

The Cabinet

**17th October 2018 at 3.30pm
at the Sandwell Council House, Oldbury**

Present: Councillor Eling (Leader of the Council - Chair);
Councillors Carmichael, Costigan, Gavan,
Hackett, D Hosell, Khatun, Moore, Shackleton and
Trow.

Apologies: Councillors Ahmed, E M Giles, Rollins and
Underhill.

In attendance: Councillors P Hughes and Singh.

136/18 **Minutes**

Resolved that the minutes of the meeting held on 19
September, 2018 be confirmed as a correct record.

Strategic Items

137/18 **Indoor Market West Bromwich Temporary Reduction of Stall
Fees – Extension of Period (Key Decision Ref. No.
SMBC14/10/2018)**

The Cabinet Member for Highways and Environment sought approval to extend the 25% reduction in stall rents for the indoor market, West Bromwich, until 31st January 2019. This would encourage current market traders to continue to trade within the market until a business case and investment options plan were developed to inform a strategic decision of the future of the indoor market.

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Whilst the indoor market was currently trading profitably, it had lost traders in recent years and this rate of loss had accelerated in the last twelve months due to changes in shopping habits, new retail developments close to the market and little investment in the physical infrastructure of the market.

The Council had commissioned a strategic review of the indoor market which concluded that the existing facility would benefit from investment and recommended that a business case should be explored to investigate potential options and partners to help redevelop the market and improve its commercial attractiveness. Cabinet Members approved a new study to investigate, which was due to report in early 2019.

During investigative work, market traders requested financial support by way of a reduction in market stall rents. This support was agreed as a temporary 25% reduction in stall fees by Cabinet on 27th September 2017 and 20th June 2018. Approval was now sought to extend this fee reduction to allow the final investigatory work to conclude.

In response to a question raised by the Chair of the Budget and Corporate Scrutiny Management Board, the Cabinet Member for Highways and Environment clarified that the investment and development review report due in January 2019 would include proposals for a transitional strategy to enable the market to continue to trade as development proposals were considered. This included transitional stall fee rates and other financial incentives to retain traders.

Resolved that the extension of 25% reduction in stall rents for the indoor market, West Bromwich, be approved until 31st January 2019 in order to encourage current market traders to continue to trade within the market until a business case and investment options plan is developed to inform a strategic decision of the future of the indoor market.

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138/18

Highway Winter Service Operational Plan 2018/19 (Key Decision Ref. No. SMBC13/10/2018)

The Cabinet Member for Highways and Environment sought approval for the Highway Winter Service Operational Plan 2018/19.

Road users and the wider community placed a high value on keeping traffic moving safely in snow and freezing winter weather. Failure to do so could result in public dissatisfaction and significant reputational damage to the Council.

The Council had a statutory duty 'to ensure, so far as reasonably practicable, that safe passage along a highway is not endangered by snow or ice'. The duty was not absolute but decisions must be taken on reasonable grounds with due care and regard to relevant considerations set out in best practice guidance.

Due to the high service costs, it was not reasonably practicable to provide the service on all parts of the network nor ensure running surfaces were kept free of ice or snow at all times.

The borough's road network was therefore prioritised as follows:-

Priority 1: classified A roads being strategic and main distributor roads carrying long distance traffic or routes linking urban centres;

Priority 2: classified B and C heavily trafficked roads, all bus routes and roads serving key locations and important buildings e.g. hospitals, commercial centres.

The Cabinet Member stated that Priority 1 and 2 roads were 47% of the total carriageway lane length of 882 km and that the 2018/19 Plan contained only minor changes compared to the 2017/18 Plan, necessitated due to bus route changes.

In the absence of the Chair of the Economy, Skills, Transport and Environment Scrutiny Board, the Chair of the Budget and Corporate Scrutiny Management Board was pleased to see little variation in the plan from last year. The Chair also noted that Sandwell performed well in an area which was important to its residents and should be highlighted within the media.

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In response to further questions from the Chair of the Budget and Corporate Scrutiny Management Board, the Cabinet Member for Highways and Environment confirmed that bin collections were likely to be affected by winter conditions and where this happened, details would be included in regular press releases and communications as well as social media updates accessed by following @sandwellcouncil on Facebook and @sandwellroads on Twitter which was updated through the night and day in freezing conditions and can be retweeted as necessary. In addition, the main function of the plan and appendices was to systematically document the operational procedure. The service would look at adding ward location information to the appended schedules.

The Leader of the Council reported that, despite the extreme winter of 2017/18, the Council had continued to provide key services and had cleared roads quickly. In the event of a similar winter this year, assurance was given that the Council was able to clear primary routes and main bus routes to ensure access was maintained.

Resolved that the Highway Winter Service Operational Plan 2018/19 be approved.

139/18

Supply of Domestic Ironmongery (Key Decision Ref. No. SMBC01/10/2018)

The Cabinet Member for Housing sought approval to the award of a contract to supply domestic ironmongery to Roway Lane Supplies Section to enable the repairs and maintenance teams to undertake repairs to Sandwell MBC properties for a contract period of three years, from 1st December 2018 to 30th November 2021.

In accordance with the Council's Procurement and Contract Procedure Rules, CBS (Midlands) Ltd provided the best value for money.

The anticipated value of the contract was £546,000 (£182,000 per annum) for a period of three years.

Resolved:-

- (1) that the Director – Housing and Communities award the contract for the supply of domestic ironmongery to CBS (Midlands) Ltd for a contract period of three years, from 1st December 2018 to 30th November 2021;

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- (2) that in connection with Resolution (1) above, the Director – Monitoring Officer enter into the appropriate contract with CBS (Midlands) Ltd.

140/18

Commence a procurement process and award a contract for SEND Information, Advice and Support Service (Key Decision Ref. No. SMBC11/10/2018)

The Cabinet Member for Children's Services sought approval for the Council to tender for a suitable agency to run the SEND Information, Advice and Support Service (SENDIASS) service and to award a contract for a three-year period from 1st April 2019 to 31st March 2022 (with the option to extend for a further year) on terms to be agreed by the Director - Education, Skills and Employment.

The Children and Families Act 2014 requires local authorities to provide children with special educational needs (SEN) or disabilities for whom they were responsible with impartial information and advice about matters relating to their SEN or disability.

On 8th October 2014, the Cabinet approved the establishment of a new information, advice and support service for parents/carers and young people with Special Educational Needs and Disability (SEND) (see Minute No 58/14). It was now referred to as SENDIASS service in Sandwell and, following the appropriate procurement processes, Action for Children were appointed. The contract for that service would expire on 31st March 2019 and could not be extended.

In response to a question raised by the Chair of the Budget and Corporate Scrutiny Management Board, the Cabinet Member for Children's Services clarified that local authorities had a statutory duty to provide an independent service and that it was probable that these services were procured externally by neighbouring authorities. However, whilst their procurement cycles were not currently aligned to Sandwell's, dialogue would continue for future procurement services.

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Resolved:-

- (1) that following the appropriate procurement processes and in line with the Council's Procurement and Contract Procedure Rules, the Director - Monitoring Officer agree and enter into a new contract with the successful tenderer for the provision of a SEND Information, Advice and Support Service (SENDIASS) service for a three-year period from 1st April 2019 to 31st March 2022 (with the option to extend for a further year) on terms to be agreed by the Director - Education, Skills and Employment;
- (2) that the Director – Monitoring Officer make any necessary exemptions to the Council's Procurement and Contract Procedure Rules to allow the action referred to in Resolution (1) to be undertaken.

141/18

Procurement for Office Accommodation Improvements including Replacement Lifts to Sandwell Council House (Key Decision Ref. No. SMBC09/09/2018)

The Cabinet Member for Culture and Core Council Services sought approval for a procurement exercise to take place to replace the three main lifts at Sandwell Council House, Oldbury. Funding would be derived from the Office Accommodation Implementation Plan capital budget.

The existing two traction passenger lifts in the reception and the single traction passenger staff lift to Sandwell Council House were the original lifts from when the building was completed in 1991. At 26 years old, there were stated as having exceeded the economic life for traction passenger lifts. Maintenance costs were increasing to keep the lifts operational due to wear and tear and they did not currently comply with the Equalities Act 2010.

A procurement exercise for replacement of three lifts in Sandwell Council House was subsequently undertaken through an Efficiency East Midlands (EEM) framework agreement. Tenders were sought from the four contractors nominated on the EEM Framework. Evaluation was based on 100% price. Two valid tenders were returned.

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In addition, approval was also sought to authorise the Executive Director - Neighbourhoods and the Executive Director - Resources to approve the award of any future procurement exercises in support of the delivery of the Office Accommodation Implementation Plan which was approved by Cabinet on 28 June 2017. This would allow for a faster and more efficient decision-making process upon conclusion of procurement exercises, in order to take advantage of market conditions at the time of requirement. The Executive Director Resources was required to report to Cabinet on the use of these funds through the Capital Programme monitoring process.

Resolved:-

- (1) that the award of the contract for the replacement of three lifts at Sandwell Council House Oldbury to Lift and Engineering Services Ltd for the sum of £402,221.00 be approved;
- (2) that the Executive Director - Neighbourhoods and the Executive Director - Resources approve the award of any future procurement in support of the delivery of the Office Accommodation Implementation Plan, subject to options appraisals being undertaken to determine whether works will be executed via the Council's partnership agreement with Solihull MBC or open tender, and on-going monitoring of the capital spend is undertaken via the Capital Programme monitoring reporting process.

142/18

Sandwell Local Development Plan Scheme 2018 and Sandwell Local Plan Update (Key Decision Ref. No. SMBC12/06/2018)

The Cabinet Member for Regeneration and Economic Investment sought approval to the updated Local Development Scheme 2018 and to give an update on the Sandwell Local Plan.

Under the new planning system, the Council was required to prepare Local Plan documents that set out how the local area may change over the next few years.

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In Sandwell, the Local Plan currently consisted of:

- Black Country Core Strategy – adopted 2011
- Sandwell Site Allocations & Delivery Development Plan Document - adopted 2012
- West Bromwich Area Action Plan – adopted 2012
- Smethwick Area Action Plan – adopted 2008
- Tipton Area Action Plan - adopted 2008

The existing Core Strategy was adopted in 2011 and provided the framework for various Site Allocation Documents and Area Action Plans, which set out local policies and site allocations for individual authority areas. The existing Strategy had shaped the housing, industrial and retail growth of the area, whilst protecting the environment and greenbelt. It had also been successful in supporting regeneration for the past six years.

The Site Allocations and Delivery Development Plan Document identified sufficient sites and areas to meet the Borough's housing and employment needs, and would protect the Borough's historic, built and green infrastructure. The Areas Action Plans set a vision and strategy for the future development of West Bromwich, Smethwick and Tipton and they would guide future change and development in these areas.

In response to a question raised by the Chair of the Budget and Corporate Scrutiny Management Board relating to the three Area Action Plans – Smethwick/Tipton/West Bromwich and whether it was the appropriate opportunity to also have plans for Oldbury, Rowley Regis and Wednesbury to address their particular and different needs which would then follow through into the Black Country Plan, as part of the Sandwell Development Plan Review, the Cabinet Member for Regeneration and Economic Investment clarified that due to the change in approach to land allocation in the two tiers of the Local Plan (Black Country Plan and Sandwell Development Plan), it was not intended to have any area Action Plans in the future.

All of the borough's centres would be looked at as part of the Sandwell Development Plan process. There was a need for clarity in both Sandwell's statutory planning documents and economic strategies, town plans and investment proposals that all 6 towns would be clearly defined and any such plans developed fully with members and the communities.

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Resolved:-

- (1) that the revisions to the Local Development Scheme (LDS) be approved;
- (2) that in connection with Resolution (1) above, the Director – Regeneration and Growth, in consultation with the Cabinet Member for Regeneration and Economic Investment, make any minor changes to the Local Development Scheme that may be required prior to making it available to the public.

143/18

The Establishment of a Framework Agreement for the Supply of Goods and Provision of Bereavement Related Services (Key Decision Ref. No. SMBC03/10/2018)

The Cabinet Member for Neighbourhoods and Communities sought approval to enter into a new framework agreement with suppliers for the supply of bereavement related goods and services for an anticipated annual spend of £112,000.

Goods and services included the supply of memorial items for the placement of ashes after cremation, inscriptions on plaques, memorial maintenance, book of remembrance services and other burial and cremation items, all of which were essential to the delivery of services to the bereaved.

It was stated that the Council had an on-going requirement for the supply of goods and services to support its front-line service delivery in relation to the burials, cremations and for memorial products.

A competitive tendering exercise was undertaken in accordance with the Public Contracts Regulations 2015. Following advertisement, nine bids were received. These were initially assessed in accordance with the published evaluation criteria. The framework agreement, it was stated, would include seven lots with a total of five suppliers and service providers.

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Resolved that the Director – Monitoring Officer establish and enter into a new framework agreement for the supply of goods and the provision of bereavement related services from 1st November 2018 for a period of four years, with an annual spend of approximately £112,000.

144/18

Recommendations Arising from Land and Asset Management Committee at its meeting on 4th October 2018 – Fields in Trust Centenary Fields Programme Smethwick ‘Lions of the Great War’ (Key Decision Ref. No. SMBC10/10/2018)

The Chair of Land and Asset Management Committee presented the recommendations arising from the Committee and sought approval to place in perpetuity the public open space on Smethwick High Street.

The Fields in Trust Charity ‘Centenary Fields’ programme had been created to honour the memory of the millions who lost their lives in World War I. The focal point of the site would be the ‘Lions of the Great War’ monument, a three metre bronze statue depicting a First World War Sikh soldier, erected to honour the sacrifices made by South Asian service personnel of all faiths from the Indian subcontinent who fought for Britain in both World Wars and in all subsequent conflicts.

All Centenary Fields dedicated would receive a commemorative plaque to display on the site: this would have provision for the name of the site and/or the name of the landowner or the geographical location.

The site proposed as Sandwell’s contribution to the Centenary Fields programme stood between Tollhouse Way and High Street Smethwick, between the Guru Nanak Gurdwara and Rolfe Street station. The site was approximately 2000 square metres in area and was in Council ownership, forming part of the adopted highway.

The site had two distinct components. Approximately 500 square metres was currently being laid out as a high-quality, paved public space. The focal point would be a monument entitled “Lions of the Great War”. The nearby Guru Nanak Gurdwara Smethwick had appointed Black Country sculptor Luke Perry to create the monument to honour the sacrifices made by South Asian service personnel of all faiths from the Indian subcontinent who fought for Britain in both World Wars and in all subsequent conflicts.

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Resolved:-

- (1) that the dedication of the land located on Smethwick High Street through the Centenary Fields programme be approved;
- (2) that, in connection with Resolution (1) above, the Director – Monitoring Officer enter into or execute under seal, if necessary, any other related documentation in connection with the protection of the land on terms and conditions to be agreed by the Executive Director – Neighbourhoods.

145/18

Cycle Infrastructure Programme 2018/19 and 2019/20 (Key Decision Ref. No. SMBC16/06/2018)

The Cabinet Member for Regeneration and Economic Investment and the Cabinet Member for Highways and Environment sought approval to the 2018/19 and provisional 2019/20 Cycle Infrastructure programme.

An update on the progress made on delivering cycle infrastructure to support the West Midlands Strategic Transport Plan-Movement for Growth during 2017/18 was also provided. Each scheme would be subject to a future report to the Cabinet Member for Highways and Environment to agree the detailed design.

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 (www.gov.uk/government/publications/cycling-and-walking-investment-strategy). The Cycling and Walking Investment Strategy (2017) required Local Cycling and Walking Infrastructure Plans (LCWIP) to be developed as the new strategic approach to identifying the local improvements needed to increase the number of trips by cycling and walking.

The West Midlands Combined Authority (WMCA) had appointed consultants to develop a Local Cycling and Walking Infrastructure Plan (LCWIP). This would ensure the WMCA were in a position to secure funding for cycling and would set out the strategic plan for cycling and walking networks throughout the West Midlands up to 2028.

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To complement the WMCA LCWIP, the Council would commission work to develop a Sandwell LCWIP that would identify and enable a plan to develop local cycling and walking networks throughout the borough until 2029. It was intended that this would replace the Sandwell Cycling Strategy which was published in 1999. The Sandwell LCWIP would be subject to consultation and a future report to Cabinet would be necessary to adopt the document as Council policy.

The Cycle Network consisted of three tiers; the National Cycle Network (NCN), the Metropolitan Cycle Network, and a local Sandwell Network identified in the Sandwell Cycling Strategy.

The proposals had been considered by the Economy, Skills, Transport and Environment Scrutiny Board and the Scrutiny Board had requested that the report on the upcoming Local Cycle and Walking Infrastructure Plan be submitted for pre-decision scrutiny.

The Chair of Budget and Corporate Scrutiny Management Board welcomed proposals for Wednesbury being prioritised as part of the improvements and questioned whether aside from town centre locations, consideration could also be given to Sandwell's leisure centres. Clarification was also sought on whether accessibility to Commonwealth Games facilities would be reviewed as part of the process.

The Cabinet Member for Regeneration and Economic Investment confirmed that reference to towns and cities in the programme did not restrict it to them and leisure centres were being considered by Transport for West Midlands.

In relation to Commonwealth Games facilities, reviews of all transport options would be undertaken, including the ability to park bicycles outside venues, improved rail links at Smethwick Galton Bridge and park and ride facilities to and from the games.

Resolved:-

- (1) that the progress made on delivering cycle infrastructure to support the West Midlands Strategic Transport Plan-Movement for Growth during 2017/18 be received;

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- (2) that the programme of cycle infrastructure works for 2018/19 be approved, subject to consultation, and to the approval of detailed proposals by the Cabinet Member for Highways and Environment;
- (3) that a further report be submitted to the Economy, Skills, Transport and Environment Scrutiny Board on the Local Cycle and Walking Infrastructure Plan for pre-decision scrutiny.

Business Item

146/18 Minutes of the Cabinet Petitions Committee

The minutes of the Cabinet Petitions Committee held on 30th August 2018 were received.

147/18 Decisions of the Cabinet Member for Highways and Environment taken on 6th September, 2018

The decisions of the Cabinet Member for Highways and Environment were noted.

No questions were asked of the Cabinet Member.

(Meeting ended at 4.02 pm)

This meeting was webcast live and is available to view on the Council's website (<http://sandwell.public-i.tv/core/portal/home>).

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