

## Minutes of Cabinet

**Wednesday, 30 July 2025 at 3.30 pm at Council Chamber - Sandwell Council House, Oldbury**

**Present:** Councillor Carmichael (Chair)

Councillors: Allcock Hartwell P Hughes Khatun	Councillors: Moore V Smith Taylor Uddin
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**In attendance:** Councillors H Bhullar and J Singh.

**Officers:** Shokat Lal (Chief Executive); James McLaughlin (Assistant Chief Executive); Alex Thompson (Executive Director – Finance and Transformation); Sally Giles (Executive Director of Children and Education); Rashpal Bishop (Executive Director of Adult Social Care and Health); Frances Howie (Interim Director of Public Health); Mike Jones (Service Director of Governance); Andy Thorpe (Healthy Development and Pollution Control Lead); Samantha Harman (Children's Commissioning, Partnerships and Improvement); Maria Jardine (Policy Advisor); Suky Suthi-Nagra (Democratic and Member Services Manager) and Connor Robinson (Democratic Services Officer).

### **60/25 Apologies for Absence**

An apology for absence was received from Councillor Bhullar.

### **61/25 Declarations of Interest**

Councillor Hughes declared a personal interest in Minute No. 69/25 (Community Asset Transfer - Wednesbury Rugby Club) on the basis that he was a committee member of the Wednesbury Rugby Club.

### **62/25 Minutes**

**Resolved** that the minutes of the meeting held on 25 June 2025 are approved as a correct record.

## **63/25 Urgent Additional Items of Business**

There were no urgent items of business to consider.

## **64/25 Quarter 4 and Annual 2024/25 Corporate Performance Report**

Approval was sought for the Quarter 4 Annual 2024/25 Corporate Performance Report.

Following a period of government intervention that ended in March 2024, the Council's Performance Management Framework had been further refined and embedded into business processes. This had enabled the Council to track progress in delivering the strategic outcomes in the Council Plan, improve services through identifying poor performance and sharing good practice, celebrate achievements where things were going well, and provide a strong evidence base for improved decision making and the efficient use of resources. Through enabling the Council to identify opportunities for continuous improvement, the Performance Management Framework was also a key component in the journey to becoming an outstanding organisation.

The Cabinet Member for Finance and Resources emphasised the progress made by the Council over recent years. The successful roll out of Oracle demonstrated the ability of the organisation to deliver large projects. In addition, the new customer service standards demonstrated the continued journey to improve services for residents in Sandwell and the enhanced neighbourhood partnership model would ensure the work of the Council was 'member led, officer driven, and customer focused'.

### **Reason for Decision**

Performance of key contracts was included in the quarterly performance reports to provide oversight of the performance of services and assure that contract management mechanisms continued to be in place and effective. 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 to improve progress in achieving the Council's strategic objectives.

### **Alternative Options Considered**

There were no alternative options for consideration.

**Resolved** that the progress on the further development of the Corporate Performance Management Framework is received and the 2024/25 Quarter 4 and Annual monitoring reports approved.

## **65/25 Business Plans and Corporate PI Set 2025/26**

Approval was sought for the Directorate Business Plans and Corporate Performance Indicators Set 2025/26. In order to keep track of the impact of the Council's actions on the outcomes in the Council Plan and maintain a focus on performance in key areas, the Corporate Performance Indicator set had been updated for 2025/26. A performance webpage would be created on the Council's website to enhance openness and transparency around performance.

### **Reason for Decision**

The Council Plan 2024-2027 was adopted in summer 2024 and, set out the organisation's strategic priorities for the medium-term based on analysis of the needs of the borough and feedback from residents. The Council's business planning framework identified the actions to be taken at directorate level to deliver the priorities in the Council Plan, which would inform the actions required at service, team and individual levels. The Directorate level business plans set out the key actions required to deliver the priorities in the Council Plan, together with timescales and lead responsible officers. The 'Plans on a Page' provided a high level, easy to read summary of the key actions across each Directorate that aligned to delivery of the Council Plan.

The Corporate Performance Indicator set enabled the Council to monitor the impact of activity on the strategic outcomes in the Council Plan. This had been refreshed in line with the Directorate Business Plans to ensure that the Council was capturing the key metrics to provide oversight of performance and identify where future action may be required to achieve the outcomes set out in the Council Plan.

This enabled the Council to track progress in delivering the Council Plan, improve services through identifying poor performance and sharing good practice, celebrate achievements and where things were going well and provide a strong evidence base for improved decision making and the efficient use of resources. By sharing this information on the Council's website in an easy to read format, the Council would increase the transparency of its performance, enable residents to be more informed about how the Council was performing and to hold the Council to account.

### **Alternative Options Considered**

The Directorate Business Plans set out how the Council would deliver the strategic outcomes set out in the Council Plan. By publishing these plans, the Council was being open and transparent about its ambitions and how its resources were allocated toward achieving the priorities that had been informed by the public. If these plans were not published, it would be difficult for elected members and residents to be informed about the Council's plans and to hold it to account for performance.

The review of the Corporate PI set for 2025/26 ensured that the indicators included the strategic level information required by senior officers and Cabinet to retain corporate oversight of performance. This had meant some indicators have been removed and new ones added. If these changes were not made, the Council would not be able to monitor the impact of activity against the strategic outcomes in the Council Plan, or hold itself to account for performance.

### **Resolved:-**

- (1) that approval is given to the Directorate Business Plans on a Page for 2025/26;
- (2) that approval is given to the Corporate Performance Indicator set for 2025/26;

- (3) that details of the development of the Council's performance management framework be received to increase transparency of performance data through improved information on the Council's website.

66/25

### **Sandwell MBC and Sandwell Children's Trust Ltd Insurance Programme**

Approval was sought for the Procurement of Sandwell Council and Sandwell Children's Trust Joint Insurance Programme. The Joint Insurance Programme provided insurance cover for the various risks that the Council and Children's Trust wished to insure, upon completion of a compliant tender process.

#### **Reason for Decision**

The Long Term Agreements (LTAs) for the Council's and Children's Trust's main insurance programme expired on 30 September 2026 and needed to be renewed.

The programme of insurance included a range of different policies with various insurers to ensure that the transfer of risk sat within the Council's and Children's Trust's appetite for risk. Where appropriate, risk was spread across various insurers as all insurers did not have the same appetite for each risk category and would only tender for certain categories of risk or submit conditional bids on classes of risk that would only be covered if certain other classes were also awarded to them.

#### **Alternative Options Considered**

In all cases, the procurement exercise would look at options around coverage and also the level of deductible to ensure that suitable and value for money policies were procured.

The other options that had been considered were:

Option 1- to carry out an open procurement process under the new Procurement Act 2023 via Find a Tender. This had been dismissed on the grounds that this could attract tenders from insurers that were not reputable or have the capacity to provide the cover requirements needed. In addition, it would also require additional Council resources to carry out and evaluate the tenders. The framework eliminated this as it had the advantage of pre-qualifying suppliers.

Option 2- do not transfer any of the risks to external insurers and thereby retain all risks internally. Given the insurance cover was for catastrophic loss, this would leave the Council taking on a level of risk which was in excess and outside of the Council's appetite for risk and would have significant financial implications if such events materialised.

#### **Resolved:-**

- (1) that delegated authority is given to the Executive Director for Finance and Transformation to award Long Term Agreements for joint insurance programme and policies (as noted below) required for a period of three years with an option to extend for a further two

years, in line with the insurance industry norm for Long Term Agreements.

Policy
Property
Motor
Liability/ casualty
Crime/ fidelity guarantee
Computer
Travel
School journeys
Medical practice
Terrorism
Directors and Officers (SCT only)
Hired in plant

- (2) that approval is given to make an exemption under rule 8.10 of the Procurement and Contract Procedure Rules 2024 (or subsequent amendments) to allow Long Term Agreements to be awarded to the successful tenderer(s) in the event that the required minimum number of tenders are not received for each lot;
- (3) that approval is given for any variations to the Long Term Agreements up to a maximum of 10% of each of the Contract/ Long Term Agreement values, should they be necessitated.

67/25

### **Leasehold Right to Buy Insurance Procurement**

Approval was sought for the Procurement of Leasehold Right to Buy Building Insurance. A Long Term Agreement (LTA) that provided building insurance cover to lessees of Sandwell council flats. Securing an LTA insurance policy involved the purchase of cover from an external insurance provider to provide cover to leaseholders for the property they had leased from the Council. As the freeholder and landlord, the Council procured this insurance to ensure its own assets were protected from any property risks arising from the leaseholder, which contributed to the Council Plan priority of Living in Sandwell.

#### **Reason for Decision**

The contract for buildings insurance cover of leasehold / right to buy flats would expire on 31 March 2026 and therefore needed to be renewed.

Despite the procurement of a Long-Term Agreement, a renewal process must be undertaken annually to assess whether the level of risk and therefore rate charged had changed. The cost of this insurance formed part of the service charge that the Council charged to the leaseholder, which was administered by the Home Ownership Team.

### **Alternative Options Considered**

Option 1- to carry out an open procurement process under the new Procurement Act 2023 via Find a Tender. This had been dismissed on the grounds that this would attract tenders from insurers that were not reputable or had the capacity to provide the cover requirements needed. In addition, it would also require additional Council resources to carry out and evaluate the tenders. The framework eliminated this as it had the advantage of pre-qualifying suppliers.

Option 2- request leaseholders to take out suitable insurance themselves. This would require the leaseholders to provide the Council with evidence and assurance that suitable cover had been taken out. This however was not a suitable option as it was not in compliance with the lease agreement which stated that the landlord would insure the building on behalf of the leaseholder. In addition, the Council would need additional resources to ensure that insurance cover had been taken out by all leaseholders; that there was consistency in cover provided; that premiums had been paid and that policies had not been cancelled thereafter.

Option 3 -The Council could ask for nominations from leaseholders for a contractor to supply the service. However, it was unlikely that the leaseholders would know of a suitable provider that satisfied the appropriate criteria which was not already on the YPO framework

### **Resolved:-**

- (1) that delegated authority is given to the Executive Director for Finance and Transformation in consultation with the Cabinet Member for Finance and Resources to award a Long-Term Agreement for insurance cover for sold leasehold flats;
- (2) that approval is given to make an exemption under rule 8.10 of the Procurement and Contract Procedure Rules 2024 (or subsequent amendments) to allow a contract to be awarded to the successful tenderer if the required minimum number of three tenders are not received;
- (3) that approval is given to any variations to the Contract/ Long-Term Agreement up to a maximum of 10% of the Contract value, should they be necessitated.

**68/25**

### **Code of Practice for the Display of Goods and Advertising Boards on the Adopted Footway**

Approval was sought for the Code of Practice for the Display of Goods and Advertising Boards on the Adopted Footway. The Code of Practice had been produced to address concerns relating to businesses displaying goods and A Boards on the adopted footway which were causing potential hazards for pedestrians.

Cabinet Members welcomed the introduction of a Code of Practice, and emphasised how the Code struck a balance between public safety and

accessibility and business needs. There had been a Sandwell wide consultation which fed into the final Code.

### **Reason for Decision**

Concerns regarding the Display of Goods and A Boards on the public footway outside businesses and their impact on safety had been long-standing concerns.

The use of adopted footways for business displays could result in the narrowing of pedestrian pathways and obstruction of sight lines. These conditions led to safety hazards, particularly for vulnerable individuals, including those using wheelchairs, assistance dogs, or walking aids.

To address these concerns, a Code of Practice for the Display of Goods and Advertising Boards on the Adopted Footway had been developed. The Code provided clear guidelines to manage and control obstructions caused by the Display of Goods and A boards. It aimed to strike a balance between ensuring pedestrian safety and supporting business activities by allowing a controlled level of encroachment. The Code did not apply to displays or advertising boards located on private property, such as those within privately owned shopping centres.

### **Alternative Options Considered**

The Council had the option to either adopt the proposed Code of Practice for the Display of Goods and Advertising Boards on the Adopted Footway or to continue operating without formal guidance for businesses. The Council could continue without the Code and rely solely on the provisions of the Highways Act, this would result in the only available enforcement mechanism being formal prosecution. Under a prosecution all goods or obstructions would be required to be removed and there would be limited flexibility in addressing issues on a case-by-case basis.

**Resolved** that approval is given to the Code of Practice for the Display of Goods and Advertising Boards on the Adopted Footway.

(Councillor Hughes left the meeting)

**69/25**

### **Community Asset Transfer - Wednesbury Rugby Club**

Approval was sought to the Community Asset Transfer for the Wednesbury Rugby Club. The proposed asset transfer accorded with the Council's principle of proactively advertising community properties for potential Community Asset Transfers as a priority. Transfers would be undertaken in accordance with the Council's policy on Community Asset Transfers and would only happen if officers were satisfied that a clear, sustainable plan was in place to maintain the asset and that further calls on the Council for support were unlikely.

The Cabinet Member for Adult Services, Health and Wellbeing welcomed the recommendations and how they would benefit the local community asset. The rugby club offered community based social activities that benefited local residents, it allowed for improved health and wellbeing, inclusive opportunities and secured the future of the important green space.

### **Reason for Decision**

The recommendations supported the delivery of the Council's Medium Term Financial Strategy and assisted in ensuring that the Council had a balanced budget moving forward alongside an efficiently operating estate to deliver Council services.

The applicant, Wednesbury Rugby Union Football Club Ltd, were leasing the property from the Council having commenced on 15 October 2007 for a term of 25 years. The lease, which was due to expire on 15 October 2032, was an historic voluntary body lease which comprised of terms of a similar nature to a current Community Asset Transfer with no rental premium currently payable under the terms of the same.

Following evaluation of the initial application, which demonstrated the club's eligibility to be considered for Community Asset Transfer, the Council had since requested and received an updated business plan from Wednesbury Rugby Union Football Club Ltd as provided.

The applicant intended to make a significant investment into the asset, building on that provided to date, which included a new, fit for purpose clubhouse, relaying the astroturf, and implementing proper drainage for the pitches, along with working with the RFU to support grass roots rugby

As part of the application process, the applicant had also provided a full set of accounts for the period 2019-2024 which demonstrated a sustainable approach to finances and the future management of the asset. However, to ensure that they could access relevant grants to support the development of the asset and delivery of their business plan, a longer lease term demonstrating security of tenure was required.

### **Alternative Options Considered**

Option 1 – The Council could choose to not progress the Community Asset Transfer lease with the incumbent tenant and allow the lease to run its term and expire on 15 October 2032 with the vacant property to be returned to the Council at this time. However, this would not be considered viable, as no operational use had been identified and would result in the loss of this vital community organisation and facility. It would also not support delivery of the Asset Management Budgets Savings targets 2023-2026, due to ongoing liability of repairs and maintenance, security, and other holding costs, with additional revenue budgets needing to be identified for the Council to manage the site.

Option 2 – The Council could choose to not progress the Community Asset Transfer lease with the incumbent tenant and allow the lease to run its term and expire on 15 October 2032 with the vacant property to be returned to the Council at this time. The Council could then look to let the property on commercial terms for market rent. However, this would not be considered viable, as this would result in the loss of this vital voluntary organisation and the extensive range of community-based activities and initiatives they provide for local residents.

### **Resolved:-**

- (1) that approval is given to the Community Asset Transfer of Wednesbury Rugby Club, Woden Road, Wednesbury, WS10 0RQ,



as detailed in the site plan at Appendix 1, to Wednesbury Rugby Union Football Club Ltd for a term of 35 years based on a full repairing lease with a rental of £1 per annum;

- (2) that delegated authority is given to the Monitoring Officer and Service Director Governance to dispose of the property, on terms and conditions to be agreed by the Executive Director - Place in consultation with the Cabinet Member for Neighbourhoods and Community;
- (3) that delegated authority is given to the Monitoring Officer and Service Director Governance to enter into or execute under seal, if necessary, any other related documentation in connection with the leasehold disposal of Wednesbury Rugby Club.

(Councillor Hughes returned to the meeting)

## **70/25 Sandwell Cycling and Walking Infrastructure Plan Review**

Approval was sought for Sandwell Cycling and Walking Infrastructure Plan 2020-30 - Five Year Review. The Government's Cycling and Walking Investment Strategy was published in April 2017 with the aim of making cycling and walking the natural choices for shorter journeys, or as part of a longer journey. The strategy sought to double the 2013 number of journeys, or part journeys, made by cycle by 2025. It recognised that achieving this would require a sustained investment in cycling infrastructure by Central Government, Local Transport Authorities and third parties. The Government anticipated that Local Cycling and Walking Infrastructure Plans would be the principal vehicle for targeting this investment.

The West Midlands Combined Authority had developed a Local Cycling and Walking Infrastructure Plan that identified and enabled a plan to develop strategic cycling and walking networks throughout the West Midlands up to 2028. Subsequently Sandwell developed Sandwell Local Cycling and Walking Infrastructure Plan.

To complement the West Midlands Combined Authority and Sandwell Local Cycling and Walking Infrastructure Plans Black Country Transport commissioned work to develop a Black Country Walking, Wheeling and Cycling Plan that identified and enabled a plan to develop local cycling and walking networks throughout the Black Country until 2032. The Black Country Walking, Wheeling and Cycling Plan had been approved by Council in April 2025.

### **Reason for Decision**

Sandwell had bid for £150,000 funding from The Integrated Settlement, which ran from 1 April 2025 to 31 March 2026, and delivered a range of services and infrastructure projects.

A policy and data led analysis would be carried out to establish areas of highest cycle and walking demand. The areas within Sandwell would then be reviewed by Sandwell's Transportation team to select those which aligned with Sandwell's policy objectives. These included: air quality improvement areas, regeneration

corridors, proximity to secondary schools, proximity to transport hubs, current and planned 20mph zones, areas of high congestion and areas of deprivation.

### **Alternative Options Considered**

An alternative option was that the Council continued to deliver the outstanding proposals in the adopted Sandwell Cycling and Walking Infrastructure Plan and not carry out the review. However, once these proposals were delivered Sandwell would no longer have a Local Cycling and Walking Infrastructure Plan and would no longer be eligible to bid for City Region Sustainable Transport Settlement funding for walking and cycling schemes, which would impact on other Council objectives.

**Resolved** that delegated authority is given to the Executive Director for Place to undertake a review of the Cycling and Walking Infrastructure Plan to identify a package of measures to improve active travel throughout Sandwell, the commencement of the review being subject to approval and grant award of £150,000 being allocated from the Integrated Settlement Funding of the West Midlands Combined Authority.

## **71/25      Smethwick to Birmingham Inclusive Growth Corridor Transport Package - Land Appropriation**

Approval was sought to appropriate land at Smethwick to Birmingham Inclusive Growth Corridor Transport Package.

The scheme aimed to deliver multi-modal improvements to support active travel as alternative modes of travel, improve road safety for all users and to reduce congestion through the study area. The preferred scheme proposals included:

- a junction improvement at the A457 Grove Lane / B4135 Cranford Street / A457 Soho Way / B4136 Windmill Lane junction – comprising the conversion of the existing four-arm roundabout to a four-arm signal-controlled crossroads with integrated active travel crossing facilities;
- a bi-directional segregated cycle track extended along the A457 Soho Way and the A457 Grove Lane, comprising priority side-arm crossings for pedestrians and cyclists at the A457 Grove Lane junctions with French Walls Way, Woodlands Street and Unett Street;
- modifications to the existing A457 Grove Lane / MMUH main access junction to incorporate the bi-directional segregated cycle track and integrated active travel crossing facilities;
- modifications to the existing A457 Grove Lane / A457 Dudley Road / A4092 Cape Hill / Barrett Street roundabout junction to incorporate upgraded active travel crossing facilities;
- traffic calming measures on Grove Street, Abberley Street, Winson Street, Tudor Street, Chiswell Road and Cuthbert Road; and,
- a new signal-controlled pedestrian crossing on B4135 Cranford Street (to the south of London Street).

### **Reason for Decision**

The Council would need to enter negotiations with identified landowners to acquire the land and property required for construction of the scheme. Appropriation of the required land and property through a Compulsory Purchase

Order process would be sought if negotiations were unsuccessful. Compensation would be payable to any landowner or right-holder whose rights were compulsorily acquired. Section 226 of the Town and Country Planning Act 1990 provided the Council with the power to acquire land compulsorily for development and other planning purposes as defined in section 246 (1) of the Act. It was necessary to seek authority from Cabinet to undertake a Compulsory Purchase Order for the land required prior to negotiations commencing to save valuable time in the scheme's programme.

The finances required to purchase the land and property had been requested as part of an early drawdown of City Region Sustainable Transport Settlements funding required to develop the FBC. The Council had engaged the services of an expert valuer to assess the likely value of the Compulsory Purchase Order land and to undertake negotiations, on behalf of the Council, with the landowner/s to come to an agreed price for the acquisition of the land.

### **Alternative Options Considered**

Option 1 - not approve the layout of the scheme. This was not recommended, as this would result in a delay in the programme which would affect construction costs which were likely to continue to rise, putting pressure on the overall budget allocation for the scheme. £19m had been allocated within the City Region Sustainable Transport Settlements 1 programme specifically for the development and delivery of the scheme. Although the scheme sat outside of the City Region Sustainable Transport Settlements timeframe for delivery (2022/23 – 2026/27) due to the necessity to extend the programme to accommodate Compulsory Purchase Order timeframes, Government had indicated that there would be flexibility in bringing forward funding from the final year of City Region Sustainable Transport Settlements 1 (which the scheme was to be funded under) into City Region Sustainable Transport Settlements 2 (referred to as Transport for City Regions funding). If there was a risk of not being able to deliver the project on time and within budget, funding may be reallocated to another scheme not necessarily within Sandwell, potentially resulting in a loss of investment within the borough. This option had therefore been dismissed.

Option 2 - not continue with the land appropriation required to construct the scheme. This would mean that the footprint required to deliver the A457 Soho Way/ B4135 Cranford Street/ A457 Grove Lane/ B4136 Windmill Lane junction improvements and the LTN 1/20 compliant segregated bi-directional cycle track would not be available and the current infrastructure, would have to remain. This would have safety implications for cyclists who would be required to cycle on the road as well as capacity implications for this part of the network. This option was dismissed.

### **Resolved:-**

- (1) that approval is given to the layout of the Smethwick to Birmingham Inclusive Growth Corridor Transport Package: A457 Grove Lane/ B4135 Cranford Street Multi-modal Improvements scheme as shown on Drawing No. 43535 S/1 (Appendix A);
- (2) that subject to Resolution (1) being approved, delegated authority is given to approve amendments to the scheme following public consultation to the Cabinet Member for Environment and

Highways, in conjunction with the Cabinet Member for Regeneration and Infrastructure;

- (3) that delegated authority is given to the Executive Director – Place to submit a Full Business Case to the West Midlands Combined Authority in respect of the Smethwick to Birmingham Inclusive Growth Corridor Transport Package: A457 Grove Lane/ B4135 Cranford Street Multi-modal Improvements scheme following completion of all statutory processes;
- (4) that delegated authority is given to the Executive Director – Place to enter into negotiations and to acquire, on terms to be agreed by the Executive Director – Place, land and property within the proposed Order lands, in advance of confirmation of the Compulsory Purchase Order by the Secretary of State subject to the availability of finances;
- (5) that delegated authority is given to the Executive Director – Place to make any necessary minor amendments to the Borough Council of Sandwell (Grove Lane and Cranford Street Highway Improvements) Compulsory Purchase Order and the "Map referred to in Borough Council of Sandwell (Grove Lane and Cranford Street Highway Improvements) Compulsory Purchase Order " prior to it being made and submitted for confirmation;
- (6) that delegated authority is given to the Service Director - Governance to undertake all necessary actions and steps to make and secure a Compulsory Purchase Order in respect of the land needed for highway improvement purposes shown shaded blue on drawing 43672 S/1 (Appendix B) or such lesser land as may be deemed necessary under the powers contained in sections 239, 240 and 250 of the Highways Act 1980;
- (7) that delegated authority is given to the Service Director - Governance to affix the common seal of the Council and serve the necessary notices and documentation as required by the Highways Act 1980 and Acquisition of Land Act 1981 and submit the Compulsory Purchase Order to the Secretary of State for Transport for confirmation;
- (8) that delegated authority is given to the Service Director - Governance in the event the Compulsory Purchase Order is unopposed and granted powers to do so by the Secretary of State for Transport, to confirm the above order and serve all necessary notices to implement the Compulsory Purchase Order including the issuing of sheriff warrants;
- (9) that delegated authority is given to the Service Director – Governance to enter into any licences, undertaking or other agreements to facilitate the Compulsory Purchase Order on terms to be agreed on terms to be agreed by the Executive Director of Place;

- (10) that delegated authority is given to the Service Director - Governance to take all necessary action to secure the making, confirmation and implementation of the Compulsory Purchase Order and, if objections are received to the Compulsory Purchase Order, make arrangements for public inquiries including instructing external Counsel and Consultants to assist in the preparing evidence and the presentation of the Council's case at any public Inquiry;
- (11) that delegated authority is given to the Service Director - Governance in the event that the Compulsory Purchase Order is confirmed by the Secretary of State for Transport, to serve all necessary notices to implement the powers of compulsory acquisition, including be authorised to make General Vesting Declarations, notices to treat and notices of entry to take all other requisite steps to obtain possession of the properties and to obtain a Sheriff's Warrant for possession of any lands where it has not been given;
- (12) that delegated authority is given to the Service Director - Governance to acquire the necessary interests in the land and property included in the confirmed Compulsory Purchase Order on terms to be agreed by the Executive Director of Place or as ordered by the Lands Tribunal.

**72/25**

### **Carrington Road - Development Options**

Approval was sought for development options at Carrington Road, Wednesbury. The Carrington Road/School Road site, Friar Park had been in decline for many years and any intervention by the Council needed to be comprehensive to deal with the number of complex and inter-related circumstances specific to the area.

The cleared vacant site continued to be the subject of considerable antisocial behaviour and fly tipping. The shopping parade had been subject to piecemeal historical demolition of premises that were structurally unstable. The remaining units had been vacant and suffered from antisocial behaviour and the remaining tenanted retail unit being in a poor state of repair.

Cabinet Members welcomed the recommendations, the development would enhance the local area and reduce anti-social behaviour that had been a source of local concern for some time. The development demonstrated how local authorities worked to improve the local community.

#### **Reason for Decision**

Cabinet had previously provided approval for the Construction of 10x 2 bed bungalows, 20 x 2 bed flats and a retail block at Carrington Road, Friardale Road and School Road, Friar Park, following a tender exercise. However, following the tender returns, no offer had been considered value for money and as such were not progressed.

Following a borehole survey of the Carrington Road site July 2023 to a depth of 5m, it identified that the ground conditions on the site were worse than originally

expected based on information previously held. Based on this new information, a revised outline scheme design and costings for a different scheme were developed which would deliver 12 x 2 bed bungalows, 5 x 4 bed homes and one retail unit.

Considering the lower number of developable residential units than the original scheme (17 instead of 30) and increased demand on the Housing Revenue Accounts budget, this was deemed not to be value for money based on the revised unit development costs. It was therefore decided not feasible to move forward with this revised scheme.

The Council had been undertaking due diligence and soft market testing to assess if the Carrington Road site was potentially developable for social care purposes. The specification for the development of the units had been discussed and agreed in consultation with the Council's Adult Social Care team, with the intention that the site would be utilised for the development of supported living accommodation and look to include the demolition of the existing and construction of a new retail unit if commercially viable. This would form the basis of the marketing brief that the Council were expecting offers to be received for.

It was anticipated that the preferred model and marketing brief would broadly comprise of a new supported living accommodation of circa 30 units (being a mixture of bungalows / apartments), inclusive of assistive technology.

### **Alternative Options Considered**

Option 1 - The council had previously considered development of the site for social housing provision however, this was deemed to not be viable.

Option 2 - If there was no acceptable interest from the market, the Council could develop this site as public open space and leave the retail shop in place as it was now and invest in the same. This option would require funding and would not necessarily deliver the desired outcomes to reduce anti-social behaviour in the local area.

### **Resolved:-**

- (1) that approval is given for an open market disposal of the Carrington Road site as edged red on the plan (excluding any public highway) provided at appendix 1 for development as supported living provision following a marketing exercise to be undertaken by the Council's appointed agent;
- (2) that delegated authority is given to the Executive Director for Place and the Executive Director of Adult Social Care and Health in consultation with the Cabinet Member for Regeneration and Infrastructure and the Cabinet Member for Adult Services, Health and Wellbeing to agree the terms of the disposal of the Carrington Road, Wednesbury site as detailed in appendix 1 to the preferred bidder from those bids received;
- (3) that delegated authority is given to the Executive Director for Place and the Executive Director of Adult Social Care and Health in consultation with the Cabinet Member for Regeneration and

Infrastructure and the Cabinet Member for Adult Services, Health and Wellbeing to agree the terms of any required lease for the Carrington Road, Wednesbury development once completed;

- (4) that delegated authority is given to the Monitoring Officer and Service Director of Governance to enter into or execute under seal, if necessary, any other related documentation in connection with the freehold disposal of the Carrington Road, Wednesbury site;
- (5) that delegated authority is given to the Monitoring Officer and Service Director of Governance to enter into or execute under seal, if necessary, any other related documentation in connection with the leasing of the Carrington Road, Wednesbury site once developed.

\* Note that the appropriation of council owned property from the Housing Revenue Account to the General Fund Account as required, will be undertaken by the Executive Director – Place in consultation with the Executive Director – Finance and Transformation in accordance with the authority delegated to Chief Officers to act on such matters. Any amendment to the asset and ownership records will be undertaken and the accounts adjusted accordingly.

**73/25**

### **Sandwell Air Quality Action Plan**

Approval was sought to consult the public and other stakeholders on Sandwell's draft Air Quality Action Plan 2025-2030. The current Air Quality Action Plan was adopted by the Council on 23 March 2021 and subsequently accepted by Department for Environment, Food and Rural Affairs Local Air Quality Management team. Ongoing monitoring and reporting, specific projects and promotional activities had taken place since it was adopted.

#### **Reason for Decision**

Air pollution had been a longstanding problem in Sandwell and in 2005 the Council declared a borough wide Air Quality Management Area. At that time the national annual mean objective for nitrogen dioxide was being exceeded in 22 separate locations. The Council's monitoring of nitrogen dioxide concentrations showed that, although there had been a downward trend, exceedances of the annual mean objective had continued at a small number of the sites until recent years.

The latest data showed that there had been no exceedances at any of the sites in the last three years. The marginal nature of the data meant however that Sandwell would continue to be recognised as an Air Quality Management Area for a further two years, during which time it was hoped that there would be no exceedances at any of the sites in order to be confident that Sandwell's Air Quality Management Area status could be revoked. An Air Quality Action Plan would therefore continue to be required to show how Sandwell would work towards its air quality objectives.

#### **Alternative Options Considered**

There were no alternative options because Sandwell Council had a statutory duty to have an Air Quality Action Plan and was required to produce it using the process prescribed by Department for Environment, Food and Rural Affairs. The

process involved a consultation exercise to ensure that the measures proposed in the Air Quality Action Plan could be amended where necessary and were generally supported by stakeholders.

**Resolved** that delegated authority is given to the Director of Public Health to consult the public and other stakeholders on Sandwell's draft Air Quality Action Plan (2025-2030) before submission of the final plan to the Department for Environment, Food and Rural Affairs by October 31 2025.

#### **74/25 Children and Families Strategic Partnership - Agreement of Children and Families Strategic Plan**

Approval was sought to the Children and Families Strategy 2025-28, an overarching strategy and the mechanism for delivering the Council's commitment to improving outcomes for children and young people. It was informed by current legislation and statutory guidance and reflected the forthcoming national reform agendas across education, children's social care and health.

##### **Reason for Decision**

The strategy responded to the current challenges that children and young people faced in the borough and set out the Council's key ambitions and priorities to address these challenges in a collaborative way.

The strategy outlined the Council's commitment to ensuring all children and young people in Sandwell had the opportunity to thrive. Developed in collaboration with key partners and informed by children, young people, families and communities it set out the Council's shared vision for a future where every child was safe, and healthy as possible, happy, and achieved their full potential.

##### **Alternative Options Considered**

There were no alternative options, the strategy had been carefully considered with no other feasible alternative.

**Resolved** that approval is given for the Children and Families Strategic Partnership Board's – Children and Families Strategy 2025-28.

#### **75/25 Friar Park - Appointment of Preferred Development Partner**

Approval was sought to the Friar Park - appointment of Preferred development partner, and for authority to enter into a joint venture agreement with the West Midlands Combined Authority. The Friar Park Urban Village site was the largest brownfield housing regeneration site within the West Midlands Combined Authority area and had been a long-established regeneration priority for the Council.

##### **Reason for Decision**

A masterplan for the site, proposing the provision of circa 630 homes and 10 hectares (ha) of public open space utilising remediated material, and an associated procurement strategy was approved by Cabinet in March 2023 (see Minute No. 35/23). A tender process had been undertaken, reflecting the masterplan requirements. The recommendation sought authorisation for the



appointment of a Preferred Development partner to progress the scheme's implementation.

A Joint Venture Agreement was entered into with West Midlands Combined Authority following their acquisition of the former Severn Trent sewage works site in 2019, with the overall aim of remediating the land and securing a development partner to deliver a comprehensive, once-in-a-generation, transformational housing scheme in Friar Park. Given changes to the funding and operational arrangements for delivering the scheme, it had been deemed appropriate to revise the Joint Venture Agreement to reflect these changes.

### **Alternative Options Considered**

Option 1 – Do Nothing. In this scenario, the site would remain in its current state, and no remediation or development would be progressed. This would significantly reduce the Council's capabilities to meet its housing needs and would result in additional pressure to develop greenfield sites. Furthermore, the site would remain in its contaminated and derelict state. This was not considered to be a valid option.

Option 2 – Develop Council owned land only. The Council could consider developing its land ownerships separately to the West Midlands Combined Authority site. Whilst this would significantly reduce the requirement for remediation works on the site, it was unlikely to generate the same number of new homes or provide the transformational and aspirational change that arose from progressing the two landownerships collectively. Additionally, it would result in the West Midlands Combined Authority land being land-locked, and likely to remain in its contaminated and derelict state. This option had therefore been discounted.

### **Resolved:-**

- (1) that delegated authority is given to the Executive Director – Place to appoint the Preferred Developer for the Friar Park, and in conjunction with the Executive Director – Finance and Transformation and Monitoring Officer to complete the contractual agreements with the preferred developer;
- (2) that delegated authority is given to the Executive Director – Place to confirm the proposed amendments to the Joint Venture Agreement with West Midlands Combined Authority, and, in conjunction with the Executive Director – Finance and Transformation and the Service Director Governance - Monitoring Officer to complete the agreement with West Midlands Combined Authority.

Meeting ended at 4.11 pm