

Minutes of Cabinet

**Wednesday 18 January 2023 at 3.30pm
at Council Chamber, Sandwell Council House**

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

In attendance: Councillors Simms and Elaine Giles.

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), Anthony
Lloyd (Democratic Services Officer) and Trisha Newton
(Deputy Democratic Services Manager).

1/23 **Apologies for Absence**

Apologies were received from Councillors Millard, Moore,
Taylor and Carmichael.

2/23 **Declarations of Interest**

There were no interests declared.

3/23 **Minutes**

The minutes of the meetings held on 7 December 2022 and
21 December 2022 were approved as a correct record.

4/23 **Additional Items of Business**

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

5/23 **Determination of Admission Arrangements for Sandwell's Community and Voluntary Controlled Schools for 2024/25**

Approval was sought to authorise the Director of Children and Education, in accordance with the School Admissions Code 2021, to publish the Local Authority's Admission Arrangements for the 2024/25 academic year.

The Chair of the Health and Adult Social Care Scrutiny Board sought clarification on how many mainstream schools had the facilities to support special needs children with difficulties such as Dyslexia, Autism or Dyspraxia at an appropriate level.

In response, the Cabinet Member for Children and Education confirmed that all main schools were expected to provide additional support to children / young people with SEND needs through their own SEN notional budgets. The SEN notional budget was not ring fenced but identified for each school through a formula agreed by Schools forum (low attainment and deprivation). If a child's SEN needs were more complex and required more sustained provision over time, then schools could request an Education, Health and Care Needs Assessment, which would provide additional "top up" funding for the child / young person. Schools needed to evidence that they were spending more than £6000, which was the nationally prescribed amount, on provision for the child before they could consider an EHC Needs Assessment. Schools were additionally supported by a vast array of Inclusion Services staff and a range of partner agencies to ensure that the needs of all SEN pupils were met within mainstream schools.

Reason for Decision

The Local Authority (LA) must abide by the requirements of the School Admissions Code ('Admissions Code') and associated regulations and determine admission arrangements for community and voluntary controlled schools each year.

Alternative Options Considered

There is no alternative option open to the LA in relation to its responsibilities for agreeing and publishing oversubscription criteria for community and voluntary controlled schools. The LA must abide with the requirements of the Admissions Code.

Agreed that the Director of Children and Education, in accordance with the School Admissions Code 2021, be authorised to publish the Local Authority's Admission Arrangements for 2024/25 academic year for places in all community and voluntary controlled schools as set out in Appendix 1.

6/23

Asset Management Investment Programme for Housing 2023-24

Approval was sought to authorise the Director of Housing, in consultation with the Director of Finance, to prepare tendering documentation and to procure contractors, in accordance with The Public Contract Regulations 2015 and the Council's Procurement and Contract Procedure Rules, to work on behalf of the Council, to deliver refurbishment and maintenance works.

The Chair of the Economy, Skills, Transport and Environment Scrutiny Board requested clarification on whether the tender would only go to larger companies. Questions were also asked if smaller companies in Sandwell had the same opportunities to get work and how well was it publicised for local companies to get added onto the tendering mail list.

The Cabinet Member for Housing highlighted that wherever possible, local companies were encouraged to tender for housing works. Many large contractors also subcontracted to smaller, local businesses.

In the case of major projects such as the refurbishment of high rise blocks, it tended to be national construction companies that bid due to the highly specialised work requirements. However, the Council did build social value in to those tenders to ensure local labour was employed, including apprenticeships.

Reasons for recommendations

To procure, award and enter into contracts with the successful contractors to deliver the various contracts to continue the substantial investment in the Council's Housing Stock.

Alternative options considered

The alternative was to not invest in Council Housing Stock which in turn could lead to dissatisfaction from existing and potential new tenants as well as disrepair and additional burden on the Housing Revenue Account.

Current in-house provision did not have the capacity to maintain the pace of demand for delivering the required repairs to Council properties with regards to the electrical services and day to day repairs contracts and therefore support from external contractors was required.

Agreed:-

- (1) that the Director of Housing, in consultation with the Director of Finance, be authorised to prepare tendering documentation and to procure contractors, in accordance with The Public Contract Regulations 2015 and the Council's Procurement and Contract Procedure Rules, to work on behalf of the Council, to deliver the refurbishment and maintenance works detailed below: -

Contract	Value
Internal Improvement Programme 2023 – 2027	£6,000,000
Refurbishment of St Giles and Moorlands Court	£19,788,000
Lift Maintenance Services 2024 – 2028	£3,180,000
Electrical Services 2023 - 2027	£3,600,000
Day to Day Repairs to Housing 2024 – 2027	£2,400,000
Supply of Domestic Electrical Items 2023 – 2027	£2,300,000
Supply of Plumbing Parts 2023 – 2027	£6,000,000
Supply of Building Materials 2023 – 2027	£1,600,000
TOTAL	£44,868,000

- (2) that the Director of Housing be authorised to award the contracts, as referred to in Resolution (1) above, to the successful contractor(s);
- (3) that the Director – Law and Governance and Monitoring Officer be authorised to enter into or execute under seal any documentation in relation to the award of the contracts;
- (4) that any necessary exemption be made to the Council’s Procurement and Contract Procedure Rules to enable the course of action referred to in Resolution (1) above to proceed.

07/23 Rolfe Street Masterplan – Approval to consult

Approval was sought to begin the consultation on the Draft Rolfe Street Masterplan for six weeks between January to February 2023; with authorisation to make minor changes to the masterplan prior to consultation if required.

Reasons for Decision

Consultation with the wider public, businesses, community groups and other interested parties will enable the options being put forward to be further refined and developed into a final document that, once approved, will form the basis for future decision making that will assist in bringing forward regeneration benefits to the area.

Alternative Options Considered

Despite the area being allocated for residential use since 2008, no comprehensive redevelopment had taken place. Proposals had been discussed over the years, but they have not come to fruition. Piecemeal development has been refused as it would be inappropriate to promote development in an area predominantly occupied by industry.

Funding from the BCLEP had enabled the Council to prepare a more detailed masterplan which would assist in providing the housebuilders more clarity and certainty with regards the type of development the Council considers would be most appropriate. The Towns Fund project was funded for the Smethwick Enterprise Centre which will act as the catalyst for future developer interest. Having a Masterplan in place would assist in the decision-making process for future proposals.

Not progressing with a Masterplan for the area would not create a platform from which to promote development opportunities in this area or provide a strong base to bid for further funding. The continued regeneration envisioned for this area would not be achieved and it would prevent the potential development of up to 660 much needed homes, within one of the most deprived areas of Sandwell.

Agreed:-

- (1) that approval be given to the consultation on the Draft Rolfe Street Masterplan for six weeks between January to February 2023;

- (2) that the Director for Regeneration and Growth be authorised to make minor changes to the Masterplan prior to consultation commencing if required.

8/23

Schools Funding 2023-24

Approval was sought to adopt the minimum option for calculating schools funding in 2023-24.

In 2023-24, each local authority would be required to bring their own formulae closer to the schools direct National Funding Formula (NFF). There was an expectation that the full move to the NFF would be completed by 2027-28. The 10% movement was calculated such that local authorities are required to bring their local formula factor values 10% closer to the NFF, compared to the difference between the local factor value and the NFF value in 2022-23.

Reasons for decision

The Schools Revenue Funding 2023-24 Operational Guide requires the Council to engage in open and transparent consultation with maintained schools and academies in their area, as well as with their schools forum about any changes to the local funding formula, including the principles adopted and any movement of funds between blocks.

The Council was responsible for making the final decisions on the formula and for ensuring there is sufficient time to gain political approval before the schools funding model (Authority Proforma Tool – APT) deadline in January 2023.

Alternative options considered

There is an alternative option whereby cabinet can overrule schools' preferences and move the funding model immediately to that which moves closer or mirrors the National Funding Formula.

Agreed that in respect of the 2023/2024 schools funding formula for Sandwell schools and following consideration of the outcome of the consultation proposals following review by the Schools Forum, approval be given to:-

- (a) adopting the minimum transition option for calculating schools funding in 2023-24
- (b) setting the Growth Funding at £1.664m
- (c) the transfer of £0.455m funding from the Schools Block to the Central Schools Services Block (CSSB) to fund the attendance service
- (d) the CSSB, De-delegated and Education Function proposals.

9/23

Council Tax Base 2023/2024

Approval was sought to recommend the Council Tax Base 2023/24 to Council. The recommended Tax Base was set at 76,764.73

The Chair of the Health and Adult Social Care Scrutiny Board questioned what provisions were in place if the Council failed to reach the 98.5% Council Tax collection rate goal.

The Deputy Leader and Cabinet Member for Finance and Resources confirmed that the collection rate for 2023/24 had already been reduced from 99% to 98.5% to reflect caution around the impact of Cost of Living. The Council would continue to be proactive with council tax recovery and debts are only written off once all recovery options have been exhausted, even if that was in future years. The Council's Cost of Living initiatives and government schemes would also support Council Tax Collection. Ultimately, if the collection rate was not achieved and a higher provision for bad debts was needed at the end of the year then any shortfall in income would be rolled forward to the following year to be recovered through the budget setting process for 2024/25.

Reasons for Decision

The Council Tax Base must be calculated in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012. It is used to determine the annual amount of collectable Council Tax. The regulations set out the methodology to be used by authorities when calculating their Council Tax Base. They further dictate that the Council Tax Base should be set between 01 December and 31 January prior to the financial year to which it refers.

Alternative Options Considered

There were no alternative options.

Agreed that the Council be recommended to:

- (1) approve the Council Tax Base for 2023/2024 be set at 76,764.73;
- (2) authorise the Section 151 Officer to adjust the Council Tax Base as required following approval of the 2023-2024 Council Tax Reduction Scheme by Council on 21 February 2023.

10/23

Treasury Management Mid-Year Review 2022/23

Approval was sought to recommend the Treasury Management Mid-Year Review 2022/23 and revised Minimum Revenue Provision Policy to Council for further approval.

Reasons for recommendations

To comply with the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management

To ensure the Council's Minimum Revenue Provision Policy is prudent.

Alternative options considered

If the Mid-Year Review report was not approved then the Council would not be compliant with the CIPFA Code. Cabinet could choose not to adopt the revised MRP Policy, but this will forgo savings of over £4m in 2022/23 and 2023/24 and savings for the next 25 years.

Agreed that the Council be recommended to approve the Treasury Management Mid-Year Review 2022/23 and revised Minimum Revenue Provision Policy.

11/23

Oracle Fusion ERP System Implementation Costs and Benefits Case

Approval was sought to authorise the Director of Finance to undertake all steps and actions necessary to implement the Oracle Fusion Enterprise Resource Planning (ERP) system.

Reasons for recommendations

To ensure the implementation of Oracle Fusion was delivered in a timely and efficient manner in order to bring transformation benefits to the way the Council currently works and to complete the actions from the Grant Thornton Governance Review.

Alternative options considered

The Council could choose to scale down the resource model to reduce costs but this would significantly reduce capacity to undertake the implementation on time and achieve transformational benefits of the system. The Directions issued by the Secretary of State are a statutory requirement and the council has a legal obligation to respond appropriately. Failure to do so would likely result in further intervention measures.

Agreed:-

- (1) that the current progress being made with the implementation of the Oracle Fusion Enterprise Resource Planning (ERP) system be received;
- (2) that the implementation budget for 2022/23-2024/25 be added to the Capital Programme in each respective year;
- (3) that additional implementation costs of £2.5m be funded from capital resources as part of the overall capital financing strategy;
- (4) that the Director of Finance be authorised to undertake all steps and actions necessary to implement the Oracle Fusion Enterprise Resource Planning (ERP) system.

Meeting ended at 4.43pm

Contact: democratic_services@sandwell.gov.uk