The current West Midlands submission stands at £1.732bn to reflect the ambitions of the area and to allow a deliberate level of over programming. The fund will be wholly capital in nature but is supported by a supplementary revenue fund of £8.9 million which has been received by WMCA.

4.12 CRSTS, especially when viewed alongside Active Travel and Bus Service Improvement Plan funding, provides an opportunity to plan improvements to the transport system in a more integrated way and over a more realistic delivery period, rather than quick turn-around, competitive and relatively small national funding pots.

4.13 The schedule of projects includes many projects that either sit within Sandwell or impact on transport provision in Sandwell, such as Dudley Road corridor highway improvements, cross city bus priority, integrated transport hub at Dudley Port and new cycle infrastructure.

UK Shared Prosperity Fund (UKSPF)

4.14 UKSPF is a central pillar of the UK Government's Levelling Up agenda. Its primary goal is to build pride in place and increase life chances across the UK, with three key investment priorities around 'Community and Place', 'Supporting Local Business', and 'People and Skills'.



- 4.15 WMCA has been identified as the lead authority and accountable body for UKSPF across the seven local authority metropolitan area, with responsibility for developing its investment plan, and for delivery of the Fund. WMCA has been leading a strategic approach, working with local authorities to identify local and regional investment priorities that support the region's levelling up ambitions.
- 4.16 The overall UKSPF allocation for the region is £88.5m over the period 2022-2025. It is critical that the funds are allocated where they can have most impact for places, residents, and businesses across the region.
- 4.17 Sandwell Council has secured £6.99m of UK Shared Prosperity Funding from the WMCA for investment in business support, skills and specific place-based projects especially in one of the most deprived areas of the Borough.
- 4.18 The position for Sandwell is as follows:
- Local allocation of £4.7m for Sandwell over three years to support local Place / Skills / Business priorities
 - Plus £2.3m business support resources for SME advisors at LA level over 3 years from 22/23 to 24/25.
 - Plus some percentage of the £3m administration cost for implementing SPF schemes
 - Plus potential benefits to Sandwell businesses from the Specialist Business Support Programmes at CA / Regional level – e.g. the Decarbonisation Programme.
 - The final elements of potential benefit is where the CA have identified MULTIPLY funding and some Adult Education Budget could be allocated to more deprived LAs to compensate for the low weighting that need / deprivation has been given in the SPF allocation process.

Common Wealth Games Legacy Funding

- 4.19 Sandwell Metropolitan Borough Council is actively engaging with the WMCA on the prioritisation process for the £70m underspend of the Commonwealth Games 2022 that has been allocated to the West Midlands Region by DCMS, including a £2m proposal to support the significant increase in utility costs at the Sandwell Aquatics Centre over the next two financial years.



Employment and Skills

- 4.20 Sandwell MBC continues to play an active role in the WMCA Employment and Skills officers group; the meeting includes representatives from all constituent member local authorities. This group also considers regional approaches and best practise sharing across the local area, with each local authority having their own Employment and Skills partnership to feed information to and from. The partnership has recently refreshed it's terms of reference in light of LEP integration and the TUPE of staff for the Careers and Enterprise contracts.
- 4.21 Officers are currently involved in the development of the WMCA/DWP health pilot acting as a flight path for consultation and project development.
- 4.22 Sandwell MBC are delivering a strand of the Multiply contract supporting financial literacy in the borough, our Welfare Rights team are working alongside the Citizens advice bureau and Sandwell Consortium to build numeracy skills and financial resilience.

NEET reduction

- 4.23 The Council is working alongside WMCA on the development of an all age careers service following the Careers and Enterprise contract transfer to WMCA. The Council is in talks with WMCA on the future delivery model at the end of the current contract in August 2023.
- 4.24 The current delivery model includes a part funded secondment from the Connexions service, however funding is being sought to fully fund the post with further discussion around other CEC roles in the locality.

Adult Education Budget 2022-2025 Strategy

- 4.25 WMCA has issued its Adult Education Budget 2022-2025 Strategy. It sets out their vision for a responsive and flexible adult skills offer which will support a people-centred approach to ensure that the skills needs of businesses are met and that everybody can benefit from economic growth.



4.26 WMCA key priorities are:

1. Getting residents into employment
2. Upskilling and reskilling to respond to the regional economy and net zero
3. Providing a good basic education up to Level 2 for those who need it and increasing higher-level provision in all local authority areas to ensure a good balanced offer is in place
4. Supporting our communities to be stronger and benefit from inclusive growth
5. Ensuring there is a strong Community Learning offer in place, which addresses digital inclusion, family learning, sustainability and health & wellbeing.

4.26 WMCA intends to continue to collaborate closely with local stakeholders, including DWP and Local Authorities to work towards a place-based approach for local communities. They will continue to collaborate with Colleges West Midlands, the West Midlands Provider Network and ACLA to deliver the Adult Education Budget. WMCA strengthen their employer and sector body collaboration to ensure provision will increasingly be aligned to economic and employer needs.

Wednesbury to Dudley (Phase 1) (Brierley Hill- Phase 2) Metro Extension

4.27 The 11km extension will branch off the current West Midlands Metro line just east of the Wednesbury Great Western Street Metro stop, before heading through Tipton and Dudley on its way to Brierley Hill. The extension will be delivered in two phases with the first to Dudley town centre expected to open for passenger services in 2024. The second phase will see the route further extended to Brierley Hill at the earliest opportunity. This phased approach is due to a combination of factors including a rise in construction and energy costs, at the same time as a reduction in the farebox income as a result of the Covid pandemic. This is the largest transport investment in the Black Country with a scheme value of circa £450m.



4.28 There are plans for up to 14 trams stops along the route:

- Phase one will see up to nine new stops from Wednesbury to Flood Street, Dudley
- Phase two will include the addition of five stops between Flood Street and Brierley Hill, with provision for one additional stop

4.29 Phase One is fully funded and opens to passenger services in December 2024 but Phase Two from Dudley to Brierley Hill is not currently funded.

4.30 Investigations are taking place as to whether sections of the route can be operated using batteries rather than traditional overhead wires. An additional Metro depot will be needed to accommodate the extended fleet of trams that will run services on all of the planned extensions.

4.31 The headline benefits of this route are...

- Attracting investment and regeneration to Sandwell and Dudley, and in phase two, to Brierley Hill
- An important driver for this route is the creation of a link from this part of the Black Country to HS2 and everywhere in-between supporting economic growth by linking jobs and people
- The Wednesbury to Brierley Hill Extension will enhance public transport accessibility across the Black Country as a whole and reduce journey times as well as improve air quality and reduce noise

4.32 Main construction for the first phase of the scheme to Dudley town centre got underway along one side of Castle Hill in March 2020. Since then, much activity has taken place, including utility upgrades and diversions, removal of the existing road surface, creation of concrete track beds, installation of ducting for system integration and a total of 350 metres of rail laid. The team is currently replicating this activity on the opposite side of the street together with preparatory work on Flood Street.

4.33 Meanwhile, a number of aged railway bridges along the route were replaced in 2021 to make way for new purpose-built structures which are fit for a modern tramway. Further bridge replacement works have also taken place.



4.34 The metro extension from Wednesbury through Tipton also represents a 'growth corridor' for Sandwell Metropolitan Borough Council and is the geography upon which our proposal for a Levelling Up Zone is based.

West Bromwich Town Centre Regeneration and Bull Street MSCP Demolition

4.35 The WMCA grant funding agreement required the submission of an outline business case – this was completed in January 2022. It also requires the delivery of a residential scheme on the former MSCP site by 2030. Given the vacant nature of the former MSCP site and the impact this has on the appearance of the Town Centre, the Towns Fund Urban Greening Project has used the hoardings for public art, which has improved the visual appearance of the site.

Friar Park Housing Development

4.36 The Council and WMCA are working together in a legally binding Joint Venture Agreement to develop a challenging brownfield site in the Borough (Friar Park) that could deliver 630 new homes including 25% affordable homes; £9m has been allocated by the WMCA to support this project to come forward.

4.37 A Masterplan for the site has been prepared and public consultation was undertaken for a 6 weeks period commencing 7th November 2022 and ending 16th December 2022.

4.38 A Cabinet report (March 2023) sets out the next steps for this project, which includes seeking Cabinet approval to the revised Masterplan and the approach to developer procurement.

4.39 SMBC and WMCA continue to work together to deliver this scheme. It should be noted that viability is an ongoing challenge due to the level of remediation required.



5 Alternative Options

- 5.1 Become a non-constituent member of WMCA - Participation as a constituent member of the WMCA enables Sandwell to deliver improvements to the locality that would otherwise be more difficult to achieve. In addition, through WMCA activity, we can ensure that Sandwell residents have the skills to access new employment opportunities both here in Sandwell and across the region, with excellent public transport available connecting the whole of the West Midlands. These benefits would be lost if Sandwell became a non-constituent member.

6 Implications

Resources:	The contribution to the Combined Authority from Sandwell Council for 2022/23 is £0.611 million.
Legal and Governance:	Part 6 of the Local Democracy, Economic Development and Construction Act 2009 (“the 2009 Act”) provides for the establishment of combined authorities for the areas of two or more local authorities in England. Combined authorities are bodies corporate which may be given power to exercise specified functions of a local authority under sections 104 and 105 of the 2009 Act, and power to exercise specified functions of any other public authority under section 105A of the 2009 Act.
Risk:	Section 21 of the West Midlands Combined Authority (Functions and Amendments) Order 2017 has the effect that where costs are incurred by the Combined Authority and are not met from other sources of income, then they fall to be met by the seven constituent councils, including Sandwell.
Equality:	The priorities of the West Midlands Combined Authority reflect the equality and diversity of the West Midlands, including striving to create prosperity through a strong and collective economic strategy and the policy aspiration to champion all that makes the West Midlands a Great Place to Live. The equality impact of any specific proposals will need to be addressed in reports to the WMCA Board or the appropriate decision-making body.



Health and Wellbeing:	All constituent members of the WMCA are be better placed to contribute and influence the Health and Social Care offer for local residents and create: <ul style="list-style-type: none"> • A more sustainable local health and care economy; • Improved quality and experience of care; • Improved population health.
Social Value	There is potential in all schemes and initiatives, particularly those delivered directly in Sandwell, to have a positive impact on Social Value.

7. Appendices

None

8. Background Papers

None



This page is intentionally left blank

Report to Council

28 March 2023

Subject:	Annual Report of the Ethical Standards and Member Development Committee 2022/23
Director:	Director of Law and Governance and Monitoring Officer - Surjit Tour
Contact Officer:	Surjit Tour - Director of Law and Governance and Monitoring Officer surjit_tour@sandwell.gov.uk







1 Recommendations

- 1.1 That Council considers the Annual Report of the Ethical Standards and Member Development Committee 2022/2023.

2 Reasons for Recommendations

- 2.1 The Council established an Ethical Standards and Member Development Committee to promote and maintain high standards of conduct and ethical governance by Elected and Co-opted Members of the Council.
- 2.2 The Committee is required to submit an annual report to Council detailing the work undertaken throughout the year.

3 How does this deliver objectives of the Corporate Plan?

		Through its work in promoting high standards of conduct, the Committee makes a positive contribution to the Council's governance and decision-making arrangements of the authority
		
		

4 Context and Key Issues

4.1 The Ethical Standards and Member Development Committee's terms of reference requires the committee to produce an annual report detailing the activities undertaken throughout the municipal year.

5 Alternative Options

5.1 The Ethical Standards and Member Development Committee is required to submit its Annual Report to Council, there are no alternative options.

6 Implications

Resources:	There are no resource implications arising from this report.
Legal and Governance:	The Authority has a statutory duty under the Localism Act 2011 to promote and maintain high standards of conduct by Members. The Authority is also obliged to have in place a Code of Conduct, a procedure for investigating complaints against Members and ensure that any complaints made are investigated in accordance with that procedure.

	The new standards arrangements are set out in chapter 7 of the Localism Act 2011, and in secondary legislation made under the Act, particularly in The Relevant Authorities (Disclosure of Pecuniary Interests) Regulations 2012.
Risk:	There are no direct risk implications arising from this report.
Equality:	There are no direct equality implications arising from this report.
Health and Wellbeing:	There are no direct implications for health and wellbeing from this report.
Social Value	This report contains no social value implications.
Climate Change:	There are no direct climate change implications as a result of this report.
Corporate Parenting:	There are no direct corporate parenting implications as a result of this report.

7. Appendices

Appendix 1 - Annual Report of the Ethical Standards and Member Development Committee 2022/23

8. Background Papers

No background papers.

This page is intentionally left blank

Annual Report of the Ethical Standards and Member Development Committee 2022-2023



Chair's Foreword

I am pleased to present the Annual Report of the Ethical Standards and Member Development Committee for 2022-23.

Its been a busy year with steady progress being made. There has been a reduction in the number of complaints received, with the arrangements process being robustly tested with a standards hearing at the end of last year.

Feedback received from the LGA and Grant Thornton has been positive and the authority continues to make improvements in all areas.

There will be a focus on member development and, in particular ahead of the new municipal year, there will be a review of the member induction programme for newly elected members.

I would also like to take this opportunity to emphasise to all members the importance of attending the standards training that is offered every year. These sessions are essential to your understanding of the Code of Conduct and are also a useful discussion forum for members about ethical issues.

Finally, I would like to thank members of the Ethical Standards and Member Development Committee and the Independent Persons for their attendance and contributions during the past year and also the Monitoring Officer and his officers who have provided support throughout the year. In particular, my thanks to Mr John Tew who announced his intention to retire at the end of February. Mr Tew has provided an outstanding service to the authority in his role as Independent Person.



Councillor Keith Allcock
Chair of the Ethical Standards
and Member Development Committee



Committee Activity Overview

1.1 Work Programme Spotlight

Following on from the comprehensive review of the Members' Code of Conduct and Arrangements for Dealing with Standards Allegations, the Committee's work programme has continued to look at those matters identified as part of the review and also its regular programme in relation to member development programme, personal safety of elected members, gifts and hospitality, national cases and the work of the Committee on Standards in Public Life. In particular the business of the Committee included:-

1.2 Government Response to Committee on Standards in Public Life's Ethical Standards Review

In January 2019 the Committee on Standards in Public Life ("CSPL") published its review report into ethical standards. In the report the CSPL made 26 recommendations (24 of which were directed at Government), which included various amendments to legislation as well as a number of examples of best practice that Local Authorities could implement without the legislative changes.

Since that time, the Local Government Association has implemented the first recommendation which is the adoption of a model code of conduct. This was published in 2020 and the Council adopted it in March 2021.

On Friday 18 March 2022, in a letter from Kemi Badenoch MP, Minister for Equalities and Levelling Up Communities, the government issued its response to the CSPL report.

The Committee noted the response to the key recommendations.



1.3 Local Government (Disqualification) Act 2022

The Local Government (Disqualification) Act 2022 (“the Act”) came into force on 28 June 2022.

The Act amends the current legislation to extend the disqualification criteria for Local Authority members (Councillors, Mayors of Combined Authorities, the Mayor of London and London Assembly Members).

Its provisions include disqualifying a person, depending on the status of the relevant order or notification, from being elected or being a member of a local authority or the mayor for the area of a combined authority in England, if they are subject to the notification requirements of Part 2 of the Sexual Offences Act 2003 or a sexual harm prevention order, sexual risk order or related relevant orders.

In relation to criminal activity (not related to election practices) the current disqualification criteria for Councillors, directly elected Mayors and London Assembly Members is that they are disqualified from standing for election or holding public office if they have been convicted of any offence and have received a sentence of imprisonment (suspended or not) for a period of not less than three months without the option of a fine.

The Act ensures that those who hold public office are held to the highest standards of integrity and conduct in public life and supports the Nolan Principles.

1.4 Gifts and Hospitality

The Monitoring Officer maintains a public register of members’ interests and also a record of any gift or hospitality received. The revised Gifts and Hospitality guidance was approved by Full Council on 23 March 2021. The value of gifts and hospitality required to be declared by members was reduced to £50.00 (previously set at £100.00).



Following the Committee on Standards in Public Life Best Practice recommendations (attached), gifts and hospitality has been added as a standing item for each meeting of the Ethical Standards and Member Development Committee, allowing the Committee to review new entries to the Council's register for elected members' gifts and hospitality declarations.

Guidance is available to all Members on how to treat offers of gifts and hospitality and the process for declaring such offers. This guidance forms part of the Council's Constitution.

1.5 Complaints Updates

An update on the activity of the Council's Monitoring Officer in relation to complaints received under the Councillor Code of Conduct is submitted to each meeting of the Ethical Standards and Member Development Committee.

Analysis below setting out statistics for a three-year period highlights the volume of cases dealt with compared to the most current period showing a more manageable caseload.

Member Complaints	
Calendar Year	Number of Cases
2020	16
2021	14
2022	10
2023	2

A hearing of the Ethical Standards Sub Committee was called in December 2022 to consider a member complaint. The arrangements procedure was tested and the opportunity will be taken to further review the processes to ensure they are effective.



1.6 DBS Checks for Elected Members

The Council is under a statutory duty to promote and maintain high standards of conduct, as set out in the Localism Act 2011. The introduction of DBS checks for members was raised as part of the consideration of this duty at the Member Engagement sessions held in December 2020.

The Committee has considered the matter and recommended that all members should be subject to a basic DBS check and those members in identified specific roles should be asked to consent to enhanced DBS checks on an annual basis.

A protocol has been prepared for consideration by Full Council.

1.7 Member Development Programme

The Member Development Programme aims to offer learning and development in support of Member effectiveness and confidence in their roles. A new and revised programme was implemented in 2022 that reflected the issues identified across external reviews and associated improvement plan whilst aiming to build on the programme developed over the previous 4 years.

External reviews at the beginning of 2022 identified a series of recommendations and areas of focus to move the organisation forward. These have influenced the content of the member development activities offered to date.

Whilst a number of programmed events are initially targeted toward newly elected Councillors as part of the induction programme, attendance is widened to include all Members, to facilitate the sharing of knowledge and experience. The learning and development events are offered over a variety of mediums and the use of external facilitators is incorporated where possible. In addition, Members are encouraged to access national programmes with the aim of networking and benchmarking with colleagues from other local authorities. Going forward, our Member Development Programme will identify individual member learning pathways alongside a corporate governance strand of learning and development essential for all elected members.



Levels of attendance for learning and development activity is varied and overall average attendance across all member development activities is at 48.8%. This is something that the Committee will keep under review going forward.

Included in the ongoing review of learning, development and support offered to members, personal development plans (PDPs) continue to take place in order that the offer for the 2023/24 programme is tailored toward the identified needs of Councillors. PDPs provide a platform for confidential one to one conversations on member achievements, aspirations and associated support going forward. The PDPs also capture skills, knowledge, experience and learning outside of the Council environment, to avoid duplication of learning and development activity.

1.8 Review of Personal Safety of Elected Members

The Committee regularly reviews personal safety of elected members, following a number of high profile incidents nationally.

The Local Government Association has reflected growing concerns about the impact an increasing level of public intimidation and toxicity of debate is having on our country's democratic processes. This is something that the Committee is keen to explore further, understanding what this means for Sandwell councillors and it is recommended that a review of our process and guidance for elected members in relation to their personal safety is included in the work programme for the coming year.

Personal safety training is included in the Member Development Programme and is provided annually to elected members.

1.9 MyCouncillor Portal

The MyCouncillor Portal was introduced for Members in March 2021 and rolled out across the Council from June that year. the Portal aims to provide a platform for Councillors to access a range of local information, and to also act as a single point system for logging of service request and casework. In excess of 15600 service requests and case work items have been logged since its launch.



Since coming online, additional functionality now means that Members will soon be able to access real-time information on a range of issues including clusters of reports of common community service requests, for example fly tipping or pot holes. Any service requests logged on the MySandwell app now automatically link into the portal casework, so that Members are able to utilise both platforms.

In November 2022, Sandwell Council won the national Granicus Digital Public Sector Awards in the Digital Achievement and Operational Efficiency categories, recognising the positive outcomes arising from the introduction of the MyCouncillor Portal. Congratulations and thanks to colleagues in Democracy and Digital Transformation for their continued support to Members in maintaining and developing the portal functionality.

1.10 Annual Review of the Members' Code of Conduct and Arrangements for Dealing with Complaints under the Code

On 23 March 2021, the Council adopted the Local Government Association's (LGA) Model Code of Conduct. It also updated its Arrangements for dealing with Complaints under the Code of Conduct to ensure they were effective.

It was agreed by the Ethical Standards and Member Development Committee that the Code of Conduct and Arrangements would be reviewed on an annual basis, alternating between a desktop review and an annual review. An annual review of the Code and Arrangements has been completed and no amendments are recommended at this stage.

1.11 Review of the Committee on Standards in Public Life Best Practice Recommendations

As part of its review of ethical standards in local government, the Committee on Standards in Public Life set out a number of Best Practice Recommendations.

A further review of the Best Practice Recommendations has been undertaken to highlight the Council position and progress made.



1.12 Committee on Standards in Public Life review – “Leading in Practice”

The Committee considered the Committee on Standards in Public Life published its report “Leading in Practice” in January 2023.

The report gathers insight from leaders in the public, private and charitable sectors and looks at how a range of organisations have approached the challenge of embedding ethical values in their culture and in the services they deliver.

1.13 Member – Officer Relationship Insight

The Committee considered the proposal for a survey designed to support the work around member-officer relationships.

A positive relationship between Members and Officers is a core feature of an effective and performing council. It was raised by Grant Thornton as an issue in their Value for Money Governance Review, 2021.

A range of activity has taken place over 2022 and is continuing to help maintain effective working relationships between Members and Officers. This includes training and ongoing support from the LGA, regular dialogue between Members and Senior Officers (through a set of established meetings), getting to know you sessions for Members and Officers and a programme of all Member briefings.

In late 2022, Grant Thornton and the LGA conducted follow up visits to review the progress of the recommendations made in their earlier reviews. In relation to the Member -Officer Relationship, the reports outlined the positive change that had occurred and was evident.

The survey is proposed to be run twice a year for all Members and Officers in March/April and September/October. It will be reviewed after the first year to ensure that the survey approach remains fit for purpose and is adding value. The survey analysis will be presented to the Ethical Standards and Member Development Committee to guide future iterations of the Member Development Programme.



The Committee

- 2.1 The Localism Act 2011 removed the requirement for a national code of conduct and statutory standards committees and set out a light touch framework for a new ethical regime. The Act places a general obligation on the Council to promote and maintain high standards of member conduct.
- 2.2 Whilst there is no requirement to have a standards committee, standards issues and casework need to be dealt with due to the statutory obligation for a council to promote high ethical standards. The Council decided to retain a standards committee in 2022-23, including the wider remit of member development.
- 2.3 The main functions of the Ethical Standards and Member Development Committee are to:-
- (a) promote and maintain high standards of conduct and ethical governance by members and co-opted members of the Council;
 - (b) assist members and co-opted members of the Council to observe the Council's Code of Conduct;
 - (c) advise the Council on the adoption or revision of a Code of Conduct for members and co-opted members;
 - (d) monitor the operation of the Council's Code of Conduct for members and co-opted members;
 - (e) advise, train or arrange for training for members and co-opted members of the Council on matters relating to the Council's Code of Conduct;
 - (f) develop and offer to all members an annual programme of development activities which provides members with development opportunities that support the Council's corporate priorities, identifying sufficient resources to deliver an effective Member Development Programme.



- 2.4 The Committee also appoints to two sub-committees which form part of the arrangements for dealing with complaints about breaches of the Member Code of Conduct. These sub-committees may consider investigation reports referred to them by the Monitoring Officer and conduct hearings (including the imposition of sanctions).

These sub-committees operate according to the principles of natural justice and human rights legislation and ensure that both the complainant and the subject member receive a fair hearing.

Membership of the Committee

- 2.5 Inclusion of experience from all areas of the decision-making process gives the Committee a broad base of experience from which to make well-rounded decisions on ethical matters.
- 2.6 The Council's Constitution includes role descriptions for the Chair of the Ethical Standards and Member Development Committee and for its members. The role descriptions emphasise the impartial and non-political nature of the conduct of the Ethical Standards and Member Development Committee.

Independent Persons

- 2.7 Section 28(7) of the Localism Act 2011 requires local authorities to appoint at least one Independent Person to advise the Council before it makes a decision on an allegation. The Independent Person also advises a member facing an allegation who has sought the views of that person. There are restrictions on who can be appointed as the Independent Person, in general the Independent Person cannot be a councillor, officer of Sandwell Council or their relative or close friend.
- 2.8 The Act gives discretion to appoint one or more Independent Persons but provides that the Independent Person must be consulted before any decision is taken on a complaint which has been investigated.
- 2.9 The Council currently has one Independent Person; Mr Richard Phillips, following the retirement of Mr John Tew this year. Mr Tew has been thanked for his fantastic support, advice and strong approach to the role with integrity and professionalism. A recruitment exercise is due to take place.



- 2.10 The remit of the Independent Persons has been extended by The Local Authorities (Standing Orders)(England)(Amendment) Regulations 2015 in relation to changes to statutory dismissal procedures for heads of paid service, monitoring officers and chief finance officers. In the case of a proposed disciplinary action against one of the statutory officers, the Council is required to invite Independent Persons who have been appointed for the purposes of the members' conduct regime under section 28(7) of the Localism Act 2011 to form an independent panel.
- 2.11 Independent Persons are invited to attend all meetings of the Ethical Standards and Member Development Committee as observers.

Officer Support to the Committee

- 2.12 The Monitoring Officer is one of the Council's statutory officers, appointed under Section 5(1) of the Local Government and Housing Act, 1989. The Monitoring Officer is responsible for ensuring that the Council and its members act lawfully; do not cause maladministration; and comply with the Code of Conduct for Members. He is the primary source of advice for members on the requirements of the Code of Conduct and also has specific statutory duties such as securing the investigation of complaints of member misconduct.
- 2.13 The Monitoring Officer is also the principal adviser to the Ethical Standards and Member Development Committee and its Sub-Committees and is assisted by the Deputy Monitoring Officer. More information about the role of the Monitoring Officer can be found in Article 12 of the Council's Constitution.

The Ethical Framework

Members' Code of Conduct

- 2.14 The Council's Code of Conduct assists members and co-opted members to meet the provisions of the Localism Act 2011 and is available on the Council's website.



- 2.15 All elected members are issued with a copy of the Code of Conduct and on appointment are required to sign an undertaking to comply with the Code. Members also receive induction training and subsequent refresher training on the provisions of the Code and how to carry out their duties in line with the Code. This training is delivered by the Monitoring Officer/Deputy Monitoring Officer. The Monitoring Officer also issues guidance to councillors appointed to outside bodies by the Council to assist them in understanding the impact of the Members' Code of Conduct.
- 2.16 Part 2 of the Members' Code of Conduct requires elected and co-opted members to give written notification to the Monitoring Officer of any disclosable pecuniary interests and other registerable interests to be included in the Council's statutory Register of Interests within 28 days of election or appointment, and to update their declarations as appropriate by notifying any amendments or new interests within 28 days of becoming aware of them.
- 2.17 This register of interest is available for public inspection, and individual members' declarations of interest can be inspected at any time on the Council's website through the committee management information system. The Register of Interests and Declarations of Interest are periodically reviewed by the Monitoring Officer and are made available for inspection by the Ethical Standards and Member Development Committee on a regular basis.
- 2.18 Members are also obliged to disclose any interests at meetings where those matters are to be discussed. These declarations are recorded in a register open for public inspection and are also noted on the committee management information system.
- 2.19 The Monitoring officer also maintains a register of sensitive data which is recorded on the elected members declaration but not the public record. The elected member must make a case to the Monitoring Officer to have information placed on the sensitive register.



- 2.20 A review of the Code of Conduct was undertaken following the publication of the LGA Model Code of Conduct. As part of the Best Practice Recommendations of the Committee on Standards in Public Life, an annual review is taken of the Code of Conduct (a desktop review one year and a full review the following year). A review has been undertaken and no changes have been recommended.
- 2.21 The Council has a protocol for members on gifts and hospitality giving additional guidance on the requirement of the Members' Code of Conduct for members to declare gifts and hospitality received. These declarations are recorded in a register which is open for public inspection and are also recorded in their individual entries on the committee management information system.

The Register of Gifts and Hospitality is periodically reviewed by the Monitoring Officer and an update is provided to each meeting of the Ethical Standards and Member Development Committee, following the Committee on Standards in Public Life Best Practice Recommendations.

Arrangements for Dealing with Standards Allegations

- 2.22 The Localism Act 2011 requires authorities to adopt arrangements for dealing with complaints about breaches of the Member Code of Conduct. The arrangements for dealing with standards allegations have been revised, alongside the review of the Member Code of Conduct (see paragraph 2.1 above).
- 2.23 Details of complaints received in relation to member conduct and the progress and outcome of consideration of these complaints are reported to each Ethical Standard and Member Development Committee.

Allegations of Misconduct by Members

- 2.24 Under the new ethical framework, all complaints of misconduct come direct to the Monitoring Officer. The Monitoring Officer will review every complaint received and take a decision as to whether it merits formal investigation. Where the Monitoring Officer is unable to resolve the complaint informally and feels it merits formal investigation after consultation with the Independent Person(s), he will appoint an Investigating Officer who will prepare a report concluding whether or not there is evidence of a failure to comply with the Code of Conduct.



2.25 The Monitoring Officer receives the draft report and determines if the report is sufficient. If the Monitoring Officer concludes that there is evidence of a failure to comply with the Code of Conduct, he will either send the matter for local hearing before a sub-committee or, after consulting the Independent Person, seek local resolution.

How the work of the Committee contributes to the Corporate Plan

		Through its work in promoting high standards of conduct, the Committee makes a positive contribution to the quality of governance of the authority.
		The standards of conduct influence public trust in the authority and enables Members to work effectively in the community.

Continuous Development

- 3.1 The Ethical Standards and Member Development Committee is responsible for advising, training or arranging for training for members and co-opted members of the Council on matters relating to the Council's Code of Conduct. The Monitoring Officer, his deputy(s) and a senior legal officer deliver relevant training to all members and co-opted members on behalf of the Committee.
- 3.2 The Committee considers summaries of cases of national interest to ensure that it is up to date with how complaints about member misconduct are being dealt with in other authorities around the country, so that members can bring this knowledge to any cases in Sandwell.
- 3.3 The Committee also considers the Annual Report of the Committee on Standards in Public Life to broaden understanding and current topics.
- 3.4 The Ethical Standards and Member Development Committee continues to develop its own skills and expertise.



Looking Ahead

To help promote high standards and conduct and continuous development of elected members, the Committee will continue to work on the Member Development Programme, building on the review of the Members' Code of Conduct, Arrangements for Dealing with Complaints under the Code and the suite of supporting documents. In particular, there will be a review of the induction programme for newly elected members.

Linking in with the Committee on Standards in Public Life review "Leading in Practice" additional work will be undertaken on the ethical and cultural behaviour transformation, alongside the proposed member/officer insight work.



Minutes of Cabinet

**Wednesday 15 February 2023 at 3.30pm
at Council Chamber, Sandwell Council House**

Present: Councillor Carmichael (Chair);
Councillors Ahmed, Hackett, Hartwell, Millard, Padda, Piper
and Rollins.

In attendance: Councillors Moore, E M Giles and Taylor.

Also present: Surjit Tour (Director of Law and Governance and Monitoring
Officer), Gillian Douglas (Director of Housing), Michael Jarrett
(Director of Children's Services), Lisa McNally (Director of
Public Health), Tony McGovern (Director of Regeneration and
Growth), Simone Hines (Director of Finance), Elaine
Newsome (Service Manager – Democracy), Anthony Lloyd
(Democratic Services Officer) and Suky Suthi-Nagra
(Democratic Services Manager).

12/23 **Apologies for Absence**

Apologies were received from Councillors Hughes, Fenton and
Simms.

13/23 **Declarations of Interest**

There were no interests declared.

14/23 **Minutes**

The minutes of the meeting held on 18 January 2023 were
approved as a correct record.

15/23 **Additional Items of Business**

There were no additional items of business to consider as a matter of urgency.

16/23 **Expansion of the Cooperative working agreement**

Approval was sought to authorise the Director of Public Health to add further services to the long-standing Co-operative working agreement with Sandwell West Birmingham Hospital (within the time frames necessary based on their current agreements).

The Chair of the Budget and Corporate Scrutiny Management Board asked for clarification on what mechanisms were in place to ensure the Council was getting value for money from the agreement given the sums involved.

The Cabinet Member highlighted that the contract worked on an open book process regarding costs. Anything not spent was reinvested back into the contract and utilised where needed to best advance the agreement. Therefore, this operated at cost with no one taking away a profit. The agreement was seen as a transparent jointly committed programme of work which was also held within the governance of the Health and Care Partnership.

The Cabinet member for Finance and Resources, on behalf of the Cabinet, thanked the Director for Public Health, Lisa McNally for all of the work done for the Council and wished her well in her future endeavours.

Reason for Decision

The cooperative working agreement enabled joint working to get the best service for Sandwell residents. As such, the Council sought to benefit further from the agreement by adding more services to it. The Cooperative working agreement was due a review of costs as it had not been updated since its inception 6 years ago. The increase in costs were necessary as the Council operated transparently regarding expenses and understood the outlay for the service was going beyond its budget.

Alternative Options Considered

The team continued to retender the School nursing programme. Over the last ten years the service has mainly been provided by SWBHT, the contract was awarded to another provider, but then provided by SWBHT at the next two commissioning rounds.

Tendering out the healthy pregnancy service, which would lose the cooperative element, the combined staffing options and the opportunity to run the service

Agreed:--

- (1) that the Director of Public Health be authorised to add further services to the long-standing Co-operative working agreement with Sandwell West Birmingham Hospital (within the time frames necessary based on their current agreements) as follows:-
 - School Nursing and vision screening– currently provided by Sandwell West Birmingham Trust until 2024 following successful tender;
 - Pilot a 2-year Healthy Pregnancy Service – a new service with mutual contribution between SMBC, Integrated Care Board Tobacco control and the Trust to target those most at risk of poor maternity outcomes, and in the event this is successful at reducing poor birth outcomes, to continue the programme;
- (2) that the Director of Public Health be authorised to review and increase the financial contribution to the co-operative agreement with Sandwell West Birmingham Hospital in line with current inflation and (max 15% over 3 years) to bolster service areas or invest in wider quality improvements identified as requiring extra resource due to local pressures;
- (3) that the Director of Public Health be authorised to increase contribution to the Co-operative working agreement with Sandwell West Birmingham Hospital where necessary, in accordance with the Scheme of Delegation to Officers.

17/23

Housing Revenue Account 30 Year Business Plan

Approval was sought to the Housing Revenue Account 30 Year Business Plan.

Whilst it had been proposed to recommend the Council to approve the Plan, it was moved, seconded and agreed that the Cabinet approve the Housing Revenue Account 30 Year Business Plan.

Reasons for recommendations

The Business Plan is a key strategic document that was necessary for effective management and oversight of the Housing Revenue Account. It was a financial plan that sits alongside and was complementary to the council's Medium Term Financial Strategy.

Alternative options considered

There were no alternative options.

Agreed that approval be given to the Housing Revenue Account 30 Year Business Plan.

18/23

General Fund, Housing Revenue Account and Capital Programme Budgets 2023/24

Approval was sought to approve the General Fund, Housing Revenue Account and Capital Programme Budgets 2023/24.

In comparison to neighbouring authorities, the Council raised less Council Tax due to a lower average Council Tax Band for homes within the borough.

Reasons for Decision

The Local Government Finance Act 1972 required the Council to set a balanced, risk assessed budget each year and approve a Council Tax precept by 11 March.

Alternative Options Considered

Cabinet could request that alternative savings options be proposed and agreed, although there was 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.

Agreed:-

- (1) that the key points from the Local Government Finance Settlement and the impact on the budget position for 2023/24 be received;
- (2) that feedback on the draft budget proposals following consideration by the Budget and Corporate Scrutiny Board be received;
- (3) that feedback on the draft budget from business representatives be received;
- (4) that the fees and charges increases for 2023/24, as set out in Appendix C be approved alongside the Charging Policy as set out in Appendix D;
- (5) that approval be given to the the contract sum for Sandwell Children's Trust of £74.475m plus £186k funding from Public Health;
- (6) that the final General Fund budget position as set out at [Appendix E](#) be approved and recommended to Council;
- (7) that the Housing Revenue Account budget for 2023/24 be approved as shown at [Appendix E](#) and recommended to Council;
- (8) that the Council Tax precept for 2023/24 of £127,008,781, representing a 2.99% increase in Council Tax and a further 2% increase in the Adult Social Care precept be recommended to Council for approval;
- (9) that the Director of Finance's assurance statement on the robustness of the budget estimates and reserves be received;

(10) that the Capital Programme for the General Fund and HRA for 2023/24 and Capital Strategy be approved and recommended to Council;

(11) that the Treasury Management Strategy and Prudential Indicators be recommended to Council for approval;

(12) that the Director of Finance be authorised to make transfers to or from reserves during the financial year to ensure that adequate reserves are maintained and adjusted when spend from earmarked reserves is required;

(13) that the Director of Finance be authorised to adjust the funding sources applied to the Capital Programme during the year to maximise flexibility in use of capital resources and minimise borrowing costs where possible;

(14) that the Director of Finance be authorised, in consultation with the Cabinet Member for Finance and Resources, to make minor amendments to the base budget to reflect any changes from the Local Government Finance Settlement if required;

(15) that Leadership Team prioritise the further development of the Transformation Savings Plan to ensure the Medium-Term Financial Strategy is balanced to 2025/26.

19/23

Contract for the Supply of Mains Electricity, October 2024 to September 2028 - Appointment of Contractor

Approval was sought to utilise Eastern Shires Purchasing Organisation (ESPO) Framework 191_24 to appoint Total Energies Gas and Power Ltd to supply Mains Electricity to Council sites for the period 1 October 2024 to 30 September 2028.

Reasons for decision

The Pan-Government Energy Project was launched in 2007 to improve the standard of energy procurement across the public sector. The key recommendation was that all public-sector organisations adopted one of the aggregated, flexible and risk managed energy procurement frameworks that were put in place by the recognised Central Purchasing Bodies (CPB) that had been evaluated by the Government's Project Strategy Team against best practice criteria.

By aggregating energy requirements under the ESPO Electricity Framework and utilising a flexible purchasing strategy, ESPO were able to take advantage of market movements to the benefit of customers. This is achieved by purchasing energy in advance when commodity prices are at their most advantageous. Flexible purchasing also limits exposure to the significant spikes in pricing by securing energy requirements in advance at multiple opportunities rather than at a single decision point.

Alternative options considered

One alternative option would be to undertake tendering exercises on behalf of the Council in isolation of the Pro5 providers which would be against the best practice guidance published from the Pan-Government Energy Project. Alternatively, seek to transfer to another Pro5 Framework provider but this would result in the loss of representation on stakeholder governance panels.

Agreed-

- (1) that approval be given to utilise Eastern Shires Purchasing Organisation (ESPO) Framework 191_24 to appoint Total Energies Gas and Power Ltd to supply Mains Electricity to Council sites for the period 1 October 2024 to 30 September 2028;
- (2) that in connection with Resolution (1) above, the Director, Law and Governance and Monitoring Officer be authorised to enter into an appropriate contract with Total Energies Gas and Power Ltd.

20/23

Tenant Fees Act Policy

Approval was sought to adopt the policy and framework for issuing fixed penalty notices under the Tenant Fees Act 2019.

Reasons for Decision

The Tenancy Fees Act 2019 placed a statutory duty for enforcement on the council as the Local Weights and Measures Authority (Trading Standards).

Alternative Options Considered

In order to enforce the legislation and fulfil its statutory duty, the Council required a policy that outlined what fines would be for breaches of the legislation. The Council could have decided to construct its own framework for calculating the amount of a civil penalty however, this risked not being aligned with other authorities which could impact the Council's ability to justify in the event of any appeal against a penalty levied. As a result of the requirement for all authorities in England to have regard to the policy of the Lead Enforcement Authority, the adoption of this policy would ensure that the approach is consistent with that of other authorities.

Agreed that the policy and framework for issuing fixed penalty notices under the Tenant Fees Act 2019 as now submitted, be adopted.

21/23

Local Council Tax Reduction Scheme 2023/24

Approval was sought to recommend the Local Council Tax Reduction Scheme 2023/24 to Council for further approval.

The Chair of the Budget and Corporate Scrutiny Management Board sought clarity on the report which assumed that there would be no increase in caseload in the next financial year despite the cost of living crisis.

The Cabinet Member for Finance and Resources explained that over the last 2 years, a month on month reduction in the Council Tax reduction caseload had been witnessed. In July 2020, this figure was 34,600 and at the end of January 2023, it was 30,800. This was due to a decrease in the number of pensioners claiming Council Tax reduction and the number of working age households moving from out of work benefits into work and losing their entitlement to Council Tax reduction. This trend was expected to

continue. Officers had not seen an increase in caseload so far in 2022/23 despite the cost of living crisis.

Reasons for recommendations

The Scheme provided crucial support to low income families and Sandwell's most vulnerable residents.

Alternative options considered

Nationally, a lot of local authorities had introduced a minimum Council Tax payment. This meant that everyone, including those people on a very low income, would pay something towards their Council Tax. Sandwell did not want to introduce a minimum payment into its Scheme as it wanted to protect the most vulnerable households and improve child poverty and support residents with the cost of living crisis.

Agreed-

- (1) That no changes are made to the Local Council Tax Reduction Scheme for 2023/24;

- (2) that the Council be recommended to approve the Local Council Tax Reduction Scheme for 2023/24.

22/23

Asset transfer of The Bridge, Tipton to Murray Hall Community Trust

Approval was sought for the asset transfer of The Bridge, Tipton, to Murray Hall Community Trust on the basis of a full repairing lease for 99 years with a rental of £1 pa for the purpose of a multi-purpose community facility and office space.

The Chair of the Budget and Corporate Scrutiny Management Board sought clarification on what steps the Council was taking to ensure a single and consistent approach to asset transfer and the granting of voluntary sector leases. A request was also made to clarify what break clauses would be included in the proposed 99 year agreement.

It was confirmed that a standardised suite of documents had been introduced for voluntary sector applicants to complete. Following assessment of the application by a range of officers, a comprehensive report would be prepared for the Investing in the Voluntary Sector Strategic Group to ensure consistency of approach. The matter would only progress if the Strategic Group endorsed the proposals and financial analysis.

A revised Community Asset Transfer Strategy for SMBC would be progressed and implemented over the course of 2023 through the appropriate governance process with input from the Homes and Communities Team along with other relevant stakeholders.

This strategy was intended to sit alongside and compliment the Land and Asset Disposal Protocol. The strategy would centre around Community Asset Transfer as a property disposal option (not just for current community buildings but any property declared surplus where this would be suitable) and was intended to act as a supportive guidance document for prospective applicants rather than a 'formal' policy. It would provide a comprehensive overview to what a CAT entailed through a successful partnership approach that ensured any property transfer was sustainable.

The 99-year lease would not include a break option. As part of the transfer the council would require the lessee to have full repairing liability for the building. The lessee would be better placed to procure funding to maintain and improve the premises, but the inclusion of a break clause would deter funders from progressing applications as there would be no security of their tenure for their investment.

The lessee would be required to sign an agreed statement setting out their outputs and deliveries in return for a peppercorn rental.

The statement would be reviewed regularly, and the lease would reserve the right to revert to a market rental if the lessee failed to adhere to the agreed statement or to agree new outputs and deliverables.

Reasons for recommendations

Murray Hall Community Trust (MHCT) was a well-established anchor organisation, with a presence in Sandwell since 1994. They were locally-led and deeply rooted in the community. They had strong partnerships with the council and with other voluntary and community groups and had taken a community development approach to all aspects of their work (responding to service users

views, enabling people to do more for themselves). They had already demonstrated their ability to attract capital funding and manage complex refurbishment projects in the initial phases of transformation of the building.

The proposed asset transfer accorded with the principles set out in the strategy where Strategic Assets & Land would proactively lead discussions with community groups about the possibility of undertaking Community Asset Transfers. Transfers would be undertaken in accordance with the Council's policy on Community Asset Transfers. They would only happen if officers were satisfied that a clear sustainable plan was in place to maintain the asset and that further calls on the Council for support were unlikely.

Alternative options considered

Do nothing – MHCT had a 30-year rent free, full repairing voluntary body lease, expiring in 2043. This would not signal to the wider voluntary and community sector that the Council value their contribution as partners. The asset transfer was a positive tool for enabling the development of enterprising and sustainable organisations with a long-term stake in the area. Furthermore, it would undermine the business case that MHCT needed to develop in order to complete the refurbishment.

Agreed:-

- (1) that approval be given to the asset transfer of The Bridge, Tipton, to Murray Hall Community Trust on the basis of a full repairing lease for 99 years with a rental of £1 pa for the purpose of a multi-purpose community facility and office space;
- (2) that the Director Law and Governance and Monitoring Officer be authorised to enter into or execute under seal if necessary, a formal lease for The Bridge Tipton.

23/23

City Region Sustainable Transport Settlement Update and Local Transport Capital Programme 2023/24

Approval was sought to fund the programme of minor works, highways, bridges and street lighting maintenance for 2023/24 through the Local Network Improvement Plan and Maintenance Block allocations.

Reasons for recommendations

The block allocations included in the City Region Sustainable Transport Settlement (CRSTS) programme comprised the majority of the Council's capital programme of minor works, highway and bridge maintenance for financial year 2023/24 and the following three years of the settlement period.

Alternative options considered

With regards to the Local Network Improvement Plan, the proportion allocated to each of the individual block headings was the same as for 2022/23 and was broadly in line with ITB allocations in the preceding years. However, as in 2022/23, more of the 21% uplift on the 2021/22 figure had been allocated to the road safety and traffic calming categories, to reflect member priorities. The option existed to allocate more funding to some headings and less to others. It also remained possible to alter the allocations 'in year', should circumstances require it. However, the use of this funding was reported to, and monitored by, WMCA and therefore should reflect the priorities outlined by Government through the CRSTS guidance, and by WMCA through the Local Transport Plan.

Agreed:-

- (1) that the update in relation to the City Region Sustainable Transport Settlement for the period April 2022 to March 2027 be received;
- (2) that approval be given to the following programme of minor works, highways, bridges and street lighting maintenance for 2023/24 to be funded through the Local Network Improvement Plan and Maintenance Block allocations as set out in the reports to West Midlands Combined Authority Board on 14th January 2022, 18 March 2022 and 13 January 2023;

Minor Works Programme	Funds 2023/24
	£
Major Schemes Development	220,000
Road Safety	540,000
Decarbonising Transport	300,000
Demand Management	120,000

Traffic Calming	200,000
Major Route Signing	70,000
Named Schemes Over £250k.	347,900
Total	1,797,900

Maintenance Programme	Funds 2023/24 £
Carriageway Maintenance	3,986,300
Bridges	603,000
Street Lighting	152,000
Total	4,741,300

24/23 **Revenues and Benefits Policy Framework 2023/24**

Approval was sought to the Revenues and Benefits policy framework for 2023/24.

The Chair of the Budget and Corporate Scrutiny Management Board requested a target date for when the Council was expected to have implemented a single view of a person or household's debt.

The Cabinet Member for Finance and Resources confirmed that officers were gathering information from services outside of Revenues and Benefits that collected debts on behalf of the council. This had given officers information on the top debtors across Council Tax, NNDR and Housing Benefit overpayments and the Council would be trialling a different approach to dealing with those who have multiple debts with the Council. However, debtor's information was held on multiple systems which made this work very time consuming; work was underway on bringing together all of the debt information into one single view. Oracle Fusion may have provided a solution to hold debtor's information in one place. Although it was difficult to provide an exact time frame, the work was expected to be completed within 12 months.

Reasons for recommendations

To make recommendations for the Revenues and Benefits policy framework for 2023-24.

Alternative options considered

The council was required to set out its application of areas of the legislation which allow local application of rules. The policy framework achieved this.

Agreed:-

- (1) that approval be given to the Revenues and Benefits policy framework for 2023-24 as follows:

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

- (2) that the Director of Finance - Section 151 Officer, in consultation with the Cabinet Member for Finance and Resources, be authorised to make necessary changes to the policies during 2023-24 due to the Cost of Living crisis;

- | |
|--|
| (3) that the Council be recommended to approve the Council Tax Award of Discount Policy. |
|--|

25/23

Sandwell Local List of Non-Designated Heritage Assets

Approval was sought to review the Local Lists Supplementary Planning Document and adopt the new and amended Sandwell Local List.

Reasons for recommendations

The adoption of a Local List of Non-Designated Heritage Assets would provide a level of protection through the planning system for buildings with historic or architectural merit that do meet the criteria for national status as Listed Buildings. The Local list would, once adopted, become a material consideration in determining planning applications and applicants should give regard to this in drawing up proposals.

Alternative options considered

Although locally listed buildings are not afforded the protection under the Planning (Listed Buildings and Conservation Areas) Act, they may be offered some level of protection by the local planning authority identifying them on a formally adopted list of local heritage assets, as such 'non-designated heritage asset' status is recognised by the National Planning Policy Framework. A decision not to proceed with the local list would result in local buildings with an assessed level of local heritage significance being afforded a lower level of protection by the planning system.

Agreed:-

- (1) that the new and amended Sandwell Local List be adopted and that the extant (2012) Local Lists Supplementary Planning Document is reviewed as part of the local plan process;
- (2) that officers be authorised to investigate the merits of introducing an Article 4 Direction covering buildings on the local list which would withdraw (Class B) permitted

26/23

Sandwell Museums – Approval of Forward plan and policies

Approval was sought to authorise the Director of Borough Economy to approve and adopt Sandwell Museums and Arts Service Forward Plan and Policies in order to progress a submission from Sandwell Museums Service towards achieving full accreditation status – as part of Arts Council England's (ACE) national Museum Accreditation Scheme.

Reasons for recommendations

Sandwell Museums had full accreditation before 2015 for 3 of sites. But this was downgraded to provisional accreditation status as the Forward Plan and Museum Policies had not been approved and adopted formally by the Cabinet. Achieving full Museum Accreditation status would support 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 while also ensuring people are at the centre of services and monitoring quality services to communities and users. 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 partnerships – giving reputational confidence to potential donors (collections/funding) and other key supporters.

Alternative options considered

The current service is provisionally accredited and there is an option to allow this to elapse and no longer be an accredited service. This is not recommended as there are clear benefits to achieving accreditation including the increased ability to raise external 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.

Agreed that the Director of Borough Economy be authorised to approve and adopt Sandwell Museums and Arts Service Forward Plan and Policies in order to progress a submission from Sandwell Museums Service towards achieving full accreditation status – as part of Arts Council England's (ACE) national Museum Accreditation Scheme.

27/23

Scrutiny Review on the Impact of Lockdown on Children and Families

Approval was sought to approve all, approve in part or to not approve any of the recommendations of Children's Services and Education Scrutiny Board in respect of the scrutiny review on the impact of lockdown on children and families.

The Chair of the Budget and Corporate Scrutiny Management Board thanked the former Chair of the Children's Services and Education Scrutiny Board, late Councillor Shackleton, the Vice Chair of the Working Group Councillor W Gill and members of the Working Group for their hard work in bringing together this comprehensive report.

Reasons for recommendations

The Children's Services and Education Scrutiny Board conducted a scrutiny review into the Impact of Lockdown on Children and Families in 2022. The Scrutiny Board felt that recovery across multiple areas in education and social care needed to be investigated, through the lens of uplifting standards and attainment, the Board, therefore established a Working Group to carry out the review and ascertain an understanding of the current pressures across Children's Services and Education and provide, where necessary, recommendations to support Children and Families in Sandwell.

At the Children's Services and Education Scrutiny Board on Monday 9 January 2023, the Board agreed to a range of recommendations based on the research and findings of the Working Group.

Alternative options considered

There were no alternative options. The Cabinet may approve all, some, or none of the recommendations.

Agreed that approval be given to the following recommendations of the Children's Services and Education Scrutiny Board in respect of the scrutiny review on the impact of lockdown on children and families as follows:-

- a) that the Director of Children and Education works co-operatively with the Department for Education to improve the education standards of children and young people, utilising Education Investment Area funding;
- b) that the Director of Children and Education is proactive in working with schools in the area to consider the creation or adoption of multi-academy trusts;
- c) that the Director of Children and Education is proactive in considering suitable locations in the Borough for specialist sixth-form free schools which are funded by central government;

- d) that the Council joins the Department for Education's 1-2-1 attendance mentoring pilot to monitor issues in schools across the Borough.
- e) that, the Cabinet Member for Children and Education pledges to improve and increase the Borough's educational assessment data in line with the national average by 2027, in line with the aims and objectives of Vision 2030;
- f) that the Cabinet Member for Children and Education writes to the Secretary of State for Education, to request that the Government actively engages with education practitioners to understand the long-term problems caused by the national pandemic and prepare appropriate resources to help children and young people recover academically, socially and psychologically.
- g) that the Director of Children and Education encourages and supports schools in the Borough to provide sports programmes and extracurricular activities to help children catch up in all areas of lost learning and experiences and to improve mental and physical health;
- h) that the Cabinet Member for Children and Education writes to the Secretary of State for Education, to request that specific monetary assistance is made available to children eligible for free school meals to take part in extracurricular activities;
- i) that the Director of Children and Education reviews the Council's partnership working with education providers and the Sandwell Children's Trust to ensure that actions, outcomes and best practice work are shared to ensure we are working cohesively together.
- j) that the Cabinet Member for Children and Education investigates ways to connect with young people and offer extra support, mentoring and encouragement including, but not limited to:-
 - i) establishing a peer mentoring programme;
 - ii) encouraging social youth work, sports, drama, and outdoor activities;

- iii) engaging with local businesses to improve the number of available apprenticeships;
 - iv) supporting a holistic youth services experience which accompanies physical and digital offer;
 - v) supporting and championing the new Eco Bus with young people's involvement.
- k) that the Cabinet Member for Children and Education writes to the Secretary of State for Education, to lobby for recurrent yearly funding which will allow for consistent support to address young people's emotional wellbeing and (low level) mental health as we recovery from COVID and the impact that it caused, whilst supporting the Council's ambition to improve academic performance, socialisation, conversation, mental health and wellbeing;
- l) that the Director of Children and Education works with multi-agency partners to support, engage and monitor the stability within the early years settings.

28/23

Q3 Budget Monitoring 2022/23

Approval was sought to transfers between reserves and to refer the financial monitoring position, as at 31 December 2022, to the Budget and Corporate Scrutiny Management Board for consideration.

The Chair of the Budget and Corporate Scrutiny Management Board highlighted that a significant amount of reserves was proposed to be used in the current financial year which would leave a remaining balance of £106.415 million. Clarification was sought on whether the remaining amount was sufficient and if there was a plan to increase the amount of reserves held in 2023/24.

The Cabinet Member for Finance and Resources reported that £31m of the reduction in reserves was the use of the NNDR S31 grant. This was required during COVID purely for accounting reasons due to timing differences between when grant payments were received and when they had to be accounted for. This was the same for all billing authorities. This reserve did not need to be replenished.

The other significant use of reserves was the COVID Emergency grant which was largely being used to fund COVID recovery projects per the Recovery Plan approved by Cabinet in June. The S151 Officer was comfortable that this reserve did not need to be replenished given the reducing impact of COVID on the Council's financial position.

Where risk reserves were being used, there were provisions in the 2023/24 budget for these to be topped up to a reasonable level. This included the Financial Planning Reserve and Waste Reserve.

The S151 Officer assurance statement stated that the Council's reserves were at a prudent level when taking into account the financial risks the authority faced.

Reasons for recommendations

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.

Alternative options considered

There were limited alternatives to the recommendations. Cabinet could have decided not to allow the proposed use of reserves by directorates, but this would increase the projected overspend and result in a further reduction in the council's general fund balance.

Agreed;-

- (1) that the financial monitoring position as at 31 December 2022 be received and referred to the Budget and Corporate Scrutiny Management Board for consideration and comment;
- (2) that the transfers between reserves be approved.

29/23

Exclusion of the Public and Press

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 and business affairs of any person, including the authority holding that information.

30/23

Adult Social Care Market Sustainability

Approval was sought to the three-year financial plan for the adult social care provider market to ensure market sustainability.

Reasons for recommendations

Each year local authorities consider and/or set the rates paid to its Adult Social Care provider market and determine the uplifts, if any, that will be applied for the following financial year to take account of inflationary pressures.

In 2022/23 the Department for Health and Social Care (DHSC) has required local authorities to complete a Cost of Care exercise for 65+ residential and nursing homes and for Domiciliary Care (otherwise known as Home Care) for people 18+ to better understand the sustainability of fee rates. This exercise had been completed and the draft outcome was submitted to the DHSC by the deadline of 14 October 2022, although further work was needed to better understand the outcome concluded for care homes.

Alternative options considered

The Council can hold fees at current rates, however the social care sector across all markets was significantly challenged, with issues that include escalating costs that were unsustainable, recruitment and retention and low morale, which would inevitably impact availability of provision. Unless the Council addressed sustainability in a meaningful and enduring way, that properly reflected its recognition of the challenges providers were experiencing and by approving the proposed three-year financial plan which uplifts rates as recommended, there was a real risk that markets will become increasingly vulnerable. This would lead to increasing market exits and an inability of the Council to fulfil its statutory obligations, in addition to the undermining of key strategic priorities if the market shrunk or becomes less responsive.

Agreed;-

- (1) that approval be given to the three-year financial plan for the adult social care provider market to ensure market sustainability;
- (2) that the Adult Social Care Domiciliary Care standard hourly rate is increased from £16.92 per hour from 1 April 2023, subject to the proposed uplift being compliant with the Public Contract Regulations (PCR) 2015, with proposals from April 2023 to March 2026:

Year	Proposed Domiciliary Care Hourly Rate
23/24	18.40
24/25	19.52
25/26	20.52

- (3) that should legal advice not support an uplift of the Domiciliary Care rate in 2023/2024 to £18.40, which is the rate calculated using the formula in the contract plus an extra £0.32 for market sustainability, the rate of £18.08 is implemented instead;
- (4) that the Promoting Independence and Rapid Response/ Wrap Around services hourly rates are also uplifted to align with the Domiciliary Care rate from 1 April 2023 and to the rates thereafter;
- (5) that the Adult Social Care Supported Living hourly rate is uplifted to mirror the Domiciliary Care rate from April 2023 to March 2026, but paid at £17.08 initially in 2023/24, with the rate reviewed on completion of the planned Cost of Care exercise to determine if the exercise concludes there should be this parity, with approval to be paid up to the Domiciliary Care rate, if appropriate and backdated to April 2023;
- (6) that the Adult Social Care Extra Care hourly rate is aligned to its standard Domiciliary Care hourly rate from April 2023 onwards, and when the rate is uplifted thereafter;

- (7) that the Council’s Adult Social Care Direct Payment rate is aligned to its standard Domiciliary Care hourly rate from April 2023 onwards, and when the rate is uplifted thereafter;
- (8) that the Adult Social Care residential and nursing care home standard rates for Older People are uplifted as outlined below where they are below these rates, with any uplift to the Free Nursing Care rate to be fully passed onto applicable nursing homes when announced as follows:

	Residential	Dementia Residential	Nursing	Dementia Nursing
	£ /week	£ /week	£ /week	£ /week
Proposed Rate for 23/24 inclusive of Free Nursing Care (average paid in 22/23 plus inflation/adjustment for NMW)	651.91	651.91	805.69	910.52
Proposed in principle rates for 24/25 inclusive of Free Nursing Care	679.58	733.52	951.98	1007.28
Rates in 2025/26 proposed to be those paid in 2024/25 plus applicable inflationary increase for each care category.				

- (9) that the Adult Social Care residential non-standard care home rates for the complex care (Learning Disability, Mental Health, Memory and Cognition, Physical Disability and Sensory Impairment) market are uplifted by 10.25% from 1 April 2023;
- (10) that the Adult Social Care nursing non-standard care home rates for the complex care (Learning Disability, Mental Health, Memory and Cognition, Physical Disability and Sensory Impairment) market are uplifted by 6.45% from 1 April 2023, with any uplift to the Free Nursing Care rate in 2023/24 to be fully passed onto applicable nursing homes when announced;

- (11) that a principal is created that the residential and nursing non-standard care home rates for the complex care (Learning Disability, Mental Health, Memory and Cognition, Physical Disability and Sensory Impairment) market are increased in line with the applicable inflation rate calculated for Older People's residential and nursing care homes for 24/25 and 25/26, and that any uplift to the Free Nursing Care rate is also fully passed onto applicable nursing homes when announced;
- (12) that the Adult Social Care day care rates are uplifted by 10.25% from 1 April 2023 and mirror the inflation paid for Older People's residential care in 2024/25 and 2025/26;
- (13) that the Personal Assistant rate is uplifted as per the formula used in previous years, including growth in National Minimum Wage from April 2023 to March 2026;
- (14) that individual negotiated rates are in place for those people with more specialist needs and where the provider is not willing to accept the Council's standard rate for care and support, approval is sought that the individually negotiated residential care home rates paid above standard rate are uplifted by 10.25% from 1 April 2023 and mirror the inflation paid for Older People's residential care in 2024/25 and 2025/26;
- (15) that in connection with Resolution (14) above, the individually negotiated nursing care home rates paid above standard rate are uplifted by 6.47% from 1 April 2023 and 6.45% for nursing dementia from 1 April 2023, and mirror the inflation paid for Older People's nursing residential care in 2024/25 and 2025/26, with any uplift to the Free Nursing Care rate to be fully passed onto applicable nursing homes when announced;
- (16) that it be noted that there is a risk that the proposed three-year financial plan may be insufficient to manage market pressures in the years identified given the projected budget settlement, however, should the financial assumptions made for 2024/25 and 2025/26 not be accurate and additional % uplifts are necessary, that further paper(s) are presented to Cabinet to seek approval for addressing any deficits indicated;

- (17) that the Director of Adult Social Care in consultation with the Cabinet Member for Adult Social Care and Health be authorised to submit the final Market Sustainability Plan to the Department for Health and Social Care by the date required, currently set as 27 March 2023, subject to the Leader and Section 151 Officer approving the report content before submission.

Meeting ended at 4.32pm

Contact: democratic_services@sandwell.gov.uk

This page is intentionally left blank

Minutes of Budget and Corporate Scrutiny Management Board

Thursday, 2 February 2023 at 6.00 pm
In Council Chamber at Sandwell Council House, Oldbury

Present: Councillor Moore (Chair);
Councillors Anandou, Bhullar, Chidley, Fenton, Hinchliff,
Simms and Trumpeter.

In attendance: Kate Ashley (Strategic Lead - Service Improvement), Sarah Sprung (Senior Lead Officer – Service Improvement), Victoria Lee (Head of Human Resources), Debbie Sant (Assistant HR Business Partner), Anthony Lloyd (Democratic Services Officer), Surjit Tour (Director of Legal Services, Monitoring Officer), Suky Suthi-Nagra (Democratic Services Manager) and Ant Lloyd (Democratic Services Officer).

11/23 **Apologies for Absence**

Apologies were received from Councillors E M Giles and Taylor.

12/23 **Declarations of Interest**

There were no declarations of interest made.



13/23

Minutes

Resolved that the minutes of the meeting held on 12 January 2023 be approved as a correct record.

14/23

Additional Items of Business

There were no additional items of business to consider as a matter of urgency.

15/23

Organisational culture, values and behaviours

Following a recent report to the Budget and Corporate Scrutiny Management Board on 6 December 2022, a progress update was provided detailing the proposed actions and direction of travel for organisational culture, values and behaviours.

It was reported that the Leadership Team received feedback from culture listening sessions in November 2022; this meeting considered the initial proposals from the external partner for new aspirational behaviours that could be applied to all staff members. At this meeting, it was agreed that the development of a behaviour framework called the “One Team Framework” would be the best approach and would form an integral part of the Council’s workforce strategy.

The purpose of the approach was to establish the desired culture, values and behaviours into everyday practice across the organisation by articulating what those values were. Separate behavioural indications would be created for staff identified as “everyone” or “managers/leaders”. A culture working group had been created to drive the work with regular feedback provided to the Leadership Team. The creation and implementation of “Culture Champions”, regular staff panel sessions as well as a staff survey in October 2022 also assisted in establishing the framework. Trade Unions were also consulted and would be subject to a separate consultation process around the review of employee appraisals.

Using feedback via the external partner and following further consultation with stakeholders, the following behaviours were proposed:-

- **We are one team** - united and working together with the shared purpose of achieving great results.
- **We care** – about providing the best possible public service. (This was to be reworded to “**We are customer focused**”)
- **We are inclusive** – treating each other with respect and knowing our diversity is our strength.
- **We are ambitious** – striving for excellence, always looking to get better and making sure everyone can take pride in our borough.
- **We are accountable** – delivering what we say we will.

The next steps in the process were highlighted to the board. The finalisation of the One Team Framework would take place, which would then enable officers to seek endorsement from Cabinet in March 2023. A plan would be developed to help promote and communicate the values and behaviours which would then embed the framework into HR practices, appraisals, employee inductions and management development programmes.

Following questions from members, the following points were made:-

- The Chief Executive Officer would encourage the use and implementation of the framework.
- All staff briefings, team talks, posters and screen savers would ensure that conversations around the framework continue to help embed the new values.
- HR practices would be introduced to help promote the framework.
- Results from the next staff survey, as a result of the implementation of the framework, would hopefully be encouraging.
- LGA recommendations had been taken on board and reviewed and benchmarking against other authorities had taken place.
- It was confirmed that a similar system could be introduced for Councillors.

Members thanked officers for their work and requested an update on progress made in embedding the new culture and values within the organisation.

16/23

Resident Engagement

Officers highlighted that regular engagement and communication with residents was a cornerstone of the Council's role and was a key driver of producing better local outcomes. Improved engagement with residents' forms part of the recommendations that emerged from Sandwell MBC's recent inspections. The intelligence gathered from these surveys was a critical element of an effective performance management framework.

The Council did not have a co-ordinated process in carrying out public consultation however, after considerations by Leadership Team, proposals were approved for a corporate approach to consultation and engagement, ensuring a consistency in approach to activity across the Council and maximising opportunities to share collective intelligence.

The agreed framework would see an annual residents' wellbeing and perception survey followed by several focus groups. Additionally, an annual residents' budget consultation by a single follow up group would also take place. Citizenspace, a platform that offered the ability to consult consistently and visibly, would also be utilised. The use of Citizenspace would enable a fully holistic view of all activity across the borough, especially with the mapping/spatial capabilities of the software. The risk of duplication would be lowered due to frequent quality checks and monitoring by Scrutiny.

Sample sizes would be representative of the borough at both ward and town level which would assist the Council in making the right decisions.

The next steps were discussed with the following highlights:-

- A further 2-year contract would undergo procurement to carry out the resident's survey.
- A contract would be awarded to Citizenspace for use of the survey software.
- A corporate standard for consultation and engagement would be developed

- Funding for the initiatives would be included into the Budget.

After requests from members, it was agreed that a demonstration of the software would be presented to elected members in order to better understand its abilities.

17/23

Cabinet Forward Plan

After consideration by members of the Board, no items within the forward plan were considered for pre-decision scrutiny.

18/23

Budget & Corporate Scrutiny Management Board Work Programme

The work programme for the year 2022/23 was noted.

Meeting ended at 7.25pm.

Contact: democratic_services@sandwell.gov.uk

This page is intentionally left blank

Minutes of Budget and Corporate Scrutiny Management Board

Wednesday, 1 March 2023 at 6.00 pm
In Council Chamber at Sandwell Council House, Oldbury

Present: Councillor Moore (Chair);
Councillors Chidley, Fenton, Hinchliff and Taylor

In attendance: Simone Hines (Director of Finance – Section 151 Officer),
Rebecca Maher (Assistant Director of Finance), Comie
Campbell (Head of Financial Business Partnering – Place),
Surjit Tour (Director of Legal Services, Monitoring Officer),
Suky Suthi-Nagra (Democratic Services Manager, Statutory
Scrutiny Officer) and Anthony Lloyd (Democratic Services
Officer).

19/23 **Apologies for Absence**

Apologies were received from Councillors Bhullar, Giles and
Trumpeter.

20/23 **Declarations of Interest**

There were no declarations of interest made.



21/23

Minutes

Resolved that the minutes of the meeting held on 2 February 2023 be approved as a correct record.

22/23

Improvement Plan Progress, Phase 2 Refresh and External Follow-up Reviews

It was agreed that this item be deferred to a future meeting of the Budget and Corporate Scrutiny Management Board.

23/23

Q3 Budget Monitoring

On 15 February 2023, the Cabinet considered the 2022/23 Budget Monitoring report for Quarter 3 and referred the report to the Budget and Corporate Scrutiny Management Board for consideration and comment.

The overall projected outturn position for the General Fund was an underspend of £1.824m. The previous forecast at Qtr 2 was an overall net overspend of £1.9m. The main reason for the movement between the period was a change in the Council's Minimum Revenue Provision Policy, which sets out how the Council repays debt.

The cost of living crisis, inflation pressures and the increased agreed pay award had a significant impact across the council's finances.

The projected variance against the budget for Children's Services was an overspend of £6.750m due to a significant increase in the projected overspend on SEND transport, the pay award for the service and Sandwell Children's Trust, placement pressures and the cost of exit packages as a result of restructuring within the directorate. Campaigns were underway to obtain more foster carers to help address the significant placement costs.

Day-to-day controls were already in place to monitor areas with significant overspends. It was stated that local SEND provision could help with the rising costs of SEND transport. It was also highlighted that the Children's Services and Education Scrutiny Board would be looking at how the Council could provide residential spaces within the borough as part of their work programme within the next municipal year.

Following the request for clarification in relation to how the contingency budget figure was calculated, it was confirmed that the figure was calculated by making prudent and reasonable estimates. The contingency figure was a provision for pay awards and was not given to individual directorates as the exact costs would not be known in the first instance. Financial planning reserves were in place to protect the Council against any unexpected fluctuations in costs.

Concerns were raised around the lack of information available to residents on the Council's website detailing the procedures for renting commercial properties. Members were worried that the Council's website was not regularly updated to display available properties and therefore, the potential to obtain income was not being capitalised upon.

Assurance was sought on the effectiveness of the procedures in place to utilise Section 106 money within the allotted timescales. As a result, it was agreed that a spotlight session be scheduled to discuss the issue.

Regarding Oracle Fusion, reassurance was provided on the use of reserves to fund the project; it was made clear by officers that this was not an overspend. The contract with the previous implementation partner had been terminated and a new partner had been procured. The first phase of the project had been completed and an augmentation plan was in place to ensure that the requirements and desires were clear and achievable. Benchmarking exercises had been taken to learn lessons from other authorities who had undertaken the same journey. It was hoped that the system would be implemented in time for April 2024.

Agreed that Cabinet be requested to:-

1. Ensure that Directors review and update any pages they hold on the Council's website, in particular, the webpage where the Council have facilities/offices to rent.
2. Authorise the Cabinet Member for Finance and Resources and the Director for Finance to consider the introduction of additional financial controls on general spend, in particular, matters relating to recruitment and day to day spend where necessary.

3. Authorise the Director of Children's Services, Director of Adult Social Care and Director of Finance, in consultation with the Cabinet Member for Children's Services, Cabinet Member for Adult Social Care and Cabinet Member for Finance and Resources to explore the feasibility of providing in house care for young people in care, SEND placements and adult social care placements.

24/23

Cabinet Forward Plan

After consideration by members of the Board, no items within the forward plan were considered for pre-decision scrutiny.

25/23

Budget & Corporate Scrutiny Management Board Work Programme

The work programme for the year 2022/23 was noted.

Meeting ended at 6.55pm.

Contact: democratic_services@sandwell.gov.uk

Minutes of Ethical Standards and Member Development Committee

**Tuesday 7 March 2023 at 3:00pm
at Sandwell Council House, Oldbury**

Present: Councillor Allcock (Chair)
Councillors Crompton and W Gill.

Officers: Surjit Tour (Director of Law and Governance – Monitoring Officer), Elaine Newsome (Service Manger – Democracy), Vanessa Mahersmith (Governance and Business Support Principal Lead & Solicitor), Rebecca Jenkins (Senior Lead – Service Improvement), Trisha Newton (Deputy Democratic Services Manager) and John Swann (Democratic Services Officer).

1/23 **Apologies for Absence**

Apologies were received from Councillors E M Giles and Lewis and Mr Richard Phillips (Independent Person).

2/23 **Declarations of Interest**

No declarations of interest were made.

3/23 **Minutes**

The minutes of the meeting held on 1 November 2022 were confirmed as a correct record.

4/23 **Additional Items of Business**

There were no additional items of business to consider.

5/23 **DBS Checks for Elected Members**

Further to Minute No. 41/22 (1 November 2022), the Committee considered the Protocol for DBS Checks for Elected Members.

The Protocol set out that Basic DBS Checks would be required by all members with enhanced checks for those members in selected roles.

It was proposed that DBS checks would be undertaken every 12 months or where a member was appointed to one of the roles identified as requiring an enhanced check.

With regard to capturing further information around contact members had with children and vulnerable adults, a review would be undertaken in six months' time and officers would investigate ways to capture the data.

Resolved to recommend to Council that the DBS Check Protocol for Elected Members, as set out in Appendix A, which includes:-

- (i) annual Basic DBS Checks to be undertaken for all elected members not identified in the roles set out in (2) below;
- (ii) annual Enhanced DBS Checks to be undertaken for those elected members in the roles set out below:-
 - The Leader
 - Deputy Leader
 - Cabinet Members for Children and Adults

- All Members of Children’s Services and Education Scrutiny Board and Health and Adults Social Care Scrutiny Board
- Members of the Corporate Parenting Board
- Members of the Health and Wellbeing Board
- Any other Member who may regularly come into contact with children or vulnerable adults as part of their Council role.

be approved with effect from the commencement of the 2023 municipal year.

6/23 **Member – Officer Relationship Insight**

As part of the Council’s Improvement Plan, work had been taking place focusing on the health of the officer/member relationship.

External reviews by Grant Thornton and the LGA had found that the relationship between members and officers had become much improved.

A regular survey to members and officers was planned to ensure changes were embedded and the improvement of the relationship continued.

7/23 **Committee on Standards in Public Life**

The Committee received the Committee on Standards in Public Life ‘Leading in Practice’ report, published in January 2023.

The Committee also reviewed the Best Practice recommendations as set out by the Committee on Standards in Public Life and noted the Council’s current position.

8/23 **Annual Report of the Ethical Standards and Member Development Committee 2022/23**

The Committee was required to produce an annual report detailing the activities undertaken throughout the municipal year. The annual report would be referred to Full Council for consideration at its next meeting on 28 March 2023.

On behalf of the Committee, the Chair wished to place on record the Committee's thanks to John Tew who had resigned as Independent Person.

Resolved that the Annual Report of the Ethical Standards and Member Development Committee 2022/23 be submitted to the next meeting of Full Council.

9/23 **Annual Review of the Members' Code of Conduct and Arrangements for dealing with Complaints under the Code of Conduct**

The Committee considered the Annual review of the Members' Code of Conduct and Arrangements for dealing with Complaints under the Code of Conduct.

A desktop review had been completed and no amendments had been identified.

A thorough review of the Members' Code of Conduct and Arrangements for dealing with Complaints under the Code of Conduct was planned for 2024.

10/23 **Annual Review of Members' Registers of Interest**

The Committee considered the annual review of the Register of Members' Interests.

11/23 **Member Development Update**

The Member Development Programme offered learning and development to support Members' effectiveness and confidence in their roles. A new and revised programme had been implemented in 2022 that reflected the issues identified across external reviews and associated improvement plan whilst aiming to build on the programme developed over the previous four years.

With regard to member attendance figures, the Committee requested the regular updates on attendance were brought back to the Committee to review.

There were a number of factors influencing the development of the member programme for 2023/24. Due to the evolving position and associated timescales, it was proposed that following consideration by the Working Group, the final Member Development Programme would be approved by the Chair of the Committee. This would allow for preparations to commence in advance of the election and in readiness for the start of the new municipal year.

As part of the Council's improvement plan, a review of the My Councillor Portal would be undertaken as part of the wider customer journey activity. Members would be integral to the review and would be invited to take part in a number of focus group activities to explore their experience of the portal and its future usage.

Resolved:-

- (1) that the detail of elected member learning and development activity that has been delivered since the beginning of the municipal year be noted;
- (2) that the approach for refreshing the Member Training Programme for 2023 be approved;

- (3) that the Chair of the Ethical Standards and Member Development Committee be authorised to agree the Member Development Programme following consideration by the Working Group;
- (4) that in consultation with the Chair, the Monitoring Officer be authorised to set performance indicator targets in relation to Member training;
- (5) that the approach in relation to the review of the Member Portal be approved.

12/23 **Gifts and Hospitality Register**

The Committee considered the Gifts and Hospitality Register.

13/23 **National Cases**

The Committee received and discussed details of national cases, as part of its learning and development.

14/23 **Complaints Update**

The Committee received an update in relation to complaints received under the Member Code of Conduct arrangements.

15/23 **Work Programme**

The Committee reflected upon the work programme for 2022/23.

Meeting ended at 4.34pm

Contact: democratic_services@sandwell.gov.uk

DBS Checks Protocol for Elected Members

Introduction

Section 27 of the Localism Act 2011 requires local authorities to promote and maintain high standards of conduct by members and co-opted members of the authority. There is no statutory requirement for councillors to undergo basic DBS checks.

There are 4 levels of DBS checks:

1. Basic Check

A Basic DBS Check is for any purpose, including employment.

A basic check will contain details of convictions and conditional cautions considered to be 'unspent' under the terms of the Rehabilitation of Offenders Act 1974.

The Rehabilitation of Offenders Act 1974 aims to give those with convictions or cautions the chance - in certain circumstances - to wipe the slate clean and start afresh.

Under the Act, eligible convictions or cautions become 'spent' after a specified period of time known as the 'rehabilitation period', the length of which varies depending on how the individual was dealt with.

2. Standard Check

A Standard DBS check is suitable for certain roles, such as a security guard. The certificate will contain details of both spent and unspent convictions, cautions, reprimands and warnings that are held on the Police National Computer, which are not subject to filtering.

An individual cannot apply for a standard check by themselves. There must be a recruiting organisation who needs the applicant to get the check. This is then sent to DBS through a Registered Body.

3. Enhanced Check

An Enhanced DBS check is suitable for people working with children or adults in certain circumstances such as those in receipt of healthcare or personal care. An Enhanced DBS check is also suitable for a small number of other roles such as taxi licence applications or people working in the Gambling Commission.

The certificate will contain the same details as a standard certificate and, if the role is eligible, an employer can request that one or both of the DBS Barred Lists are checked.

The certificate may also contain non-conviction information supplied by relevant police forces, if it is deemed relevant and ought to be contained in the certificate.

An individual cannot apply for an Enhanced DBS check by themselves. There must be a recruiting organisation who needs the applicant to get the check. This is then sent to DBS through a Registered Body.

4. Enhanced with Barred List(s) Check

An Enhanced with Barred Lists DBS check is also suitable for people working with children or adults in certain circumstances such as those in receipt of healthcare or personal care.

An Enhanced with Barred Lists certificate will contain the same information as an Enhanced DBS certificate, but will also include a check of one or both Barred Lists.

Eligibility for Standard, Enhanced, and Enhanced with Barred Lists DBS checks is prescribed in legislation and can only be requested where the requester is legally allowed to do so. They can only be applied for by a 'Registered Body' such as an employer.

Basic Checks

Following member consultation, it has been agreed that all members shall undergo basic DBS checks.

Each member is responsible for making the application and must do so within 3 months of being elected and thereafter every 12 months whilst they remain an Elected Member.

DBS requires Elected Members to submit the DBS application personally. However, officers from the Council's Law and Governance Directorate will support and co-ordinate the application and processing of Basic DBS checks with Elected Members.

Members must produce an original or certified copy of the DBS check to Vanessa Maher-Smith in Law & Governance (vanessa_mahersmith@sandwell.gov.uk). A record will be kept of Members who have complied with this requirement. Copies of the DBS check will not be kept by the Council.

Enhanced DBS Checks

There are certain roles an Elected Member may take on in addition to their role as a ward Councillor. Some of those roles involve more regular and frequent contact with vulnerable adults and children. Whilst there is no statutory requirement for DBS checks in relation to these roles, they may meet the eligibility criteria for an Enhanced DBS check. To determine whether an Enhanced DBS check is required, the Council follows the Government's DBS Eligibility Guidance, which can be found via the following link:

<https://www.gov.uk/government/collections/dbs-eligibility-guidance>

The eligibility criteria for an Enhanced DBS check is dependent upon whether the Elected Member will be working with adults or children, how frequent that interaction is and whether it is unsupervised or with no other person present.

Working with Adults

Under the Police Act 1997 (Criminal Records) Regulations 2002, a person is eligible for an Enhanced DBS check if they are:

- (i) a member of a local authority and discharges any social services functions of a local authority which relate wholly or mainly to adults who receive a health or social care service
- (ii) a member of an executive of a local authority which discharges any such functions;
- (iii) a member of a committee of an executive of a local authority which discharges any such functions; or
- (iv) a member of an area committee, or any other committee, of a local authority which discharges any such functions.

Working with Children

Under the Police Act 1997 (Criminal Records) Regulations 2002, a person is eligible for an Enhanced DBS check if the organisation is:

- i) considering the applicant's suitability to engage in any activity which is a regulated activity relating to children

Regulated activity is made up of:

- i) what activity a person carries out and how often the person does it, for example

Activity	Period condition	Supervision	Age of child
Teaching, training or instruction, care or supervision of children	More than 3 days in a 30 day period OR overnight between 2am & 6am with the opportunity for face to face contact with children	Must be considered	Under 18 – but not if the activity is in relation to the child's paid or unpaid employment AND they are 16/17.
Moderating a web service wholly or mainly for children	More than 3 days in a 30 day period ONLY	Not required	Under 18
Advice or guidance wholly or mainly to children	More than 3 days in a 30 day period OR overnight between 2am & 6am with the opportunity for face to face contact with children	Not required	Under 18 – but not if the activity is in relation to the child's paid or unpaid employment AND they are 16/17.
Driving a vehicle for children	More than 3 days in a 30 day period ONLY	Not required	Under 18
Health care or personal care	Once is enough	Not required	Under 18
Registering to be a foster carer or private foster carer	None	Not required	Under 18
Registering to be a childminder or child care provider, including voluntary registration	None	Not required	In line with regulations

or

- ii) where the role takes place and how often the person will work there

The specified establishments are:

- An educational institution exclusively or mainly for the provision or full-time education of children
- A pupil referral unit
- A provider of nursery education
- A detention centre for children
- A children's home or a home provided under the Children Act 1989
- A children's centre
- Relevant childcare premises

Ancillary roles in these specified establishments must meet all four of the following criteria to be in regulated activity with children:

- They work there on more than 3 days in a 30 day period or overnight between 2am and 6am with the opportunity for face to face contact with the children and
- They have the opportunity, because of their job, to have contact with the children in the establishment and
- They work there for the purpose of the establishment and
- It is not temporary or occasional work, and
- It is not a supervised volunteer role

The following members will be asked to consent to Enhanced DBS checks, subject to them meeting the DBS eligibility criteria/guidance:

- The Leader,
- Deputy Leader,
- Cabinet Members for Children and Adults
- All Members of Children's Services and Education Scrutiny Board and Health and Adults Social Care Scrutiny Board
- Members of the Corporate Parenting Board
- Members of the Health and Wellbeing Board, and
- Any other Member who may regularly come into contact with children or vulnerable adults as part of their Council role.

Costs

A Basic DBS check is currently £18 each.

Enhanced DBS checks currently cost £38 each.

The cost of the DBS check is to be met by the Council.

Frequency of Check

Members will be expected to complete the application for a Basic DBS online within 3 months of being elected, and every 12 months thereafter. The application can be completed on the following website:

<https://www.gov.uk/request-copy-criminal-record>

Guidance is available here:

<https://www.gov.uk/government/collections/dbs-checking-service-guidance--2>

The Enhanced DBS request will be completed within 14 days of appointment to the relevant position/committee and every 12 months from the date of appointment, until the appointment ceases.

Failure to comply

If Members fail to meet the requirements to complete a DBS check and produce it to the Council, this will be reported to:

- i) The Ethical Standards and Member Development Committee;
- ii) The Group Leader; and
- iii) Full Council (if required)

In the event that a Member fails to comply with the requirement to undergo an Enhanced check, they will be unable to undertake that role.

What Happens if a Check Reveals an Offence?

In the case of a DBS check revealing an offence, the relevant Elected Member shall within 3 working days refer the DBS check to the Monitoring Officer.

The Monitoring Officer, will in consultation with the Chair of the Ethical Standards and Member Development Committee, consider the results of the DBS check and determine whether the matter should be referred to the Group Leader of the relevant Elected Member and/or the Ethical Standards and Member Development Committee for consideration.

The Monitoring Officer and Chair of the Ethical Standards and Member Development Committee shall consider, inter alia,

- (i) the significance and/or severity of the offence,
- (ii) the amount of time that has elapsed since the date of the conviction,
- (iii) whether public confidence in the position held by Elected Member in question could be adversely affected, and if so, to what extent,
- (iv) The potential reputational harm (if any) that could impact upon the Council
- (v) whether the matter should be referred to the Ethical Standards and Member Development Committee for consideration.

It is recognised that the data will include personal data and criminal offence data and the Council will ensure compliance with UK GDPR and Data Protection legislation when processing the information, including the application of Schedule 12A Local Government Act 1972 (as amended).

Other actions- assurance from Political Parties

It is recognised that a DBS check is only valid on the day that it is provided, and circumstance may change at any time. The Council will work with the Political Groups to ensure Elected Members understand that they have an obligation to declare any criminal offences/convictions (other than minor offences such as traffic offences) to the Monitoring Officer as soon as reasonable practicable after conviction (i.e. within 3 working days).

Retention of Information

The Council will maintain a record of Members who have produced their basic DBS checks to the Officer appointed by the Monitoring Officer. This will be retained for a period of 15 months after the date of the last entry.

Enhanced DBS checks will be provided to the Council as the Registered Body. They will be kept for 1 month after receipt of the updated check.

Should a Councillor cease to be a Councillor during the 12 month period, their Enhanced DBS check will be destroyed after 1 month.

Minutes of General Purposes and Arbitration Committee

14 March 2023 at 4.00pm

Present: Councillor Millar (Chair);
Councillors Dhariwal and Trumpeter.

Also present: Councillor Fisher.

In Attendance: Suky Suthi- Nagra (Democratic and Member Services Manager), Susanne Moore (Business Partner – Adult Social Care and Public Health), Manny Sehmbi (Business Manager – Community Partnerships), Stuart Hall (Home Improvement Manager), Charlotte Leadbeater (Operations Manager – Independent Living Team), Ambia Smith (Lead Occupational Therapist) and John Swann (Democratic Services Officer).

1/23 **Election of Chair**

In the absence of the Chair and Vice- Chair, Members were requested to elect a Chair for the Committee Meeting.

Resolved that Councillor Millar be elected Chair for the Committee meeting.

2/23 **Apologies for absence**

Apologies for absence were received from Councillors Costigan, Dhallu and Simms.

3/23 **Declarations of Interest**

There were no interests declared at the meeting.

4/23 **Minutes**

Resolved that the minutes of the meeting held on 24 November 2022 be confirmed as a correct record.

5/23 **Urgent Items of Business**

There were no additional items of business to consider as a matter of urgency.

6/23 **Nominations for Honorary Alderman/Alderwomen**

The Local Government Act 1972 gave authority to the Council to confer the honour of Honorary Aldermen/ Alderwomen of the Borough on Elected Members who had given eminent service to the Borough. This honour was in accordance with the Council's honorary scheme.

A nomination for the conferment of the title of Honorary Alderman had been received from Councillor Gavan in respect of former Councillor Mohinder Singh Tagger.

Former Councillor Mohinder Singh Tagger served on Sandwell Metropolitan Borough Council for 26 years, he had served as the Deputy Mayor for the Municipal Year 2006-2007, had held the position of Vice- Chair for Licensing Committee and Scrutiny Boards for a number of years.

The Committee considered his additional contributions to the Borough of Sandwell through his various charitable, community and voluntary activities and concluded that he fulfilled the eminent service criteria associated with the honour.

Mohinder Singh Tagger had confirmed that, if the Council was so minded, he would accept the nomination for the honour.

Resolved that Council be recommended to confer the title of Honorary Alderman to Mohinder Singh Tagger in recognition of his eminent service to the Borough of Sandwell.

7/23

Nominations for the Offices of Mayor/Chair of Council and Deputy Mayor/Vice Chair of Council of Sandwell for the 2023/24 Municipal Year

The Democratic and Member Services Manager informed the Committee that one nomination had been received for the office of Mayor of Sandwell for 2023/24.

In accordance with the Council's agreed process, the Committee considered the sole nomination for the office of Mayor for the 2023/24 in respect of Councillor Bill Gavan.

Nominations for Deputy Mayor would be considered at the Full Council meeting.

Resolved:-

- (1) that Council be recommended to elect Councillor Bill Gavan to the office of the Mayor of the Borough of Sandwell/Chair of Council for the 2022/2023 Municipal Year;
- (2) that Council be recommended to consider nominations for Deputy Mayor on 28 March 2023

8/23

Leonard Andrews Poole Trust Annual Report 2022/23

The Committee was informed that the Leonard Andrews Poole Trust was established in 1980 and had been registered with the Charities Commission.

The Trust held shares on deposit with COIF Charities Investment Fund managed by the CCLA valued at £145,031.40. Interest which had accumulated from the investment could be utilised for the benefit of Grafton Lodge Care Home or any care home managed by Sandwell Council.

No financial expenditure had been incurred during municipal year 2022/ 23, the Trust had an average annual income of £4,200 via interest per annum.

Funds had been available to Harvest View and Fountain Court residences upon the submission of a report, subject to approval by the Committee.

The Committee considered and noted the Leonard Andrews Poole Trust financial position.

9/23

Exclusion of the Public and Press

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 any individual.

Meeting adjourned 4.22 – 5.07pm)

(Councillor Dhariwal joined the meeting)

10/23

Appeal against the Decision of the Adaptations Panel

The Committee considered an appeal against the decision of the Adaptions Panel in respect of Ms N R.

The Committee was advised that Ms N R had sought to appeal the decision of the Adaptation Panel to adapt the property, to include a ground floor access shower, .

Ms N R stated that the approved adaptation did not adequately meet the needs of her son due to his disabilities and sought approval to an alternative adaptation, which would exceed the cost of £25,000, but would provide dignity and privacy for her son and his complex disabilities.

Having considered all the information before them, the Committee was minded to uphold the appeal on the grounds of dignity and privacy and felt that the appellants proposed adaptation better suited her son's needs for the future as well as making better use of space.

Resolved that the appeal is upheld and that the Appellant's proposed scheme of adaptations is approved.

Meeting ended at 6.29pm following an adjournment between 5.58pm and 6.27pm

Contact: democratic_services@sandwell.gov.uk

This page is intentionally left blank

Minutes of Audit and Risk Assurance Committee

19 January 2023 at 6.00pm
In the Council Chamber at Sandwell Council House

- Present:** Councillor Preece (Chair);
Councillors Anandou, L Giles, Hinchliff and Khatun.
Mr Ager (Independent Member).
- Officers:** Narinder Phagura (Business Partner- Audit Services);
Victoria Lee (Head of Human Resources); Guy Grafton
(Grant Thornton); Surjit Tour (Monitoring Officer and Director
– Legal Services), Simone Hines (Director of Finance); Kate
Ashley (Strategic Lead – Service Improvement); Tony
McGovern (Director of Regeneration and Growth); Alexander
Goddard (Democratic Services Officer) and Anthony Lloyd
(Democratic Services Officer).

1/23 **Apologies for Absence**

Apologies were received from Councillor Choudhry and Mr Hussain (Independent Member).

2/23 **Declarations of Interest**

There were no declarations of interest.



3/23 **Minutes**

Resolved that the minutes of the previous meeting held on 15 November 2022 is confirmed as a correct record.

4/23 **Urgent Business**

There was no urgent business for discussion.

5/23 **Improvement Plan Progress – External Review Reports**

The Improvement Plan incorporated 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, Housing and Communities.

Updates were provided to the Committee in relation to the follow-up reviews conducted by the external reviewers.

Grant Thornton’s Value for Money follow-up review

The follow-up review found that the Council had continued to build on the initial improvements recognised by Grant Thornton in their original report. Significant progress on several recommendations particularly around corporate grip, improvement performance and decision making were highlighted.

Clear evidence had been shown that the Council was making better procurement and commercial decisions and that working relationships between the Council and key partners had improved. The notable progress on the implementation of replacement ERP systems was also recognised.

Greater stability at a political and senior officer level was present and a more mature approach between the Leader, Cabinet, Committees and senior officers was taking place.



An additional four key recommendations had been identified from the review which would be incorporated into the next rendition of the Improvement Plan:-

- The Council must conclude the design of Phase 2 of the Improvement Plan;
- The Council needed to ensure that the new corporate Project Management Officer (PMO) remained appropriately resourced, integrated all transformation and change activity being undertaken across the Council, and had access to appropriate data sources to be able to effectively monitor the delivery;
- The Council should progress and finalise outstanding actions relating to the previous recommendations and;
- Once all the planned revisions to the Constitution had been agreed, the Council would need to embed these changes and demonstrate sustainable improvements in governance and scrutiny of decision making.

The introduction of the additional recommendations would help provide further direction for the next stage of the Council's improvement journey. Members and officers were minded that the key to progress was to embed the changes already made to ensure that the desired impact is achieved.

In response to questions from members, it was confirmed that work to address historical problems and back-logs with the financial accounts was underway.

LGA Corporate Peer Challenge

Feedback from the LGA recognised the significant progress that had been made in a number of key areas to the good governance and management of the Council. The LGA also stressed that the Council was on a journey that it would take time to embed the improvements required.

Although no additional recommendations were provided, key areas required were highlighted by the LGA to ensure that progress continued. It was recognised that progress against the



improvement plan had improved, Cabinet and Leadership were working well, and difficult decisions were being made. Work on the constitution was praised and reviewers were pleased to see heavy engagement from members. One area of improvement identified in particular was against the Customer Journey goals.

Officers confirmed that the Customer Journey was a key part of the transformation programme and a priority going forward. Local Hubs had been identified and reviews into the entire Customer Services operation were in process. The Committee was also advised that the Budget and Corporate Scrutiny Management Board were undertaking a scrutiny review into the customer journey.

After further questions, officers clarified the following points:-

- The next iteration of the Improvement Plan would contain the action plan for implementing and embedding culture and behaviour changes;
- Regular meetings were taking place between commissioners and the new Chief Executive Officer.

CIPFA Review

CIPFA were commissioned by the Council to undertake a review of the financial management and governance arrangements using the Financial Management Model to contribute to the development of the Council's financial management operation and arrangements. CIPFA completed a Financial Management Model Re-assessment Review in December 2022.

The Council had improved from a progressive 2* rating to a 3* rating. Positive progress was evident and represented significant changes in a short period of time. The financial management structure and corresponding plans were achieving their goals.

Areas for improvement were identified and would be added to the Improvement Plan. The avoidance of errors in the accounts, the implementation of Oracle Fusion and the embedding of changes were the main issues to tackle moving forward.



It was confirmed that extensive benchmarking had taken place with other local authorities who used Oracle Fusion. The Council's current system was dated and therefore, the introduction of oracle fusion would be a dramatic change.

6/23

Business Strategy and Change Directorate Risk Register Report

An update was noted by the Committee on the profile of the key risks currently faced by the Business Strategy and Change Directorate. The directorate risk register would not include all of the risks faced by the directorate; some risks would be captured within service, programme and risk registers separately.

The directorate contained many key services including communications, Customer Service, Strategy and Performance, Technology and HR.

One risk was currently rated Red, seven were rated Amber and three risks were rated Green.

In response to questions, it was confirmed that none of the risks would be impacted by the recent departure of the Director for Business Strategy and Change. It was highlighted that staff recruitment varied depending on the department and that more frequent reporting would take place to analyse the difficulties faced in attracting to posts.

Several risk registers remained which would be scheduled into the Committee's work programme.

7/23

Regeneration and Growth Directorate Risk Register Report

The Committee received an update on the profile of key risks faced by the Regeneration and Growth Directorate.

The directorate was responsible for delivering economic and social prosperity as well as working with local enterprise partnerships, the



Chamber of Commerce and the West Midlands Combined Authority. The directorate also contained a number of service areas including planning and building development, transport, major regeneration programmes, facilities management and the Sandwell Aquatic Centre.

In total, three risks were rated Green, five risks were rated as Amber and two risks were rated as Red (dangerous structures and the delivery of the regeneration pipeline).

Officers clarified that although a dangerous structure reserve was present, a budget was not readily available to tackle grot spots. This was due to financial constraints and the prioritisation of other, more important, statutory responsibilities of the Council. All underspends across directorates had been used on savings and would not be available to use for tackling grot spots.

Members displayed concerns around the on-going problems with grot spots and dangerous structures in the borough and the lack of funding available to officers to help tackle those long-standing issues. It was agreed that the concerns would be passed to the Chair of the Budget and Corporate Scrutiny Management Board to consider adding the item to that Board's work programme.

Resolved that the resourcing of initiatives to address Grot Spots and Dangerous Structures be referred to the Chair of the Budget and Corporate Scrutiny Management Board for consideration for inclusion in that Board's work programme.

8/23 **Cabinet Forward Plan**

The Forward Plan was presented for information and to allow the Committee an opportunity to contribute to any items or raise any issues with the Executive.

9/23 **Work Programme**

The Committee noted the work programme for 2022/23.



Meeting ended at 7.42p.m.

Contact: democratic_services@sandwell.gov.uk



This page is intentionally left blank

Report to Council

28 March 2023

Subject:	Appointment to 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 changes to appointments to committees, boards and other bodies established by the Council, as set out in Appendix A.
- 1.2 That subject to 1.1 above, the nominations received be approved and appointed to those bodies with immediate effect.

2 Reasons for Recommendations

- 2.1 Appointments to positions on committee/boards/other bodies is a matter for Council to determine.
- 2.2 A request has been received for revisions to be made to the appointments to committees and boards, as set out in Appendix A.



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.

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.
Social Value	The proposals have no direct implications.

7. Appendices

Appendix A – Revisions to Appointments to Committees and Boards

8. Background Papers

None.



Appendix A

Revisions to appointments to Committees and Boards

Budget and Corporate Scrutiny Management Board	Councillor Dunn to replace Councillor Anandou
Planning Committee	Councillor Fisher to replace Councillor Williams
Economy, Skills, Transport and Environment Scrutiny Board	Councillor Chapman to replace Councillor Abrahams

