

Minutes of The Cabinet

Wednesday 7 July 2021 at 3.30pm
Sandwell Council House, Oldbury

Present: Councillor R Singh (Chair);
Councillors Ahmed, Crompton, Hartwell, Millard, I Padda,
Simms and Taylor.

Also present: Councillors Mabena, Moore and Shackleton.

Officers: Nicholas Austin (Interim Director – Borough Economy),
Lesley Hagger (Director – Children’s Services), Rebecca
Maher (Acting Director – Finance), Lisa McNally (Director –
Public Health), Tammy Stokes (Interim Director –
Regeneration and Growth), Sue Stanhope (Interim Director
HR), Surjit Tour (Director - Law and Governance and
Monitoring Officer), Katharine Willmette (Interim Director –
Adult Social Care), Elaine Newsome (Service Manager –
Democracy) and Suky Suthi-Nagra (Democratic Services
Manager).

123/21 **Apologies for Absence**

Apologies for absence were received from Councillors Ali and
E M Giles.

124/21 **Declarations of Interest**

There were no declarations of interest made at the meeting.



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125/21 **Minutes**

The minutes of the meetings held on 16 June 2021 were confirmed as a correct record.

126/21 **Additional Items of Business**

There were no additional items of business to consider at the meeting.

127/21 **2022 Commonwealth Games – Sandwell Aquatics Centre - Management and Operation of Highways for Commonwealth Games**

It was reported that West Midlands Combined Authority (WMCA) had been appointed by the Secretary of State to produce the Games Transport Plan. In order to enable a successful Games, a number of traffic management measures would be required at all the venues across the region and partners were working closely to ensure the network operated as an integrated whole.

Approval was sought to sign a Concurrent Powers consent letter with the West Midlands Combined Authority to allow them to make related Temporary Traffic Regulation Orders to enable safe and efficient operation of the highways during the Commonwealth Games over a period of up to 4 weeks from mid-July 2022 to mid-August 2022.

Approval was also sought to enter into a Memorandum of Understanding with WMCA to identify and quantify the network management requirements to be delivered and implemented on the Games Route Network (GRN) to enable safe and efficient operation of the relevant highways during the Commonwealth Games.



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Reason for Decision

In order to enable a successful Games, a number of traffic management measures would be required at all the venues across the region and partners were working closely to ensure the network operated as an integrated whole.

Although in normal circumstances Sandwell would undertake the necessary legal requirements to bring about Games Temporary Traffic Regulation Orders and issue Games Temporary Traffic Regulation Notices required for the Aquatics Centre venue, during the Games it was possible that there would be scenarios where, due to unforeseen circumstances, TTROs/TTRNs were required at exceptionally short notice (for example, on a Sunday or overnight).

To guard against this risk it was requested that TfWM should have the ability to exercise concurrent powers, as outlined in the Games Act 2020, in consultation with the local Highway Authority, if the need arose.

The successful management of the West Midlands road network was critical to the success of the Commonwealth Games. During the Games the road network including the Games Route Network would need to function efficiently to balance the travel movement priorities of athletes, other Games family and spectators with minimal disruption to businesses, residents and background users of the network.

Alternative Options Considered

The only alternative option available was not to sign the concurrent powers agreement letter. Consequently, if during the Games a scenario occurred where TTROs/TTRNs were required at exceptionally short notice to allow the games to continue without interruption (e.g. on a weekend or overnight), then the local authority may not have the resources to implement these within the required emergency timeframes.



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The WMCA would have the resources available at very short notice to coordinate the required emergency activity on the GRN and across local authority boundaries, in consultation with the relevant Highway Authorities. In addition, this would also result in reputational harm as the only relevant Highway Authority not to enter into the wider agreement to help facilitate the operation of the Commonwealth Games.

Not entering into a Memorandum of Understanding would miss the opportunity to agree the mechanisms for efficient functioning of the Games Route network during the games period. This could result in competitors and officials being delayed and potentially missing or delaying programmed events. This would inevitably result in widespread reputational harm.

Agreed:-

- (1) that approval be given to sign a Concurrent Powers consent letter with the West Midlands Combined Authority to allow them to make related Temporary Traffic Regulation Orders to enable safe and efficient operation of the highways during the Commonwealth Games over a period of up to 4 weeks from mid-July 2022 to mid-August 2022, dates to be specified in the agreement;
- (2) that approval be given to enter into a Memorandum of Understanding with WMCA to identify and quantify the network management requirements to be delivered and implemented on the Games Route Network to enable safe and efficient operation of the relevant highways during the Commonwealth Games;
- (3) that the Director of Law and Governance and Monitoring Officer be authorised to sign both the concurrent powers consent letter and the memorandum of understanding with the West Midlands Combined Authority;



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- (4) that the (Interim) Director Borough Economy, in consultation with the Cabinet Member for Connected and Accessible Sandwell, be authorised to make any necessary amendments to the content of the Memorandum of Understanding following completion of any reviews and inspections to the existing highway network and be authorised to agree any necessary amendments to the Concurrent Powers Letter, including the final dates on behalf of the Council.

128/21

Request to procure an Adult Weight Management Service

Approval was sought to use the adult weight management services grant of £320,730 to procure a behavioural (tier 2) weight management service (during 2021/22) for adults (that included a multi-component programme addressing dietary intake, physical activity and behaviour change for adults who were overweight or living with obesity with the primary aim of promoting health behaviour change, which reduced body weight), using the dynamic purchasing system provided by Public Health England (PHE).

The Director – Public Health gave a presentation setting out the impact and causes of obesity in Sandwell and how the funding would be used to commission an enhanced weight management service as well as build up capacity for weight management support across our community and voluntary sector.

Reason for Decision

Obesity caused problems at both an individual and societal level, in that it was a significant driver of ill health and demand on health services. The extent to which obesity was a challenge for any given area could be gauged in the routine data on hospital admissions in which obesity was judged by the clinician to be a primary or secondary factor in the patient's ill health.



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In Sandwell last year the rate of admissions with obesity as a factor was 1842 per 100k population (see table one below). This equated to over 5585 individual admissions, which while by no means the highest in our region, still represented a significant impact on both individuals and healthcare resources.

The public health team would like to take the opportunity to use some short-term funding to provide a service that would improve levels of physical activity, healthy eating and support people to adopt healthier behaviours.

Alternative Options Considered

Develop a service specification and commission the service using the Council's internal procurement processes. The implication of this was that an internal procurement exercise for anything over £100k could take between 2 and 9 months. Given that this funding may only be used for eligible expenditure between 1 April 2021 and 31 March 2022, there may not be time to go through a full procurement process and deliver the service within the timescales specified. Capacity was also currently stretched in public health due to additional Covid-19 duties.

Agreed:-

- (1) that the Director of Public Health be authorised, in consultation with the Chief Finance Officer, to use the adult weight management services grant of £320,730 to procure a behavioural (tier 2) weight management service (during 21/22) for adults (that includes a multi-component programme addressing dietary intake, physical activity and behaviour change for adults who are overweight or living with obesity with the primary aim of promoting health behaviour change, which reduces body weight), using the dynamic purchasing system provided by Public Health England (PHE);



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- (2) that the Director of Law and Governance and Monitoring Officer be authorised to enter into and execute, under seal as may be required, any contracts or ancillary documentation in relation to the award of contract referred to in Resolution (1) above.

129/21

Adoption of Temporary Accommodation Policy

Approval was sought to the adoption of the Council's Temporary Accommodation Policy, in response to the requirement for all local authorities to have and keep up to date, a policy.

The policy covered:

- factors to be taken into account when making placements, including type, size and location of accommodation;
- length of stay in temporary accommodation;
- offers and refusals; and
- procurement of temporary accommodation.

When considering the factors taken into account when making placements, the policy covered and considered individual risk to households, the needs of children under the Children Act 2004, health and support needs, affordability and access to employment. Specific to the actual property, the policy provided the necessary steer on the type, size and physical condition of property to be offered.

More recently, the Housing Solutions Service had expended a considerable amount of resource to reduce the use of outsourced temporary accommodation (TA). This had involved a focus on sourcing TA from within the Council's own stock (almost exclusively two bedroom flats and around 40 units in total). This approach would be significantly enhanced with the development of the Council's own specific TA facility at Applewood Grove when it became operational and would provide a further 21 units of temporary accommodation.



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In all instances except where a risk assessment or household need requirement required otherwise, the new Applewood Grove facility would be the preferred option by the Council for TA. Where the use of Applewood Grove could not be facilitated, the Council would endeavor to source accommodation from within its own stock and from its contracted arrangements to source accommodation from the private rented sector. The fourth and last option would be to use bed and breakfast accommodation.

In response to a question raised by the Chair of the Children's Services and Education Scrutiny Board, the Cabinet member for Quality Homes and Thriving Neighbourhoods confirmed:-

- Applewood Grove was expected to be operational by the end of July 2021, having access to this accommodation was important to the delivery of the Temporary Accommodation Policy;
- the Council was continuing to make best use of its own stock, including some of our more difficult to let units, to discharge its duty to homeless households. This approach, alongside increasing access to good quality private sector accommodation had significantly reduced the number of people in temporary accommodation and the length of time before offers of more sustainable accommodation were made to homeless households. The Council would continue to look at the issue of age limit too when letting properties.

Reason for Decision

It was a statutory requirement for each local authority to produce and publish a Temporary Accommodation Policy setting out the requirements that it needed to consider when allocating and procuring temporary accommodation.



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Alternative Options Considered

There were no alternative options, it was a statutory requirement for a local authority to publish a Temporary Accommodation Policy. The adoption of the Policy would ensure that the Council was not open to any form of legal challenge in this context.

Agreed:-

- (1) that approval be given for the Council to adopt the Temporary Accommodation Policy as now submitted;
- (2) that the Director of Housing, in consultation with the Cabinet Member for Homes, be authorised to review and approve subsequent Temporary Accommodation Policy reviews and amendments except where the changes are major or involve amended legislation.

130/21

Black Country Collaborative Framework Contract for Minor Highway Works 2021-2024/25

Approval was sought to procure a new Black Country Collaborative Framework Contract for Minor Highway Works. The contract would commence on 1 November 2021, for a three year period up to 31 October 2024, with an option to extend for an additional twelve months until 31 October 2025, subject to satisfactory performance and budget availability.

The scope of the Framework Agreement included all minor civil engineering works associated with improving and protecting the highway network infrastructure. This could include, but was not limited to:

- construction of new footways and carriageways;
- associated highways landscape works;
- installation of new highway drainage;
- installation of new traffic signals and pedestrian crossings;
- installation of bitumen and block paved surfacing;



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- installation of lighting columns, bollards and electrical connections;
- installation of road marking, road signs, electronic message signs;
- excavation, demolition and disposal of existing infrastructure;
- infilling of redundant subway and associated demolition works;
- protection to existing underground services;
- implementation of off-highway civil engineering works on behalf of external and internal clients.

The Framework Agreement would comprise of 3 Lots:

- Lot 1 for package orders up to £100,000;
- Lot 2 for package orders between £100,001 and £500,000;
- Lot 3 for package orders over £500,001.

The Council would lead on the procurement process which would be undertaken collaboratively amongst the four Black Country local authorities, Birmingham City Council and Transport for West Midlands. From 1 of January 2021, OJEU was replaced by a new UK e-tendering platform called Find a Tender service (FTS). Consequently, the new Black Country Framework Contract for Minor Works (2021-2025) would be procured through the new FTS.

It was proposed that a number of suitable contractors would be appointed to each lot to ensure adequate resource was available to undertake all the required minor works across the relevant authorities, during the period of the framework.

Reason for Decision

The benefits derived from the procurement of this regional Framework Contract would include delivery of projects necessary to improve the highway network and provide road safety measures, cost effectively and efficiently.



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All participants in this Framework Contract would be able to achieve costs savings and additional benefits through the reduction in tendering costs, reduced contract administration and secure social value benefits.

Alternative Options Considered

Without a current Highways Minor Works framework to enable quick and efficient use of contractors to undertake programmes of work, each project would require separate costly and timely tendering processes. In addition, Highway Services would need to utilise elements of other less suited framework contracts for urgent service provision. This would inevitably lead to long delays in delivering safety and infrastructure improvement projects, increased costs and potential reputational harm.

Agreed:-

- (1) that the Interim Director - Borough Economy be authorised to award the Black Country Collaborative Framework Contract for Minor Highway Works 2021-2025, for the sum of £2.5m per year for period of up to 4 years, from 1 November 2021 to 31 October 2025;
- (2) that the Interim Director Borough Economy be authorised to extend the Black Country Collaborative Framework Contract for Minor Highway Works 2021-2025 by one year subject to satisfactory performance during the first 3 years;
- (3) that the Director – Law and Governance and Monitoring Officer be authorised to enter into appropriate contract for the Black Country Collaborative Framework Contract for Minor Highway Works 2021-2025;



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- (4) that the Director of Law and Governance execute any documentation necessary to give effect to Resolution (1) and (2) above.

131/21

Black Country Plan – Draft Plan for Consultation

It was reported that in accordance with national planning policy, development plans should be updated every five years and should identify requirements for 15 years from the date of adoption. It was intended that the Black Country Plan (BCP) would be adopted in 2024 and would replace the Black Country Core Strategy. The Plan would also allocate specific sites for different land uses, carry forward the allocations in the Site Allocations & Delivery Plan (SAD) and would roll forward the land use requirements to 2039.

The Draft Plan had now reached an advanced and important stage of its preparation and would make key decisions on:

- **Climate change** - how can we adapt and mitigate against the impacts?
- **New housing** - how much new housing is needed? How much can be provided in sustainable locations and where will it go? What type and density of housing should be provided and how much affordable housing is required and achievable?
- **Employment land** - where does employment land need protection? How much new employment land is needed and where should it go?
- **Supporting infrastructure and services** - what improvements to transport, schools, green space, etc. will be needed to support new development? Where will new services be located?
- **How we will create healthy and safe places** to promote better health and wellbeing?
- **In the face of new development** how will the natural and historic environment be protected and improved?



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The public, through the consultation process, would have an opportunity to provide responses which would be considered by the Cabinets of all four councils during the next stage of the Plan's preparation, with regards to any proposals for the removal of sites from the Green Belt anywhere in the Black Country and their allocation for development.

It was proposed to undertake a public consultation on the Draft BCP for an eight-week period, to be agreed by the Interim Director of Regeneration and Growth in consultation with the Cabinet Member for Strong and Inclusive Economy. It was anticipated that the consultation would commence in August 2021 and run to the end of September/early October 2021.

In response to questions raised by the Chair of the Children's Services and Education Scrutiny Board, the Cabinet Member for Strong and Inclusive Economy confirmed:-

- there were no general powers to force land owners to bring sites into use. Local Planning Authorities did have the power to compulsory purchase land to meet Local Plan objectives but this would require funding and would need to demonstrate that there were no reasonable prospects of the land owner bringing forward proposals of their own. S.215 of the Town & Country Planning Act 1990 also gave local authorities the power to compel land owners to tidy up sites or make them safe although this not a matter for the Local Plan decision today;
- with regard to the specific site at Majestic Cinema in Cradley Road, Cradley Heath, this site was not allocated in the Black Country Plan but was one of a number of sites allocated in the Sandwell Site Allocations & Delivery DPD which were carried forward until that plan was reviewed. The Council was actively engaged with the site owner to explore how the site can be redeveloped.



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In response to questions raised by the Chair of the Economy, Skills, Transport and Environment Scrutiny Board in relation to the future plans for the Charlemont Community Centre and Painswick Close, Great Barr site, which was not deemed suitable for housing, the Cabinet Member for Strong and Inclusive Economy would endeavour to provide a response on the Council's proposals.

Reason for Decision

The Draft Black Country Plan (formerly known as the Black Country Core Strategy) would provide the framework to guide future planning decisions in Sandwell as well as the wider Black Country. It was based on national policy and guidance, an assessment of local housing and employment needs, as well as meeting objectives that had been defined through an Issues and Options consultation in 2017.

It was important that Sandwell was covered by an up-to-date Local Plan in order to meet statutory requirements, to support regeneration and investment in the Borough, and to protect areas of value from development. Cabinet approval was required for each consultation stage of the Black Country Plan preparation process.

Alternative Options Considered

The preparation and adoption of a Local Plan was a statutory requirement resulting from Government planning legislation. The Draft Black Country Plan resulted from the outcome of the 2017 Issues & Options consultation, the Call for Sites and the gathering and robust assessment of evidence in the period since.

Agreed:-

- (1) that the Draft Black Country Plan, consultation material and non-technical summary and Sustainability Appraisal Reports be approved for consultation during Summer 2021;



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- (2) that the Interim Director - Regeneration and Growth, in consultation with the Cabinet Member for Strong and Inclusive Economy, be authorised to make any necessary minor amendments to the Draft Black Country Plan and Draft Sustainability Appraisal Report prior to commencement of the consultation process;
- (3) that a further report be submitted to the Cabinet summarising key issues raised during the consultation, to inform preparation of the Publication Black Country Plan.

132/21

Black Country Community Renewal Fund 50 Plus Partnership

Approval was sought for the Council to act as accountable body in the event that the application submitted to lead a Community Renewal Fund application for a Black Country 50 plus partnership with public, private and voluntary sector partners was successful. The model would be embedded in the local community and respond to local needs. Support was targeted at economically inactive, unemployed and employed 50 plus residents, aiming to move individuals closer to the labour market, to upskill and to retrain.

The Community Renewal Fund (CRF) was £220 million of additional short-term funding with a focus on 100 priority areas. Sandwell and the Black Country boroughs were all on the priority list. CRF would lead into the wider Shared Prosperity fund due to replace funding for activities such as those currently funded by the European Social Fund.

The CRF funding should be used to test innovative models and should not duplicate existing/funded provision. Projects would be delivered over a duration of 6 months and all funds must be spent by March 2022.



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Reason for Decision

Sandwell MBC had applied to lead a CRF application for a Black Country 50 plus partnership. Strategic Finance had carried out an appraisal of the funding application, which had been evaluated against HM Treasury Green Book guidance. The appraisal process had recommended action points to mitigate any risk to the council.

Alternative Options Considered

Alternative options were explored including an application for an all age employment service. This was not progressed since an all age service would duplicate existing funding streams in place.

The option for SMBC to not act as accountable body was explored however the other local authorities preferred SMBC as lead due to the 50 Plus JCP planned programme in Sandwell. The other local authorities had also led applications which Sandwell MBC were included in.

Agreed:-

- (1) that approval be given to allow Sandwell MBC to act as accountable body for the Black Country 50 Plus partnership;
- (2) that, in the event that the application is successful as set out in Resolution (1) above, the Executive Director of Children's Service be authorised to enter into a contract with West Midlands Combined Authority for Community Renewal funding;
- (3) that the Director of Law and Governance and Monitoring Officer be authorised to execute any documentation necessary to enable the above in Resolution (2);



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- (4) that in connection with Resolution (1) and (2) above, that the following action points identified within the financial appraisal of the funding application by Strategic Finance, be implemented to reduce any risk to the council:
- that funding agreements are issued and signed by delivery partners prior to the acceptance of funding from the Ministry of Housing, Communities and Local Government's (MHCLG) Community Renewal Fund;
 - that MHCLG's terms and conditions of funding are passported to delivery partners in agreements with Sandwell MBC and include the following:
 - procurement complies with Sandwell MBC's own procurement requirements;
 - agreed outputs for each delivery partner;
 - funding allocation for each delivery partner;
 - evidence required for grant claims;
 - grant claims to be paid to delivery partners following submission of claim and approval by MHCLG;
 - repayment of grant on non-delivery of outputs;
 - monitoring requirements;
 - responsibility for funding overspends on delivery of the project;
 - all grant recipients to verify that they are eligible to receive grant funding under the Trade & Co-operation Agreement between the EU and UK;
 - review all estimated costs with delivery partners to ensure that the outputs of the project can be delivered within available funding;



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- that consideration is given on how the project could be continued after the initial funding period;
- that VAT/tax advice is sought from the Council's Tax Accountant;
- that a full governance structure with roles and responsibilities for each delivery partner is produced to ensure the effective management, monitoring and submission of grant claims;
- that systems and processes be established for the management and monitoring of the project.

133/21

Appropriation of the Hamstead Sons of Rest Building

Approval was sought to declare the land at The Hamstead Sons of Rest Building surplus to Council requirements. The building was single storey which was currently in part time use by a Church group. The building had not been used for community purposes since the Covid-19 emergency lock down of March 2020.

The church group had been offered and accepted alternative premises a few hundred yards from Broome Avenue. Once empty, the building would be refurbished to provide a specially adapted two bedroomed bungalow.

The proposal would make much better use of a Council asset to provide a much-needed renovated property for a disabled resident. Planning consent had been granted and subject to consent, work would commence quickly.

In response to a question raised by the Chair of the Economy, Skills, Transport and Environment Scrutiny Board in relation to the cost of converting the building, the Cabinet Member for Strong and Inclusive Economy sought to provide the details to the Scrutiny Chair.



Reason for Decision

To authorise appropriation of the land to accommodate subsequent use by housing as part of the housing stock within the remit of the housing revenue account.

Alternative Options Considered

The building was currently under used. There was an opportunity to make better use of this asset.

If the building was sold this would prevent the Council from providing much needed social housing in the Great Barr area. A sale would also mean the Council losing influence on how this building, which was within a residential area, was managed. A sale of the building increased the risk of future anti-social activity.

Agreed:-

- (1) that approval be given to declare the following property surplus to the Council services identified:

The Hamstead Sons of Rest Building, Broome Avenue, Great Barr B43 5AR surplus (Site plan identification reference SAM/07760/002);

- (2) that subject to Resolution (1) above, the Director - Regeneration and Growth be authorised to appropriate the land and premises shown for identification purposes from the general fund to the housing revenue account;
- (3) that the Director – Homes be authorised to manage and let the premises referred to in Resolution (1) above as part of the Council's housing stock;
- (4) that in connection with Resolution (2) above, the Director – Finance be authorised to adjust the accounts accordingly.



134/21

Restart Programme 2021-2025

Approval was sought for the Council to enter into a contract with Serco to deliver Restart, a national employment programme commissioned by the Department for Work and Pensions (DWP) to support long-term unemployed people back into work.

Unemployment had more than doubled in Sandwell since the start of the Coronavirus pandemic and the number of people unemployed for longer than 6 months had increased by 28%.

As supply chain partner to Serco, Sandwell Council brought local expertise to Restart participants including knowledge of the local labour market, knowledge of local complimentary provision and an understanding of the unique challenges residents face in each of the 6 towns of the borough.

The Restart programme complemented existing Employment and Skills services and provided an opportunity to expand our offer. It also provided the Council the opportunity to generate income and establish a track record of successfully delivering DWP employment programmes that could lead to future income generation for the Council.

A project appraisal has been undertaken by Strategic Finance and action points raised as a result of the appraisal would be actioned to mitigate any risk to the Council.

Reason for Decision

The Covid-19 pandemic had seen employment rates plummet and the extension of the furlough scheme meant that it was still not clear how many furloughed workers were at risk of future redundancy.



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To tackle this, the Department for Work and Pensions had commissioned a new national flagship employment programme called Restart. The Restart programme would support 12-18 month Universal Credit claimants back into work, with participants receiving tailored support from an employment coach for up to one year.

The programme had been commissioned in England and Wales to large national companies across 12 Contract Package Areas, with Serco winning the contract for the West Central region, which incorporated Sandwell.

Delivering Restart as supply chain partner to Serco would allow the Council to expand the employment offer to residents and generate income for the Council.

Alternative Options Considered

The Council could act as a strategic partner for Serco and provide no programme delivery. This would reduce the risk to the Council but would not generate any income.

Agreed:-

- (1) that approval be given for the Executive Director of Children's Services to deliver the Restart employment programme in Sandwell as part of Serco's supply chain;
- (2) that the Executive Director of Children's Services be authorised to enter into a contract with Serco Group Plc (Serco) to deliver the Restart employment programme with effect from 1 July 2021;
- (3) that the Director of Law and Governance and Monitoring Officer be authorised to execute any documentation necessary to enable the course of action referred to in Resolution (1) and (2) above;



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(4) that in connection with Resolution (1) and (2) above, the following action points identified within the financial appraisal of the funding application by Strategic Finance, be implemented to reduce any risk to the Council:

- that sensitivity analysis and stringent monitoring is undertaken on delivery targets to enable timely corrective action to be taken in the event of under-performance;
- that additional staff are employed on 1-year fixed term contracts to allow flexibility in programme delivery;
- that contingency plans are reviewed to ensure proposals to manage under-performance will not breach Serco's delivery standards;
- that a funding source is identified from within existing resources to be used in the event of under-recovery, severance payments or financial penalties incurred in programme delivery;
- that should the STORM system be utilised by Sandwell MBC, the total cost be reflected in net income projections for the programme;
- that VAT/tax advice is sought from the Council's Tax Accountant.

135/21

2020/21 Financial Outturn

Consideration was given to the Council's financial outturn position 2020/21. The overall net service outturn variance, excluding the Housing Revenue Account, was an underspend of £23.279m.



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Services had reported an underspend of £6.939m from allocated budgets, however, after adjusting for reserves, corporate resources, revenue to fund capital costs (RCCO) and the application of centrally held Covid-19 grant funding the adjusted outturn was an underspend of £23.279m.

The Covid-19 crisis had significantly affected our financial position. The impact had included:

- reduced expenditure from the suspension / cancellation of services or a focus on emergency responses only;
- loss of income due to service reductions / travel restrictions;
- additional costs from undertaking new Covid related activity;
- redeployment of staff and resources as part of the corporate Covid response;
- access to additional Covid related grant funding to manage additional costs and income reductions.

Additional Covid related grant funding was available during Quarter 1 of 2021/22 however the financial impacts were expected to continue throughout the year.

Initial budget planning for 2021-2024 had identified non-Covid related financial pressures which were being managed in the short-term by reserves and other one-off sources of funding. The proposed treatment of the 2020/21 underspends would assist to temporarily manage the financial risks however, all service areas had been allocated indicative savings targets during the next phase of budget planning to address the projected funding gap on a long-term basis.

Reason for Decision

Section 151 of the 1972 Local Government Act required the Chief Financial Officer to ensure the proper administration of the Council's financial affairs. Budgetary control, which included the regular monitoring and reporting of budgets was an essential element in discharging this statutory responsibility.



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The recommended treatment of the year end variances supported the financial sustainability of the Council.

Alternative Options Considered

Cabinet could vary the proposed transfer to the Sandwell Children's Trust, the use of revenue to fund capital costs (RCCO) and the proposed treatment of the year end variances from budget.

Agreed:-

- (1) that the financial outturn reports of the Capital Programme, Key Performance Indicators, each service area, Housing Revenue Account, Schools, and Treasury Management be received and referred to the Budget and Corporate Scrutiny Management Board for consideration and comment;
- (2) that the allocation of £464,837 to Sandwell Children's Trust be approved to fund Covid-19 pressures which is in addition to the transfers made during the year and represents total funding of £1,920,307 from the Covid Emergency Grant in 2020/21. This proposal is reflected within the Children's Services Outturn report;
- (3) that the Revenue Contributions to Capital Outlay (RCCO) of £6.191m for the following capital projects which have been reflected within the relevant outturn reports be approved;



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	£'000
<u>Resources</u>	
Contribution to development of West Bromwich Cemetery	1,462
Additional Laptops (SMBC)	429
Additional Laptops (SCT)	600
<u>Adult Social Care</u>	
Development of Health & Social Care Facility (Knowle)	3,500
<u>Housing & Communities</u>	
Purchase of additional fleet vehicles	200
Total	6,191

(4) that the following treatment of the adjusted year end budget variances be approved:

	£'000	£'000
Add to / (Use) General Balances		
Corporate Management	123	
Resources	2,754	
Adult Social Care	11,102	
Regeneration & Growth	565	
Housing & Communities	2,044	
Children's Services	(1,851)	
Net Total		14,737
Carry Forward to 2021/22		
Resources	929	
Adult Social Care	2,000	
Housing & Communities	92	
Total		3,021
Add to the Earmarked Balances of Revenues & Benefits (Resources)		2,500
Add to the ring-fenced reserve for the Public Health Grant		3,021
Total		23,279



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136/21

Award of contract for the construction of the new cemetery in Rowley Regis

Authority was sought to authorise the Director of Law and Governance and Monitoring Officer to accept the tender of O'Brien Contractors Ltd for the construction of the of a new cemetery in Rowley Regis.

The contract award would enable the construction of a new cemetery for Rowley Regis and ensure key bereavement related services continued to be available locally to families in this part of Sandwell.

In accordance with the Council's Procurement and Contract Procedure Rules, three compliant tenders were received within the stipulated tender period. These were evaluated on a 70:30 (price:quality) most economically advantageous tender basis.

The tender submitted by O'Brien Contractors Ltd, in the sum of £1,342,242.47, had been checked and found to be technically and arithmetically correct.

In response to a question raised by the Chair of the Safer Neighbourhoods and Active Communities Scrutiny Board in relation to why the construction of the new cemetery had not been treated as an extension of the current site which was adjacent to the new site, with facilities being shared to save money, the Cabinet Member for Governance and Democracy clarified that these were two different cemeteries and this was a new cemetery, not an extension of the current one. This was to avoid any scenarios where elderly or vulnerable members of the public were having to cross a busy road to access facilities at the former site and would also allow two services to be undertaken concurrently.

Reason for Decision

Once complete, the new cemetery would create approximately 3,000 new grave spaces in the borough.



The Cabinet – 7 July 2021

Alternative Options Considered

If the Council chose not to appoint O'Brien Contractors Ltd as the preferred bidder, this would significantly delay the construction of the new cemetery which may impact on the Council's ability to provide key bereavement related services locally.

Agreed:-

- (1) that the Director of Law and Governance and Monitoring Officer be authorised to award a contract to O'Brien Contractors Ltd, Manor Cottage, Church Lane, Leamington Spa, CV32 7JT for the construction of the new cemetery in Rowley Regis;
- (2) that the Director of Law and Governance and Monitoring Officer be authorised to enter into or execute under seal any documentation in relation to award of the contract and/or other agreements as may be deemed necessary as referred to in Resolution (1) above.

Meeting ended at 4.21pm

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