

Minutes of Special Budget and Corporate Scrutiny Management Board

Monday 08 August 2022 at 3.30pm
In the Council Chamber at Sandwell Council House, Oldbury

Present: Councillor Moore (Chair)
Councillors Anandou, Bhullar, Fenton, E M Giles, Hinchliff
and Shackleton.

Also Present: Councillors Carmichael, Gavan and Hughes.

In attendance: Simone Hines (Director of Finance), Michael Jarratt (Director of Children's Services and Education), Tony McGovern (Director of Regeneration and Growth), Surjit Tour (Director of Law and Governance and Monitoring Officer), Sue Moore (Group Head for Education and Support Services). Elaine Newsome (Service Manager for Democracy), Tammy Stokes (Service Manager for Growth and Spatial Planning), Andy Thorpe (Healthy Urban Development Officer), Simon Chadwick (Road Safety and Highways Manager), Andy Miller (Strategic Planning and Transport Manager) Suky Suthi-Nagra (Democratic Services Manager), Matt Powis (Senior Democratic Services Officer), Trisha Newton (Senior Democratic Services Officer), Anthony Lloyd (Democratic Services Officer) and John Swann (Democratic Services Officer), Lee Wood (Regional Design Director – Aecom), David Deakin (Air Quality and Technical Director – Aecom) and Chris Morris (Transport Planner – Aecom), Ian Bennett (Chair of Brandhall Green Space Action Group) and Tim Parkes (Brandhall Green Space Action Group).



36/22

Apologies for Absence

Apologies for absence were received by Councillors Akhtar, Taylor and Hackett.

37/22

Declarations of Interest and Party Whip

Councillors Bhullar, Fenton and Moore declared a non-pecuniary interest in Minute No.38/22 as they have all undertaken a site visit with the Brandhall Green Space Action Group.

Councillor Anandou declared a non-pecuniary interest in relation to Minute No.38/22 as he founded the Brandhall Green Space Action Group.

Councillor Hughes declared a non-pecuniary interest in relation to Minute No.38/22 as he was a member of the Birmingham and Black Country Wildlife Trust.

38/22

'Call- in' Notice of the Cabinet decision in respect of Brandhall

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 Board considered the 'call-in' reasons and the Cabinet report in relation to Brandhall dated 20 July 2022 including the relevant reports and documents relating to the decision.

The Board received a technical overview of the proposals from the Director of Regeneration and Growth and the Director for Children's Services and Education. It was noted that a public consultation was held between 1 November 2021 and 28 November 2021 to which 497 responses were received and considered. The Council considered the feedback from the public consultation and took into consideration stakeholder concerns. As a result, the site options were re-evaluated and additional technical studies were carried out which resulted in the five options as presented at the Cabinet meeting on 20 July 2022.

The Cabinet Member for Regeneration and Growth presented an overview of the proposals for option 3 in respect of the Brandhall site. It was explained that the Council had an obligation to ensure that the Borough had sufficient housing to meet needs of the local population. In addition, it was noted that the Borough had a significant deficit in respect of both market and affordable housing. Therefore, the proposals for the Brandhall site would support the Council's housing objective.

In addition to housing need, the site would also host a new primary school for the Borough. It was explained that the existing Causeway Green Primary School would be replaced due to the poor condition of the building and site location. It was noted that repairs to the school were no longer economically viable, therefore, a replacement school was required.

The proposals also aimed to provide community open space which would support the aims and objectives as set out in the Council's Green Space Strategy.

At this point in the meeting, an adjournment took place at 5.25p.m and was reconvened at 5.35p.m

The Brandhall Green Space Action Group were invited to address the Board and raised a number of issues relating to the allocation of the site for housing. A lengthy debate ensued on the Strategic Housing Land Availability Assessment (SHLAA) and alternative options for meeting the educational needs of children in the locality. The Board noted that the site was included in the draft Black Country Plan as a proposed housing site.

39/22

Exclusion of the Public and Press

Resolved that the public and press be excluded from the rest of the meeting. This was 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.

Brandhall Financial Implications of Options

The Board received an overview of the financial implications in respect of the options for the Brandhall site.

Members noted that a number of financial options were considered for the Brandhall site which were aligned to the recommendations as set out in the Cabinet report dated 20 July 2022. Each option detailed the necessary financial implication to the Council and detailed the relevant alternatives for the Board's consideration.

Following a lengthy debate it was moved and duly seconded that:

'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.*
- 4. 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.'*

On being put to the vote, it was unanimously declared carried.

Resolved that 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.
4. 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.

Meeting ended at 7.48pm.

Contact: democratic_services@sandwell.gov.uk