

Report to the Budget and Corporate Management Board

8 August 2022

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| Subject: | Call-in of the Cabinet decision 'Brandhall - Options' |
| Director: | Director of Law and Governance & Monitoring Officer Surjit Tour |
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1 Recommendations

- 1.1 That the Board consider the 'call-in' and consider whether to make any recommendations to the Cabinet.

2 Reasons for Recommendations

A Scrutiny Board having considered the 'call-in' decision, may refer the decision back to the Cabinet reconsideration.

3 How does this deliver objectives of the Corporate Plan?

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|  | 'Call-in' provides the mechanism for Elected Members to intervene with an Executive decision in exceptional circumstances. |
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4 Context and Key Issues

- 4.1 In accordance with the provisions contained with Part 4 of the Council's Constitution (Scrutiny Procedure Rules), the Council received a 'call-in' notification from Councillor Fenton, Chair of the Safer Neighbourhoods and Active Communities Scrutiny Board on Monday, 25 July 2022.

The reason for the call-in is:

In line with the Council's Constitution as laid down in Part 4 – Scrutiny Procedure Rules, Section 14, the intention to call in was verbalised with brief reasons stated:

Due to the level of protest, a change UK petition that has over 2700 signatures and the vast number of questions this item has raised within the chamber and from the public, it is believed prudent to further examine the information and process used to formulate this decision to ensure the decision made fully encompasses both the financial impact on the council and the effects on the communities living and working in Old Warley, Langley and Bristnall Wards. This includes:

- *The financial implications in relation to building a new school, The report provides initial information about capital spend, however it does not address what financial obligations this will subject the Council to and for how long will the financial obligations continue to be held by the Council when the school is made an academy or alternatively if any outstanding financial obligations will be taken over by the academy.*
- *The requirement of places given the number of like for like schools in the area, Sandwell Trends information would appear to directly contradict the statement that Sandwell requires more school places and would suggest that less school places will be needed in the immediate future predicting that the 5-9 age range in Sandwell is decreasing not increasing.*
- *the condition of the school, including financial obligations while a new school is built. How long will the new building take, what immediate repairs within the report will need to be funded to ensure the safety of the pupils who currently use the building, how much funding has already been used to make repairs on the existing building, what historical reports exist in regards to the condition of the building*



- *the sites that were explored for the replacement school and the process that has been followed to determine it. Have parents been consulted about the site change, has a full investigation of the demographic location of current pupils been performed, has any consideration been given to the new catchment area and the existing catchment area of other schools, has any consideration been made to give other two form entry schools investment to become three form entry schools or has an in-depth analysis taken place to check if other schools could absorb new entry pupils without the need for Causeway Green to continue to be used.*
- *the impact of the existing highways infrastructure and the process that has been followed to determine that. The report makes no indication as to new infrastructure and its future definition of adopted or un-adapted, nor to whether current infrastructure is equipped to cope with the increased use.*
- *the site suitability and the assessments which were conducted, including reasoning for any assessments that may not have been completed. The report does not provide the Strategic Housing Land Availability Assessment, make mention of the Black Country Core Strategy ENV1 or acknowledge that the site is designated as a core habitat zone in the Black Country Plan.*
- *the impact on air quality and mental wellbeing. The report makes no mention of what public health reports exist in respects to the value of this site in regards to its contribution of the removal of particle matter and carbon absorption. What public health reports on the impact of green space on mental wellbeing exist that*
- *the potential loss of open green space that is reported to be home to wildlife, and historic ruins and artefacts, that may have the potential to bring Sandwell's nature reserves in line with the national standard. Sandwell's Green Strategy identifies that Sandwell is considerable behind the national standard for nature reserve space. The space allegedly has in excess of 61 species using it, many species of flora and fungi. It also is alleged to contain the ruins of St Katherine's Chapel for 1444, a Carboniferous formation that is over three million years old locally known as pudding rock and it is alleged that the area could be classified as an Ancient Woodland as it has been wooded since 1600AD.*



A copy of the received call-in notification, Cabinet decision and the Cabinet report are appended to this report.

The Board should consider the 'call-in' documentation and consider whether to make any recommendations to the Cabinet.

5. Appendices

- A. 'Call-in' notice provided by Councillor Fenton.
- B. Extract of the Cabinet Decision as published on the Council's Modern.gov page.
- C. Cabinet report and appendices as presented at Cabinet.
- D. Cabinet Member Statement as presented at Cabinet.
- E. Response to 'Call in' report.

6. Background Papers

Not applicable.

