

# Minutes of Cabinet

**Wednesday 13 March 2024 at 3.00pm  
in the Council Chamber, Sandwell Council House, Oldbury**

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

**In Attendance:** Councillor E Giles, Lewis and Taylor.

**Officers:** Kim Bromley-Derry (Managing Director Commissioner); James McLaughlin (Assistant Chief Executive); Mike Jones (Assistant Director - Legal and Assurance); Rashpal Bishop (Director of Adult Social Care); Liann Brookes Smith (Interim Director – Public Health), Dean Epton (Interim Director Housing); Claire Spencer (Head of Finance Business Partnering); Matthew Huggins (Assistant Director - Green Spaces, Green Services, Events); Matthew More (Communications and Corporate Affairs Manager); Brad Law (Communications Work Experience); Suky Suthi-Nagra (Democratic and Member Services Manager) and Connor Robinson (Democratic Services Officer).

## 34/24 **Apologies for Absence**

Apologies for absence were received from Councillors Fenton, Hughes and Moore and the Chief Executive.

## 35/24 **Declarations of Interest**

There were no declarations of interest made.



36/24 **Minutes**

**Resolved** the minutes of the meeting held on 7 February 2024 be approved as a correct record.

37/24 **Additional Item of Business**

There were no additional items of business to consider.

38/24 **Improvement Plan Progress**

Consideration was given to progress made on the Improvement Plan. The Improvement Plan was intended to be a live document updated to take account of progress and relevant changes. Changes to the Improvement Plan were tracked through the established change control process to form a refresh of the Improvement Plan. These changes were formally reported through to Cabinet on a quarterly basis for transparency.

The Leader of the Council addressed the Cabinet on the news that Government intervention at Sandwell Council would be coming to an end. The Leader explained that from the outset, the Council had sought to work closely and in collaboration with the Commissioners and ensure the Council was delivering for local people. While there was still work to do, both councillors and officers had demonstrated their ability to adopt and implement positive change.

The Managing Director Commissioner congratulated the Council on its achievement of existing Government intervention, which was testament to the hard work councillors and officers had put into the challenge. The motivation and commitment to deliver for Sandwell was present throughout the intervention, now it was important for the Council to remain resilient and continue on its improvement journey.



Cabinet Members joined with the Leader in praising officers and councillors who had contributed to the Council leaving intervention and thanked the Managing Director Commissioner for his support.

In a response to a question from the Vice Chair of the Safer Neighbourhoods and Active Communities Scrutiny Board, in the absence of the Chair of the Budget and Corporate Scrutiny Management Board, the Leader of the Council stated that the Council was not operating in the same manner as when intervention began. The Cabinet was pleased that Grant Thornton, the Commissioners and Government Ministers had now concluded that the improvements made were sustainable and appropriately built into the Council's new working practices, including the business plans and performance management framework. Looking ahead, the Council was developing a new Council Plan which would set out how to achieve the ambition to be an outstanding council.

### **Reason for Decision**

The Improvement Plan was agreed by Council on 7 June 2022 to address recommendations from the Value for Money Review into the Council's governance arrangements, a CIPFA financial management review, an LGA Corporate Peer Challenge, and Statutory Directions from the Secretary of State for Levelling Up, Housing and Communities.

To ensure that senior officers and members had oversight of delivery against the Improvement Plan, Council approved that progress would be monitored by Leadership Team monthly and reported to Cabinet quarterly. This would continue until all actions had been completed, or changes had been embedded into business-as-usual management mechanisms.

### **Alternative Options Considered**

The Value for Money Governance Review was undertaken as part of the external auditor's role to provide assurance on the Council's arrangements for securing economy, efficiency and effectiveness in its use of resources. As the report included statutory recommendations the Council had a legal obligation to respond appropriately.



Reviewing progress against the Improvement Plan enabled 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 remained fit for purpose and provided the Leadership Team with the oversight they require.

**Resolved:-**

- (1) that progress against the Improvement Plan up to 31 January 2024 is received;
- (2) that the Improvement Plan Risk Register is received;
- (3) that changes to the Improvement Plan be noted;
- (4) that any recommendations or comments made by Audit and Risk Assurance Committee in relation to the Improvement Plan progress which was reviewed 22 February 2024 is noted;
- (5) that it be noted that Budget and Corporate Scrutiny Management Board will consider the Improvement Plan Progress report on 20 March 2024, and that any recommendations or comments made in relation to the Improvement Plan progress will be reported to a future meeting of the Cabinet.

39/24

**Performance Management Framework - 2023/24 Quarter 3 Monitoring**

Consideration was given to the Performance Management Framework - 2023/24 Quarter 3 Monitoring report. The Council approved a Corporate Performance Management Framework on 12 April 2022, to address the recommendations of the Governance Value for Money Review by Grant Thornton and as a key element of the Council's Improvement Plan.



Since then, the corporate Performance Management Framework had been further refined and built into business processes. In June 2023, Cabinet approved a revised Corporate Plan with a revised set of Corporate Performance Indicators.

Whilst there was still improvements to make, FOI Compliance in timescales was highlighted as being just below target at 92% up from 78% the previous year, similarly Corporate Contact Centre average call wait time was 3 minutes 11 seconds, better than the target of 3 minutes 30 seconds and reduced from the 8 minutes 29 seconds average the previous year.

### **Reason for Decision**

An effective performance management framework facilitated increased accountability, learning and improvement. It also provided early warning signals and facilitated decision-making.

On a quarterly basis, the Council gathered and analysed a wide range of data and information to understand how effectively its plans were being implemented and whether the strategic outcomes contained in the Corporate Plan were being achieved.

The information collected was used to enable the authority to better understand the impact of its work on local people and, where necessary, target actions and resources.

### **Alternative Options Considered**

There was no alternative option.

### **Resolved:-**

- (1) that progress on the further development of the Corporate Performance Management Framework be received and approval be given to the 2023/24 Quarter 3 monitoring reports;
- (2) that approval is given to changes to Performance Indicators as set out in Appendix A.



## Highfields Primary School - Making Significant Changes (Prescribed Alternations) Consultation Outcome for Change of Age Range

Consideration was given to the Consultation Outcome for Change of Age Range at Highfields Primary School. As with all maintained schools, Highfields Primary School received a budget for its Nursery class based upon the number of children who attended in the previous financial year.

In September 2022, of the 60 places available at Highfields Primary School's Nursery class, there were 27 on roll, all attending the morning session. Over the past five years, numbers on roll had demonstrated a downward trend.

Whilst the Council greatly valued the early years provision offered at Highfields Primary School, the sustainability fund that was available would not be enough to make up the shortfall in places.

### Reason for Decision

Highfields Primary School had a 60 place nursery which offered parents morning or afternoon sessions with 30 pupils in each session and was open during the school day; 9.00am to 3.20pm, term time only. The school employed a class teacher and two members of support staff.

In February 2023, the governing body decided to close the nursery temporarily for 2023/24 academic year due to it not being financially viable. At the start of the 2023/24 academic year, the governing body reviewed its decision to temporarily close the nursery and requested a permanent closure of the nursery and a change of age range. The change of age range would not affect the pupil admission number therefore the same number of places would be available for Reception to Year 6.

### Alternative Options Considered

Do nothing and keep the age range at the existing range of 3-11 years – this would be a detrimental impact on the school's budget and resources.





Retain the existing age range of 3-11 years, but reduce the Nursery to 26 places, 13 AM session / 13 PM session - The Governing Body had considered reducing the overall capacity of the Nursery to fewer places but in the long term, did not consider there was sufficient demand to provide a sustainable solution for future years.

Combine the school's Nursery and Reception classes to form an Early Years / Foundation Unit - The Governing Body had considered the option but, the financial viability of operating a unit model would create additional financial concerns for the school.

### **Resolved:-**

- (1) that in connection with the proposed prescribed alterations to change the age range of Highfields Primary School, Beeches Road, Rowley Regis, B65 0DA (the school) from 3 – 11 years old to 5 – 11 years old, approval be given to the:
  - (a) publication of the appropriate Statutory Proposal;
  - (b) subject to no objections being raised during the statutory representation period for the Statutory Proposal, that the Director of Children and Education be authorised to make a final decision on the proposal for the prescribed alterations at Highfields Primary School, in conjunction with the Monitoring Officer and Assistant Director – Legal & Assurance and in consultation with the Cabinet Member for Children, Young People and Education; and
  - (c) in the event that any objections are raised during the statutory representation period for the Statutory Proposal, that a report is submitted to the Cabinet Member for Children, Young People and Education with full details of representations received to inform a final decision on the proposal.



## Camera Enforcement of Endorsable Traffic Offences - West Midlands Regional Working Agreement

Approval was sought for the Camera Enforcement of Endorsable Traffic Offences - West Midlands Regional Working Agreement.

As the Local Traffic Authority, Sandwell Council had a statutory duty to ensure the expeditious movement of traffic on the Council's road network and to introduce initiatives to help reduce identified road casualties.

In the period 2016 to 2021, the seven constituent West Midlands local authorities agreed three separate Average Speed Enforcement Working Agreements with West Midlands Police and the Police and Crime Commissioner. This was exclusively aimed at initiating digital Average Speed Enforcement camera systems in the region, aimed specifically at reducing the number of people killed and seriously injured due to high speed violations. The four Black Country councils worked in partnership to develop a collaborative Black Country Average Speed Enforcement Working Agreement in 2021 with the two identified sites becoming operational in Sandwell in January 2022.

In a response to a question from the Vice Chair of the Safer Neighbourhoods and Active Communities Scrutiny Board, in the absence of the Chair of the Budget and Corporate Scrutiny Management Board, the Cabinet Member for Environment and Highways confirmed that the new regional working agreement would replace the three separate agreements in place across the West Midlands councils currently. The new agreement would make use of the existing camera infrastructure and would help provide a more consistent enforcement approach by the police, achieving efficiencies through economies of scale. The work was funded on an annual basis through capital funding received from Central Government, managed by WMCA, through the City Regional Sustainable Transport Settlement.





## Reason for Decision

The development of a new Camera Enforcement of Endorsable Traffic Offences - West Midlands Regional Working Agreement would ultimately lead to a significant reduction in the number of Killed and Seriously injured road casualties in Sandwell as well as the wider region, by targeting enforcement of the highest speed roads in the borough. This would help achieve the challenging road safety targets recently approved in the new Sandwell Strategic Road Safety Plan 2024-2030 and the West Midlands Refreshed Road Safety Strategy 2030.

## Alternative Options Considered

Do Nothing was not recommended as West Midlands Police would not continue to operate under three separate ASE working agreements after March 2025. Hence Average Speed Enforcement would cease in Sandwell, with West Midlands Police relying solely on speed camera vans to undertake limited speed enforcement in the borough which would have a significant detrimental impact on the ability to reduce the most serious road casualty rates.

## Resolved:-

- (1) that approval is given for Sandwell Council to enter into a new Regional West Midlands Working Agreement with West Midlands Police in relation to the operation and management of Camera Enforcement of Endorsable Traffic Offences across the whole of Sandwell Council adopted road network;
- (2) that approval is given to authorise the delegation of all approvals on operational decisions and details of the final agreement to the Director of Borough Economy / Executive Director Place in consultation with the relevant Cabinet Member for Environment and Highways including;
  - the development and management of operational policy regarding enforcement, site selection and operation;



- approval of all terms and conditions in any new regional agreement in consultation with the Director of Legal and Governance.
- (3) that approval be given for the Assistant Director of legal and Assurance / Executive Director of Finance and Transformation to execute any documentation necessary to give effect to recommendation in Resolution (1);
  - (4) that approval be given for Sandwell Council to continue operating within the current terms and conditions of the existing Black Country Average Speed Enforcement Working Agreement for an additional interim year 2024/25 or until such time as the Regional Working Agreement is finalised and adopted.

42/24

## Sandwell Valley 10 Year Master Plan

Sandwell Valley Country Park spans 1,800 acres of open countryside and was designated as ‘Green Belt’ within the Sandwell Local Plan. Sandwell Valley was widely regarded as the jewel in the crown of Sandwell and was well utilised by the residents of Sandwell and across the region. The Master Plan had been fully costed and aimed to secure the future of the park and the protected green belt. Sandwell Valley had commercial potential to be unlocked and the Plan would improve infrastructure and develop the heritage discovery centre, allowing Sandwell Valley to be the affordable destination of choice in the region.

In a response to a question from the Vice Chair of the Safer Neighbourhoods and Active Communities Scrutiny Board, in the absence of the Chair of the Budget and Corporate Scrutiny Management Board, the Cabinet Member for Environment and Highways confirmed that the refurbishment of the current Astro turf pitch was included in the Sandwell Valley Master Plan. The Council would also be working with external funding partners to establish whether this could be a play zone, or if the council would improve the provision on site through the capital programme of investment.



## Reason for Decision

Over the last two years, a range of improvements had been implemented across Sandwell Valley. The Master Plan for Sandwell Valley brought together services to build on improvements with the aim of making Sandwell Valley a destination of choice, as well as revenue targets as set out in the Medium Term Financial Strategy.

## Alternative Options Considered

It was proposed for Cabinet to adopt the full master plan. The investment amount of £7.856m, delivered in a staged way over three financial years. This investment had been approved by Cabinet as part of the Capital Plan, within the Medium Term Financial Strategy.

The option to not invest in Sandwell Valley at any of those levels would impact the net budget position, remaining at c.£700k. The do-nothing option would also leave Sandwell Valley Visitor and Swan Pool Sailing Centre in its current condition.

## Resolved:-

- (1) that approval is given to adopt the 10-year Master Plan and to:
  - a. authorise the Cabinet Member for Housing and Built Environment and the Assistant Director for Borough Economy (Green Spaces, Visitor Services, Events)/Executive Director Place to proceed on a phased basis for the spend of capital;
  - b. approve the capital borrowing requirement for £7.856m to be released in the three phases set out in this plan.
- (2) that subject to a satisfactory strategic finance appraisal being undertaken, approval is given to three phases of delegated authority for release of the capital funds as follows:



- a. Phase One: April 2024 – March 2025 – Investment into infrastructure, Sandwell Valley Visitor Centre, King George V Pavilion, Land Train, entrance and shop expansion at Forge Mill Farm, and the development of a nature conservation and heritage plan. Total capital investment for this phase: £3,332,033.00;
- b. Phase Two: April 2025 – March 2026 – Investment into Swan Pool Water sports Centre and Café. Total capital investment for this phase: £2,774,024;
- c. Phase Three: April 2026 – March 2027 – Investment into Forge Mill Farm Food Education Barn. Total capital investment for this phase: £1,750,000.

43/24

### City Region Sustainable Transport Settlement Grants

Approval was sought for the City Region Sustainable Transport Settlement Grants (CRSTS), a five-year capital settlement to enable the city regions to achieve their ambitions in terms of transport investment. The fund was overseen by the Department for Transport (DfT) and in the West Midlands it aligned with the emerging Local Transport Plan 5 (LTP5). CRSTS commenced in 2022-23 and was the main source of transport capital funding for local transport schemes with a scheme cost of £50m or less.

#### Reason for Decision

Approval was required to enter into grant agreements with the West Midlands Combined Authority (WMCA) and accept grants for CRSTS funding to enable the projects listed to be further developed, including the submission of each business case stage, to enable detailed design to be carried out, and following full approval, for the schemes to be constructed.



Projects within the programme would be reported to Cabinet individually. Each project was required to progress through the WMCA Single Assurance Framework process to enable funding to be confirmed and allocated to the Council through grant agreements. There were multiple stages to the Single Assurance Framework process corresponding with the submission of Strategic Outline Business Cases, Outline Business Cases, and Full Business Cases. Early drawdown of funding can occur following approval of the Strategic Outline Business Cases meaning that separate grant agreements may be required at different stages in a project's progression.

### **Alternative Options Considered**

Authority to accept grants and enter into grant agreements could be sought from Cabinet for each agreement as they arise. However, this would result in multiple reports appearing on Cabinet agendas. As such, approvals would be ancillary to the main project approvals already granted by Cabinet – this option, therefore, was not considered to be an efficient approach.

### **Resolved:-**

- (1) that the Cabinet Member for Regeneration & WMCA and the Assistant Director – Growth & Spatial Planning in conjunction with the Interim Section 151 Officer and the Monitoring Officer be authorised to accept City Region Sustainable Transport Fund grants from West Midlands Combined Authority under the Terms and Conditions contained in the Grant Agreements for the following schemes:
  - Smethwick to Birmingham Inclusive Growth Corridor Transport Package
  - Wednesbury Brierley Hill Extension Sustainable Access Measures
  - A461 Bus, Cycle & Walking Corridor.





## Ratification of Single Settlement Memorandum of Understanding

Consideration was given to the Ratification of Single Settlement Memorandum of Understanding. The single settlement was one of the most significant commitments in the West Midlands Combined Authority (WMCA) trailblazer deeper devolution deal announced at the 2023 Spring Budget. The trailblazer deal was ratified by WMCA Board on 13 October 2023 on the basis that there would be further decisions about particular elements of the deal, including the single settlement.

### Reason for Decision

A draft of the Memorandum of Understanding (MoU) was considered and agreed in-principle by Mayoral and Portfolio Leaders on 3 November 2023. Now the final Memorandum of Understanding had been published, the WMCA Board would be asked to agree the MoU at their meeting on 15 March 2024.

### Alternative Options Considered

Not to enter into the MoU. This would be contrary to the spirit of the agreements already entered in to under the Deeper Devolution Deal. This option was therefore dismissed.

### Resolved:-

- (1) that approval is given to the single settlement Memorandum of Understanding;
- (2) that the Leader of the Council is authorised to endorse Sandwell Council's entry into the single statement Memorandum of Understanding when the matter is determined by the West Midlands Combined Authority Board;
- (3) that Cabinet note and endorse the proposed high-level next steps for the single settlement negotiations and implementation.





## Sandwell Levelling Up Zone

Approval was sought to the use of Regeneration Reserves to fund the establishment, management, and monitoring of the Levelling Up Zone up to a value of £300,000 over a period of up to three years. It was expected that this would fund a fixed-term Programme Manager post and a budget for technical feasibility studies. It was anticipated that the Levelling Up Zone could become self-funded, and approval was sought for first consideration to be given to the use of retained business rates generated in the Growth Zone to fund the costs associated with the establishment, management, and monitoring of the Levelling Up Zone over its lifetime.

### Reason for Decision

The establishment of the Sandwell Levelling Up Zone would enable the Council to take advantage of the benefits created by the completion of the Wednesbury to Brierley Hill Metro Extension. The designation of a Growth Zone would allow the retention of business rate growth on selected sites within the Metro corridor and reinvestment in regeneration and economic growth.

### Alternative Options Considered

The Council does not establish the Sandwell Levelling Up Zone and does not benefit from 25-year business rate retention on Growth Zone sites.

The Council approves the designation of the Growth Zone and benefits from 25-year business rate retention without ringfencing receipts for levelling up activity. Neither Government nor the WMCA had set parameters documenting how Growth Zone receipts should be used by the Council. However, the legislative powers had been secured through the Deeper Devolution Deal as part of WMCA objective to level up the region. The Council and WMCA could face reputational risk should the Council reject the spirit of the Deeper Devolution Deal and not ringfence Growth Zone receipts for levelling up activity. Government may choose to undesignate the Growth Zone.



Furthermore, by not using initial receipts to unlock the regeneration of further Growth Zone sites the Council may inadvertently reduce the total Growth Zone receipt over the lifetime of the Levelling Up Zone.

**Resolved:-**

- (1) that approval is given to the geographical boundary of the Sandwell Levelling Up Zone as shown on the Sandwell Levelling Up Zone Map at Appendix B;
- (2) that approval is given to the boundary of the Growth Zone as shown on the Sandwell Levelling Up Zone Map at Appendix B, which subject to Government compliance checks and enactment of secondary legislation, will allow the council to retain business rates generated within the Zone over a 25-year period above a baseline figure;
- (3) that the Section 151 Officer in consultation with Assistant Director - Spatial Planning and Growth and the Cabinet Member Regeneration & WMCA, is authorised to undertake the necessary actions required by Government for Growth Zone business rates to be retained with a start date 1 April 2024;
- (4) that the Assistant Director – Spatial Planning and Growth, Assistant Director - Legal and Assurance and the Section 151 Officer in consultation with the Cabinet Member Regeneration & WMCA is authorised to undertake the necessary legal, policy and procedural actions to establish, manage and monitor the Levelling Up Zone;
- (5) that approval is given to the use of Regeneration Reserves to fund the establishment, management, and monitoring of the Levelling Up Zone up to a value of £300,000 over a period of up to three years and following this period, the effectiveness of the Levelling Up Zone will be reviewed including the amount of



receipts from business rate uplift that have been realised;

- (6) that approval is given for first consideration to be given to the use of retained business rates generated in the Growth Zone to fund the costs associated with the establishment, management and monitoring of the Levelling Up Zone over its lifetime.

46/24

### **Levelling Up Fund Round 3 Bid Submission**

Approval was sought for the Levelling Up Fund Round 3 Bid Submission. The deadline for the bid submission did not afford time for a Financial Appraisal to be undertaken in advance. With agreement from the S151 Officer, the bid was submitted to DLUHC on the basis that a financial appraisal would be undertaken, and if acceptable, the Council would then enter into a Memorandum of Understanding. The bid was previously approved by Cabinet on 22 June 2022 and had not materially changed.

#### **Reason for Decision**

On the 22 December 2023, the Government confirmed the next stage of the Levelling Up Fund project validation process, requesting for the bid to be reviewed to take account of the fact that the bid submission under round 2 was made in August 2022 and as such, project costs would need to be updated.

The review of the bid had not resulted in any changes to the scope of the project or the funding ask from the Government or the Council:

- Project Funding Total - £20,070,142
- Levelling Up Fund - £18,063,128.41
- Sandwell Council - £2,007,013.69

The project intended to acquire and demolish 3.45 hectares of brownfield land in the Grove Lane area of Smethwick by March 2026.



By undertaking the project, the identified sites were effectively de-risked to enable residential development to be delivered by third parties. It was estimated that 151 homes could be built along with a primary school.

### **Alternative Options Considered**

The Council would withdraw the bid.

#### **Resolved:-**

- (1) that the Assistant Director of Legal & Assurance in consultation with the Assistant Director for Growth & Spatial Planning, the S151 Officer, and the Cabinet Member for Regeneration & West Midlands Combined Authority is authorised to review and formally accept the Levelling Up Fund funding offer/ grant conditions from Government for Grove Lane, Smethwick, subject to an acceptable Financial Appraisal;
- (2) that the Grove Lane, Smethwick Levelling Up Fund bid is endorsed.

47/24

### **Long Term Plan for Towns - Smethwick**

Approval was sought for the long-term plan for Smethwick. The requirement set out by Government included establishing a Town Board by 1 April 2024. The purpose of the Long-Term Plan for Smethwick Board was to bring community leaders and representatives together to produce, oversee and deliver the plan. Once the Board was constituted, it was proposed that the Terms of Reference be finalised and approved. Details received from Government to date had been limited and more detail would be provided at a later stage. It was therefore necessary to be able to adapt the arrangements for the Board to ensure compliance with emerging government guidance or Board requirements.

In a response to a question from the Vice Chair of the Safer Neighbourhoods and Active Communities Scrutiny Board, in the absence of the Chair of the Budget and Corporate Scrutiny



Management Board, the Cabinet Member for Finance & Resources in the absence of the Cabinet Member for Regeneration and WMCA, confirmed that the Long-Term Plan for Towns was a Government funding programme which had pre-selected the Town of Smethwick to benefit from the £20m investment over a 10 year period. The Council was not currently aware of this funding programme being awarded to other Sandwell Towns. However, Rowley Regis and West Bromwich were receiving Towns Fund investment; with Tipton receiving funding from the Government Capital Regeneration Fund; and Wednesbury receiving funding through the Levelling Up Partnership. Across the Sandwell 6 towns, Sandwell was receiving £165,500,000 between now and 2034.

### **Reason for Decision**

The Long-Term Plan for Smethwick was to be produced, overseen, and delivered by the Town Board and submitted to Government by 1 August 2024. The submission of the plan would enable the £20m endowment style funding to be drawn-down to deliver plan interventions of a 10-year period, in accordance to the draw-down profile, submitted as part of the plan.

It was envisaged that upon submission and acceptance of the Long-Term Plan by Government, the Council would be expected to enter into a funding agreement or memorandum of understanding. The premise would be that the Council agrees to act as the Accountable Body for the programme and as such, programme governance would need to be established.

Government had confirmed that investment from the Long-Term Plan for Smethwick was eligible within the boundary plan provided by Government as part of the data pack. Government had advised that there was scope to make representations to the department to alter those boundaries.

The Long-Term Plan was to be driven by local people and local priorities and as such public engagement and consultation would be required throughout the development of the plan.





## Alternative Options Considered

The Council could advise Government the deadlines for establishing a board and submission of the Long-Term plan would not be achievable.

### Resolved:-

- (1) that the Assistant Director of Legal & Assurance, in consultation with the Assistant Director for Growth & Spatial Planning and Cabinet Member for Regeneration & WMCA, is authorised to establish a Smethwick Long-Term Plan Board through undertaking necessary selection processes to make appointments to the Board, and finalise the associated Terms of Reference;
- (2) that the Assistant Director of Legal & Assurance, in consultation with the Assistant Director for Growth & Spatial Planning and Cabinet Member for Regeneration & WMCA, is authorised to make any changes to the Long-Term Plan for Smethwick Town Board terms of reference in response to any further Government guidance or Board requirements;
- (3) that authority is granted to the newly appointed board, once constituted to develop a Long-Term Plan for Smethwick, to include public consultation, and to submit to Government, subject to S151 Officer authorisation;
- (4) that the Assistant Director of Legal & Assurance, in consultation with the Assistant Director for Growth & Spatial Planning, the S151 Officer and the Cabinet Member for Regeneration & WMCA, is authorised to review and formally accept the Long-Term Plan funding offer/ grant conditions from Government;
- (5) that approval is given for the Council to act as Accountable Body for the Long-Term Plan for Smethwick programme and adopt programme governance arrangement;





- (6) that the geographical boundary for the Long-Term Plan for Smethwick, as determined, be endorsed, and the Assistant Director of Growth & Spatial Planning in consultation with the Cabinet Member for Regeneration WMCA is authorised to make any necessary representations to Government to amend the boundary in consultation with the new Board;
- (7) that the Assistant Director for Growth & Spatial Planning, in consultation with the Cabinet Member for Regeneration & WMCA, is authorised to approve public consultation in relation to the Long-Term Plan for Smethwick.

## 48/24 **Levelling Up Partnership**

Cabinet received a progress update on the Levelling Up Partnership, which were targeted interventions designed to identify practical, tangible actions to support priority places to 'level up' and to help government develop a more holistic understanding of place. Sandwell was one of the first of 20 areas selected to form a Levelling Up Partnership.

### **Reason for Decision**

In September 2023, details of the Levelling Up Partnership (£20.4m) were formally announced by Government. This followed a set of Cabinet approvals in September to establish governance arrangements, approve the target geography as Wednesbury and to agree the set of projects as follows:

- Friar Park Urban Village
- Wednesbury Community Safety Scheme
- Wednesbury Town Centre Improvements
- Wednesbury Greenspaces Improvements
- Friar Park Millennium Centre expansion



## Alternative Options Considered

This report provided an overview of progress of the Levelling Up Partnership Programme. It was requested by Cabinet to provide assurance on delivery progress. Alternative options would be for Cabinet to receive progress reporting through the Council's performance management framework rather than a bespoke report.

### Resolved:-

- (1) that the progress update on the delivery of the Levelling Up Partnership is received;
- (2) that a further progress update on the delivery of the Levelling Up Partnership is received in 6 months.

49/24

## Exclusion of the Public and Press

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

50/24

## Adult Social Care Market Sustainability

Approval was sought for Adult Social Care Market Sustainability. Each year local authorities considered and/or set the rates paid to its Adult Social Care provider market and determine the uplifts, if any, that would be applied for the following financial year to take account of inflationary pressures.

### Reason for Decision

Cabinet was updated in July 2022 and in February 2023 about the Department of Health and Social Care's policy paper: 'Market Sustainability and Fair Cost of Care Fund: purpose and conditions 2022 to 2023'.



The policy paper set out the Government’s intentions for local authorities to move towards paying rates that were sustainable to the care and support market for 18+ Domiciliary Care and 65+ residential and nursing care homes by undertaking a Cost of Care exercise.

### Alternative Options Considered

Due to difficult budgetary decisions across the Council and the need to deliver a balanced budget, the Council had in previous years had to hold fees and rates for many of its markets for over a decade, however, the February 2023 Cabinet paper approval sought to respond to the financial challenges. To go back to a position where fees were not uplifted would impact sustainability.

### Resolved:-

- (1) that the fees in the table below be implemented in 2024/25 for the adult social care provider market to ensure market sustainability, with any uplift to the Free Nursing Care rate in 24/25 to be fully passed onto applicable nursing homes when announced by the Department for Health and Social Care;

	2023/24 Rate	2024/25 Proposed Fee/Rate	Proposed Inflation
	£	£	%
Older People Nursing	816.21	856.44	6.74%
OPMH Nursing	921.04	968.35	6.75%
Older People Residential	651.91	702.80	7.81%
OPMH Residential	651.91	702.80	7.81%
Complex Nursing & Residential	variable	variable	6.75%
Supported Living	17.84	19.04	6.70%
Day Care	variable	variable	6.70%
Shared Lives	variable	variable	6.70%

- (2) that the Director of Adult Social Care be authorised to implement the fee uplifts proposed in Resolution (1) for the financial year 2024/2025.



## Procurement of Accommodation Based Support Services and Floating Support Services for Vulnerable Homeless: Young People, Teenage parents, Families and Adults

Approval was sought for the Procurement of Accommodation Based Support Services and Floating Support Services for Vulnerable Homeless. Authority to commence a procurement for accommodation based-housing support services and floating support services was required given that the current contracts were due to expire on 31 July 2024, and that there were no further extensions contractually possible.

### Reason for Decision

Services were required to support the Council's delivery of statutory duties. Supported accommodation services were not a statutory requirement; however, it was widely recognised as a crucial component in the prevention of further crisis management and escalation and in turn significant spend in various statutory services including Health, Adults and Children's Social Care and homelessness.

### Alternative Options Considered

Option 1: Do Nothing

Option 2: Decommission Housing Related Support Services

Option 3: Council to provide accommodation-based support services and housing support services.

Option 4: To commission the same services under new contracts commencing in August 2024.

Option 5: Seek permission to procure new remodelled services under new contracts commencing on 1 August 2024.



## Resolved:-

- (1) that approval is given for the commencement of a procurement for an Accommodation-Based Support Services and Floating Support Services for vulnerable: Young People, Teenage parents, Families and Adults who are homeless or at risk of homelessness in Sandwell;
- (2) that the Director of Housing is authorised to award a contract for the provision of Accommodation-Based Support Services and Floating Support Services for vulnerable: Young People, Teenage parents, Families and Adults who are homeless or at risk of homelessness in Sandwell, for a period of two years, with the option to extend this by two periods of one year each on terms to be agreed with the Director of Housing at the end of the procurement process;
- (3) that the Director of Housing is authorised to enter into contract(s) with the successful tenderer(s) for the provision of Accommodation-Based Support Services and Floating Support Services for vulnerable: Young People, Teenage parents, Families and Adults with for a period of two years, with the option to extend this by two periods of one year each on terms to be agreed with the Director of Housing;
- (4) that any necessary exemption be made to the Contract Procedure Rules to enable the course of action referred to in Resolution (1) and (2) to proceed.

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### **Project Costs for the Relocation and Redevelopment of the Indoor Market in West Bromwich**

Consideration was given to the project costs for the relocation and redevelopment of the indoor market in West Bromwich.



The West Bromwich Masterplan, adopted in 2022, outlined an aspirational vision for the town wherein a new, diversified Indoor Market was a core tenet.

In a response to a question from the Vice Chair of the Safer Neighbourhoods and Active Communities Scrutiny Board, in the absence of the Chair of the Budget and Corporate Scrutiny Management Board, the Cabinet Member for Housing and Built Environment confirmed that there were no abortive costs in ending the current contractual arrangements and that the consultation process was outlined within the report.

### **Reason for Decision**

The need to improve the indoor market was one of the most notable aspects of the detailed consultation that informed the Masterplan.

### **Alternative Options Considered**

End relocation/redevelopment project and do nothing.

#### **Resolved:-**

- (1) that approval is given to a revised funding package of £4.64m, to deliver the West Bromwich Indoor Market;
- (2) that the Section 151 Officer, in consultation with the Assistant Director for Spatial Planning and Growth, is authorised to amend the capital programme to reflect the total project cost of £4.64m;
- (3) that the Section 151 Officer, in consultation with the Assistant Director for Spatial Planning and Growth, is authorised to identify an appropriate revenue budget from which to fund the annual prudential borrowing costs associated with the revised funding package;





- (4) that the Assistant Director for Spatial Planning and Growth is authorised to carry out all necessary procurement activities, in accordance with statutory regulations and the Council’s Contract Procedure Rules, to deliver the West Bromwich Indoor Market project;
  
- (5) that the Assistant Director of Spatial Planning and Growth is authorised to progress any consents or applications required for Demolition, Planning, Building Regulations or Highways appertaining to the delivery of the West Bromwich Indoor Market scheme and any other agreements with the procured contractor(s) as may be deemed necessary to facilitate development of the site.

Meeting ended at 3.53pm

Contact: [democratic\\_services@sandwell.gov.uk](mailto:democratic_services@sandwell.gov.uk)



# Appendix A

## PIs to be Removed or Amended

Subject to Cabinet approval, the following indicators have been removed from the Corporate Performance Report because they are in development and not expected to produce an outturn until 2024/25. These will be considered for inclusion as part of the refresh of our Key Performance Indicators for 2024/25.

PI	Strategic Outcome and Directorate
Healthy pregnancy programme	People Live Well and Age Well Public Health
Universal Healthy Start Vitamins	
The % of places filled on community mental health programmes being delivered	
Development of further metrics as part of corporate governance plan	One Council One Team Assistant Chief Executive (formerly Law and Governance)

Subject to Cabinet approval, it is proposed that the targets for 1 PI is amended this quarter and 3 PIs are amended to annual indicators. They are set out below, with a justification for the changes.










PI	Strategic Outcome and Directorate	Justification
Number of sites that are non-compliant with the national NO2 air quality objective (40 ug/m3 per annum)	People Live Well and Age Well Public Health	Information is only available annually and so will be included in the annual performance report
Children in Care – Health assessments	Best Start in Life for Children and Young People Children and Education	Information is only available annually and so will be included in the annual performance report
Visitor Services and Events Mystery Shopper Scores	Strong Resilient Communities Borough Economy	This indicator will be changed to an annual indicator as there is a cost associated with the mystery shopper. It will take place in Q4 and be reported in the Q4 report.
Members to undertake a minimum of 10 hours of development annually	One Council One Team Assistant Chief Executive	The target has been revised for Q4 from 70% to 65%. A data quality issue has been identified for this PI, which means historic data and the target of 70% is inaccurate. An agreed process is now in place and has been recorded for the data collection.





# Sandwell Levelling Up Zone and BRR Sites

**Legend**

-  Sandwell LUZ Boundary
-  Growth Zone (BRR Sites)
-  Sandwell Development Sites
-  Sandwell Residential Development Sites
-  Sandwell Regeneration Opportunities
-  Metro Extension
-  Local Authority Boundaries

