

Report of the Budget and Corporate Scrutiny Management Board

17 August 2022

Subject:	Report of the Budget and Corporate Scrutiny Management Board – Response to ‘Call-in’ in respect of ‘Brandhall – Options’
Cabinet Member:	Cabinet Member for Regeneration and Growth Councillor P Hughes
Director:	Director – Law and Governance and Monitoring Officer, Surjit Tour
Key Decision:	Yes
Contact Officer:	Senior Democratic Services Officer, Matt Powis Matt_powis@sandwell.gov.uk

1 Recommendations

- 1.1 That, the Cabinet considers its response in respect of the recommendations from the Budget and Corporate Scrutiny Management Board on 8 August 2022 and determine the following options:
- (a) Accept the recommendations as determined by the Scrutiny Board;
 - (b) Amend specific parts of the recommendations and approve a revised recommendation;
 - (c) Take no further action and implement the Cabinet decision as determined on 20 July 2022.

2 Reasons for Recommendations

- 2.1 To comply with Part 4 Section 14 (a) of the Council’s Constitution in respect of the Scrutiny Procedure Rules.



- 2.2 Upon receipt of the relevant Scrutiny Board’s ‘call-in’ recommendations, the Cabinet must consider whether to accept, amend or take no action in respect of the Scrutiny Board’s recommendations.
- 2.3 The decision of Cabinet will be final and implemented at the close of the meeting.

3 How does this deliver objectives of the Corporate Plan?

	<p>‘Call-in’ provides the mechanism for Elected Members to intervene with an Executive decision in exceptional circumstances.</p>
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4 Context and Key Issues

- 4.1 On Monday, 25 July 2022, the Council received a ‘call-in’ notification from Councillor Fenton, Chair of the Safer Neighbourhoods and Active Communities Scrutiny Board. Details of the ‘Call-in’ are referenced in appendix 1.

The Budget and Corporate Management Scrutiny Board met on 8 August 2022 and considered the ‘call-in’ notice as submitted by Councillor Fenton. A number of stakeholders were invited to attend including the relevant Cabinet Members and the Friends of Brandhall Greenspaces Action Group.

Following a lengthy debate, the Scrutiny Board voted unanimously and resolved to recommend the following to Cabinet:

The Budget and Corporate Management Scrutiny Board recognises a number of conflicting issues in relation to the Brandhall site, however, does not believe that these are insurmountable. The Board, has however, determined that the decision of Cabinet be referred back for reconsideration on the basis that the Board concluded the information utilised by Cabinet in reaching its decision may have been incomplete in that:



1. The Strategic Housing Land Availability Assessment (SHLAA) for the site was omitted from the report and Cabinet may wish to satisfy itself that the correct process and methodology was followed in relation to the comparable assessment of the site;
2. There is insufficient information contained in the report to confirm that alternative site options for the delivery of a new school have been fully explored, for example Cakemore playing fields does not appear to have been considered;
3. There is insufficient explanation given with regard to how the public consultation results, particularly with regard to residents' views, have been evaluated and weighted in reaching the decision.

In addition to the findings and recommendations of the Board, Cabinet are requested to note that a report on the financial analysis for the site will be considered at a future meeting of the Budget and Corporate Management Scrutiny Board.

5 Alternative Options

- 5.1 There are no alternative options in respect of this report.

6 Implications

Resources:	There are no specific resource implications associated with this report.
Legal and Governance:	The Scrutiny Board carried out it's legal duty to undertake overview and scrutiny as set out in Section 21 of the Local Government Act 2000 and the Local Government and Public Involvement in Health Act 2007.
Risk:	There are no specific risks in respect of this report. The risks associated with the proposal are set out in the Cabinet report as presented on 20 July 2022.
Equality:	The equality implications with the proposals are set out in the Cabinet report as presented on 20 July 2022.
Health and Wellbeing:	The Health and Wellbeing implications are set out in the Cabinet report as presented on 20 July 2022.



Social Value	The Scrutiny Board have demonstrated robust decision-making and referred the matter in question for the Cabinet to consider.
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7. Appendices

1. 'Call-in' Cover report as presented at the Budget and Corporate Scrutiny Management Board.
2. Response to 'Call in' report as presented at the Scrutiny Board.

8. Background Papers

Not applicable.

