

Minutes of Cabinet

**Wednesday 7 June 2023 at 3.30pm
at Council Chamber, Sandwell Council House**

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

In attendance: Councillors Moore, Taylor, Lewis, E Giles and Fenton.

Also present: Shokat Lal (Chief Executive), Surjit Tour (Director of Law and Governance and Monitoring Officer), Gillian Douglas (Director of Housing), Michael Jarrett (Director of Children's Services), Tony McGovern (Director of Regeneration and Growth), Simone Hines (Director of Finance), Elaine Newsome (Service Manager – Democracy), Emily Rees-Woodhall (Social Media & Marketing Apprentice – SHAPE), Anthony Lloyd (Democratic Services Officer), Idnan Shafiq (Lead Officer), Sarah Sprung (Senior Lead Officer), Harpreet Dhillon (Marketing & PR), Neesha Patel (Project Manager) and Suky Suthi-Nagra (Democratic Services Manager).

51/23 **Apologies for Absence**

Apologies were received from Councillors Hinchliff, Millard, Owen and Tipper.

52/23 **Declarations of Interest**

There were no declarations of interest declared.

53/23 **Minutes**

The minutes of the meeting held on 15 March 2023 were approved as a correct record.

54/23 **Additional Items of Business**

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

55/23 **Young People's Corporate Plan**

Approval was sought to the Sandwell's Young People's Corporate Plan (YPCP).

The Corporate Plan, which had been approved in 2021, in its adopted format, may not be easy for young people to see how the things that matter to them were prioritised and delivered. Officers spoke to both the SHAPE Forum and the Carer Leavers Forum to determine if, using the Corporate Plan as a base, they would like to set it out in a way that emphasised what matters to young people.

As a result, the Young People's Corporate Plan had been co-designed and co-produced by young people in Sandwell. The SHAPE Forum and the Care Leavers Forum had worked with Council Officers to determine the approach, to plan engagement activity, analyse results and to determine the outcomes.

It was important that young people owned this plan, so they could contribute openly and have creative control as to what was included in the plan. The SHAPE Forum agreed to take ownership of the Young Person's Corporate Plan.

The plan had been split into three sections: -

- Issues that concern young people in Sandwell,
- what can we as a Council do to improve this?
- performance measures/ milestones.

Performance measures were developed so going forward they will be able to be used to hold the Council to account and chart progress.

Young people who had contributed to the Young People's Corporate Plan attended the meeting and discussed what they had done as part of the engagement and identified nine key themes for the young people of Sandwell which detailed future service provision to achieve these key themes, and how young people would be able to hold the Council to account via performance measures and milestones. The Young People's Corporate Plan touches on all the objectives of the Corporate Plan as it engaged young people's opinions on several issues ranging from mental health to housing.

Members of the Cabinet and the Chief Executive thanked those involved for all of their hard work in helping the Council to communicate with its residents and young people and also how their work had been presented within the plan.

Clarification was sought by the Chair of the Economy, Skills, Transport and Environment Scrutiny Board in relation to what had been in place to represent young people diagnosed with learning and physical disabilities as well as young people with alternative provision or home education to inform the report.

The Cabinet Member for Children, Young People and Education highlighted that the plan was developed and owned by young people. The process was led by the SHAPE Forum and Care Leavers forum with both fora being inclusive and providing equal opportunities. The priorities in the plan were formulated through intelligence gathered from the SHAPE survey 2023; all schools were asked to provide a representative sample of students from a range of backgrounds.

Reason for Decision

The Council's refreshed Corporate Plan may not have been easy for young people to see how the things that matter to them are prioritised and delivered. Officers spoke to both the SHAPE Forum and the Carer Leavers Forum to determine if, using the Corporate Plan as a base, they would like to set it out in a way that emphasised what matters to young people.

Alternative Options Considered

The alternative option would be that there would be no Young Person's Corporate Plan. There would still be a Corporate Plan for the Council, which in the refresh did consult young people, however, it does not contain in-depth information from consultation and co-production specifically with young people.

Resolved that the Sandwell's Young People's Corporate Plan 2023-2026, as set out in the [Appendix, be approved](#).

56/23

Corporate Plan and Performance Management Framework Refresh

Approval of the refreshed Corporate Plan, Corporate Performance Management Framework and the corporate plan commitments was sought. Considerable progress had been made over the recent years including an improved OFSTED rating, a successful commonwealth games, the flagship Harvest View social health care facility opening and the Council's initiative to help Sandwell's residents during the cost of living crisis. Attention was raised to the necessity of the corporate plan to be a living document, constantly adapting to the needs of the borough.

The Chair of the Economy, Skills, Transport and Environment Scrutiny Board requested further information on Sandwell Council's expectations when dealing with noise nuisance. A request was also made on why homeless people, who wished to remain homeless, were not included or considered in the report.

The Deputy Leader and Cabinet Member for Finance and Resources confirmed that both anti-social behaviour and nuisance were wide areas of work with a range of investigative approaches and powers to tackle issues depending on the nature and circumstances. Due to these varying possibilities, it was not possible to have uniformity in these investigations. Investigations against council tenants or an individual was either a legal or quasi-legal process and as a result, evidentiary requirements must have been met. The Council was required to justify enforcement action and clearly display that such action is proportionate. Therefore, residents may have been asked to complete and submit records more than once.

In relation to questions around homelessness, it was highlighted that the Council's objective was to prevent homelessness as far as practically possible. The Homeless and Rough Sleeping Strategy was refreshed in 2022 which enabled the Council to relieve homelessness when it occurs and assist with a wide range of support. Sandwell had the lowest numbers of rough sleepers in the West Midlands Region.

Reasons for recommendations

The Corporate Plan was developed in 2021, at a time when the borough was still responding to and recovering from the COVID-19 pandemic. It was important to regularly review the Corporate Plan and related Performance Management Framework to ensure that they reflected the progress made.

The strategic outcomes in the Corporate Plan had been reviewed to ensure that they would reflect and support the council's priorities. Amendments had been made to ensure that core elements of the Improvement Plan are captured within the single Corporate Plan.

Alternative options considered

The alternative to the refresh of the Corporate Plan and Performance Management Framework would have been to continue with the previously agreed version of both documents that had been agreed in 2021 and early 2022. Whilst both set the strategic direction for the council and enable monitoring of performance, if no review or refresh was to take place, there would not be the recognition or allowance that priorities change over time. This would result in the council's resources and services being out of alignment with the needs of residents, the organisation's priorities and the improvement journey that the council was part way through.

Resolved:-

- (1) that approval be given to the refreshed Corporate Plan and Corporate Performance Management Framework as set out in [Appendix 1](#);
- (2) that the corporate plan commitments in the directorate business plans as set out in [Appendix 2](#) be noted as the delivery vehicle for the Corporate Plan for 2023/24 onwards.

57/23

Private Sector Housing Assistance Policy and Policy on Adaptations for Disabled Tenants in Council Housing

Approval was sought to adopt both the revised Private Sector Housing Assistance Policy and the Policy on Adaptions for Disabled Tenants in Council Housing. Approval was also sought to authorise the Director of Housing to implement the new policies.

The Chair of the Budget and Corporate Scrutiny Management Board requested assurance on the possibility of better communication between Adult Social Care and the Housing Improvement Team going forward as part of the new policy. The Cabinet Member for Housing and Built Environment confirmed that officers across directorates were developing detailed processes and guidance to support the implementation of the policy.

Following further discussions and questioning, the following answers were confirmed:-

- the Housing Needs Assessment 2022 did not consider the impact of long covid on the expected numbers of residents with disabilities or long term conditions. Instead, it considered the impact of physical and mental impairments more broadly as part of this needs assessment and its long-term effect on an individual's ability to carry out normal day-to-day activities;
- the Council's Telecare service and the equipment store was provided across all housing tenure;
- consultation was advertised via email to voluntary sector partners, through SCVO newsletter and SCIPS newsletter which was a hard copy posted to their membership. It was also advertised on the SMBC website, and placed on the SMBC Citizenspace page. A targeted approach was also made to organisations that support residents with disabilities or mobility issues, who were more likely to access this service. The organisations targeted offer boroughwide services so would have included residents from all social and economic backgrounds;
- where the Occupational Therapist assessment identified the same need for both residents living in the same household, the application could be in joint names;
- target timeframes were confirmed as; equipment – 7 calendar days, urgent minor adaptations and hospital discharge – 24 hours, standard minor adaptations – 10 working days (with the exception of ramps and over bath showers which would take longer due to scale of work required);
- The appeals process had been changed to speed up the process for the customer and is in line with other review processes across the council. The reviewing officer will consult with all necessary colleagues;
- The Disability Facilities Grant, a Government grant, which was accessed via the Better Care Fund and applied to Private Sector Housing Council Housing would be used to fund the policies;

- loans for empty houses and street scene improvement were in the Private Sector Housing Assistance Policy. The relevant policy was “Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO);
- details of the loan scheme would be developed following implementation of the policy with the principle that they must represent value for money, ensuring the loan was secured by the value of the property and if nominations rights for lettings are agreed they were for the longest period possible;
- weather proofing and the improved street scheme were not different, and any external improvement scheme would cover both. The Director of Housing would make the decision when resources were available for such work, and would agree areas/streets to be improved according to priorities, needs and stock condition at that time;
- the Regulatory Reform Order gave Local Authorities wide ranging powers to improve living conditions within localities and the Empty Homes Loans could only be offered if it was identified within its published Housing Assistance Policy. A separate Empty Homes Strategy was available that provided more detail on implementation of this element of the policy.

Reasons for Decision

The focus for reviewing and revising the policy was to continue to provide adaptations and housing improvements to disabled residents, offering the most cost effective and best value solutions, that was targeted at those with the greatest need.

The revised policies would expand and maximise opportunities for improving the homes of vulnerable and disabled people. These changes were designed to promote independence and reduce/prevent demand on health and social care services and fundamentally improve quality of life. The policies introduced a more customer centred approach by offering residents more bespoke and easily accessible service irrespective of tenure. The changes reflected good practice as set out in the Adult Social Care Reform White Paper 2021 and the Disabled Facilities Grant.

Alternative Options Considered

The policy could remain unchanged and Sandwell Council would have continued to deliver adaptations in the same way. The introduction of the Better Care Fund in April 2014 and the Care Act in April 2015 was leading to the creation of new integrated services centred on the home. This would potentially make grant delivery more effective, efficient and customer-focussed. There was a need to balance the preventative role of the DFG in keeping people living

safely and independently with the need for the grant to be used in more flexible and responsive ways to help reduce pressures on health and social care and improve quality of life.

Resolved:-

- (1) that approval be given to adopt the revised Private Sector Housing Assistance Policy as set out in [Appendix A](#) and the Policy on Adaptations for Disabled Tenants in Council Housing as set out in [Appendix B](#);
- (2) that in connection with Resolution (1) above, the Director for Housing be authorised to implement the new policies.

58/23

Improvement Plan Progress & Phase 3 Refresh

Approval was sought for Cabinet to recommend to Council that the Improvement Plan Progress and Phase 3 Refresh Report, the March progress report, the Improvement Plan Annual Report and an accompanying letter be submitted to the Secretary of State for Levelling up, Housing and Communities to form the Council's six monthly update on progress against the Improvement Plan.

Reasons for decision

Under the Statutory Directions, the council was required to report progress against the Improvement Plan to the Department of Levelling Up, Housing and Communities every six months. The first report was submitted in December 2022. It was proposed that this report, the quarterly update received by Cabinet in March (appendix 9) and the Improvement Plan Annual Report (appendix 2) form the basis of the report to the Secretary of State along with a covering letter (appendix 10). Council are responsible for approving the report made to the Secretary of State and Cabinet would make a recommendation to Council.

Alternative options considered

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. Reviewing progress against the Improvement Plan enables senior officers and members to have oversight of delivery, and take corrective action, as necessary. Alternative methods of monitoring progress could be adopted. The current monitoring method was regularly reviewed to ensure it remains fit for purpose and provides Leadership Team with the oversight they require. Alternative formats for reporting to the

Secretary of State could have been adopted, however the proposal to submit a covering letter along with the quarterly reports made to Cabinet made use of existing reports. The Department for Levelling Up, Housing and Communities confirmed that this was an acceptable format to them.

Resolved:-

- (1) that progress against the Improvement Plan up to 11 May 2023 be received;
- (2) that the response to the CIPFA FM Model Re-Assessment Report be received;
- (3) that the Improvement Plan Risk Register be received;
- (4) that changes to the Improvement Plan be noted;
- (5) that any recommendations or comments made by Budget and Corporate Scrutiny Management Board and Audit and Risk Assurance Committee in relation to the Improvement Plan progress be received;
- (6) that the Council be recommended to submit the Improvement Plan and Phase 3 refresh report, the March progress report, the Improvement Plan Annual Report and an accompanying letter to the Secretary of State for Levelling up, Housing and Communities to form the Council's six-monthly update on progress against the Improvement Plan.

59/23

Social Housing Decarbonisation Fund – Wave 2.1 Funding

Approval was sought to authorise acceptance of a maximum of £5.5m grant funding from the Government's Department for Energy Security & Net Zero (DESNZ) to fund proposed energy-efficiency improvements to Council-owned dwellings in Sandwell.

In response to questions from the Chair of the Safer Neighbourhoods and Active Communities Scrutiny Board, it was confirmed that 17,779 dwellings (63% of all stock) was assumed to be EPC D or lower. This would be validated as the Council carried out stock condition surveys across the stock. It was also confirmed that there would be future waves of SHDF by central government where Sandwell would be able to bid for funding. There were also additional grant funding sources that were available to help retrofit improvement.

Following a further question from the Chair of the Economy, Skills, Transport and Environment Scrutiny Board, it was highlighted that properties that had received decarbonisation investment would be subject to the same right to buy opportunities as all other properties.

Reasons for decision

This initiative supported the drive towards a greener, low-carbon economy and a need to address Climate Change priorities. It would also help to address high levels of fuel poverty in the Sandwell area.

Acceptance of the proposals would reduce fuel poverty levels, improve living conditions for tenants in Council homes, improve EPC ratings for the properties concerned and promote the Council's reputation as being serious about climate change and the move towards a carbon-neutral economy.

Alternative options considered

The Council could do nothing, not accept the grant and not invest in the properties to improve the energy efficiency. This was not considered a suitable option as the Council is committed to improving the energy efficiency to EPC C or above of all council housing stock by 2030.

Resolved:-

- (1) that approval be given to authorise acceptance of a maximum of £5.5m grant funding, from the Government's Department for Energy Security & Net Zero (DESNZ) to fund proposed energy-efficiency improvements to council-owned dwellings in Sandwell;
- (2) that the Director of Law and Governance and Monitoring Officer be authorised to enter into a grant funding agreement with DESNZ, subject to a satisfactory financial appraisal being completed by the Strategic Finance;

- (3) that subject to Resolution (1) and (2) above, the Director of Finance be authorised to allocate the sum in the order of £16m from the Housing Revenue Account (HRA), to both match-fund and supplement proposed energy-efficiency improvements to council-owned dwellings in Sandwell;
- (4) that the Director of Housing be authorised to instruct the Council's External Improvement Programme construction partners once appointed (currently being procured), to deliver associated energy improvement works in accordance with the contractual arrangements;
- (5) that the Director of Housing be authorised to instruct agencies procured via the West Midlands Combined Authority (WMCA) to carry out specialist duties, on behalf of Sandwell MBC, in relation to the Social Housing Decarbonisation Fund.

Meeting ended at 4.23pm

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