

Report to Cabinet

18 November 2021

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| Subject: | Extension of the arrangements for decommissioning purposes of the temporary mortuary at Birmingham Airport |
| Cabinet Member: | Councillor Kerrie Carmichael |
| Director: | Surjit Tour Director Law and Governance and Monitoring Officer |
| Key Decision: | Yes – the Council's aggregate spend exceeds the key decision threshold |
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1 Recommendations

- 1.1 That the Director of Law and Governance and Monitoring Officer be authorised to extend or enter into all requisite agreements (including leases/licences) and any arrangements necessary for the ongoing decommissioning of the additional storage and accommodation facilities at the temporary mortuary at Birmingham Airport.
- 1.2 That in connection with (1) above, the Council commits up to 10.35% of the total overall costs (estimated £250,000) from its contingency budgets as Sandwell's agreed contribution toward the contractual and lease arrangements;
- 1.3 That any necessary exemptions be made to the Council's Procurement and Contract Procedure Rules to enable the course of action referred to in 1.1 and 1.2 above to proceed.



2 Reasons for Recommendations

- 2.1 Emergency Committee Minute No's 7/20, and 14/21 noted the Council's past need to ensure they had in place sufficient arrangements in place so that it could respond flexibly to sustained increases in the mortality rate for the storage of deceased persons due to COVID-19.
- 2.2 Whilst the need for the facility has now ceased, we have been notified by the lead authorities for decommissioning Birmingham CC and Walsall MBC that additional time is required to appropriately decommission the site
- 2.3 The decommissioning will therefore exceed the current lease arrangements which end on 30 November 2021. The costs of the decommissioning works will be shared between the West Midlands and Warwickshire regional Local Authorities. Sandwell is the lead contractor for the site so has to undertake the necessary activities on behalf of the other Local Authorities.

3 How does this deliver objectives of the Corporate Plan?

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|  | <p>Strong resilient communities</p> <p>The proposal assists the Local Authority in responding to and recovering from the COVID 19 epidemic.</p> |
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4 Context and Key Issues

- 4.1 At the start of the Covid 19 epidemic in March 2020 approval was sought to commence urgent procurement arrangements to enable a regional response to meet additional body storage needs to complement existing capacity across the West Midlands and Warwickshire region which was considered to be insufficient to deal with the impact on the mortality rate of the COVID 19 – coronavirus pandemic.
- 4.2 A co-ordinated West Midlands and Warwickshire approach involving Sandwell, Birmingham, Coventry, Dudley, Solihull, Walsall, Warwickshire and Wolverhampton councils was considered to be the most resilient and efficient approach to addressing the many challenges that local authorities were facing and Sandwell Council had been designated by the Councils to lead on negotiations and arrangements.



- 4.3 Lease, license and contractual arrangements were put in place for a temporary Mortuary facility at Birmingham Airport. Two bays in one of the hangers were leased, and the facility was kitted out with specialist body storage equipment. Fortunately, at this time the facility is no longer needed.
- 4.4 The Local Authorities involved have agreed to decommission the site secure the assets/equipment on the site for potential repurposing. Birmingham CC and Walsall MBC are leading on the decommissioning works.
- 4.5 The decommissioning of the specialist equipment on site requires the assistance of specialist contractors and will take additional time to secure and hand back vacant possession to Birmingham Airport of the hangers.
- 4.6 An urgent decision taken by the Leader of the Council on 27th August 2021 regarding the necessary extension arrangements to facilitate decommissioning the temporary mortuary at Birmingham Airport until 30th November,
- 4.7 It is now proposed that the lease is extended until such time the work is completed and lease arrangements can be ended which is anticipated to be by 28 February 2022.
- 4.8 The estimated cost of the decommissioning work including transportation arrangements is £250,000 which will be shared in accordance with the collaboration agreement that is in place between the participating local authority areas.
- 4.9 The expenditure associated with this work will continue to be met initially from Sandwell Council's emergency contingency fund, however, it is anticipated that grants issued to local authorities by central government in response to COVID 19 would enable the Council to recover most of the costs associated with the Temporary Mortuary at Birmingham Airport.



5 Alternative Options

5.1 There are no alternative options. The assets/equipment in the hangers are large and requires specialist decommissioning. Upon termination of the lease the units must be handed back with vacant possession, so all equipment must be removed from the site or Birmingham airport can take action against the Council, charge rent for storing the equipment or remove and destroy the assets/equipment.

6 Implications

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| Resources: | The anticipated expenditure associated with the decommissioning of the Airport Mortuary is £250,000. Sandwell's contribution will be 9.4% until 30 th November 2021 and 10.35% thereafter. This variation is in response to confirmation by Dudley MBC that they are unable to contribute further. |
| Legal and Governance: | Exemptions are to be made to the Council's Procurement and Contract Procedure Rules to enable the course of action referred to in (1) above to proceed. |
| Risk: | The assets/equipment in the hangers are large and requires specialist decommissioning. Upon termination of the lease the units must be handed back with vacant possession, so all equipment must be removed from the site or Birmingham airport can take action against the Council, charge rent for storing the equipment or remove and destroy the assets/equipment. The extension of the lease arrangements will allow for a safe and appropriate approach to decommissioning whilst ensuring recommendations for the best use of the Council assets going forward can be made. |
| Equality: | There are no specific equality issues regarding the proposals contained in this report |



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| Health and Wellbeing: | There are no specific Health and Wellbeing issues regarding the proposals contained in this report |
| Social Value | There are no specific Social Value issues regarding the proposals contained in this report |

7. Appendices

None

8. Background Papers

- Emergency Committee Minute No. 7/20
- Emergency Committee Minute No. 14/21
- Decision by the Leader of the Council 27th August 2021

