



# Walsall Council

Minutes of the **MEETING** of the Council of the Walsall Metropolitan Borough held on **Monday 12th September 2011 at 6.00 p.m.** at the Council House.

## Present

### Councillor G. Perry (Mayor) in the Chair

#### Councillor G.E. Wilkes (Deputy Mayor)

“ A.J.A. Andrew  
“ R.E. Andrew  
“ T.G. Ansell  
“ D.A. Anson  
“ M. Arif  
“ I. Azam  
“ D.J. Barker  
“ J.M. Barton  
“ O.D. Bennett  
“ M.A. Bird  
“ P. Bott  
“ R. Burley  
“ R. Carpenter  
“ B. Cassidy  
“ K. Chambers  
“ A.G. Clarke  
“ J. R. Cook  
“ D. Coughlan  
“ S.P. Coughlan  
“ C.U. Creaney  
“ A. Ditta  
“ B.A. Douglas-Maul  
“ S.F. Fitzpatrick  
“ S. Fletcher-Hall  
“ M. D. Flower  
“ A.D. Harris  
“ L.A. Harrison

#### Councillor E.F. Hughes

“ K. Hussain  
“ G. Illmann-Walker  
“ D. James  
“ L.D. Jeavons  
“ M. Longhi  
“ S.W. Madeley  
“ Ms. R.A. Martin  
“ Mrs. B.V. McCracken  
“ M. Munir  
“ J. Murray  
“ M. Nazir  
“ T.S. Oliver  
“ A.J. Paul  
“ K. Phillips  
“ L.J. Rattigan  
“ I.C. Robertson  
“ J. Rochelle  
“ E.B. Russell  
“ H.S. Sarohi  
“ K. Sears  
“ R.M. Thomas  
“ C.D.D. Towe  
“ D.J. Turner  
“ F.J. Westley  
“ V.G. Woodruff  
“ A. Young  
“ Zahid Ali

45. **Apologies**

Apologies for non-attendance were submitted on behalf of Councillors D.A. and I. Shires.

46. **Minutes**

**Resolved**

That the minutes of the meeting held on 11th July 2011 copies having been sent to each member of the Council, be approved as a correct record and signed.

47. **Declarations of interest**

There were no declarations of interest.

At this point in the meeting the Mayor, with the agreement of the Council brought forward item 10 – West Midlands Police discussion.

48. **West Midlands Police**

The Chief Constable C. Simms and Superintendent K. Frazer attended the meeting and Chief Constable Simms gave a brief presentation on current issues affecting the area.

Walsall had not been affected by the riots that nearby towns had experienced largely due to good examples of social cohesion in the area.

West Midlands Police would be facing budget cuts over the next few years resulting from a 20% reduction in central government grants. This was higher than reductions faced by other forces. Priority would need to be given to retaining front line services and the most effective methods of policing in Walsall would need to be explored. It was anticipated that elections would take place in November 2011 for a Police in Crime Commissioner to take charge of the Police Authority.

It was anticipated that the Police Station would be redeveloped on the existing site.

Members were given the opportunity to question Mr. Simms.

The Mayor thanked Chief Constable Simms and Superintendent Frazer for attending the meeting.

49. **Mayor's announcements**

(1) **Death of Councillor W.T. Tweddle**

The Mayor referred to the death of Councillor Bill Tweddle and paid tribute to his services to Walsall over a period of many years. Councillors Ansell, Clarke, Bird, Madeley and Wilkes also paid tribute to Councillor Tweddle, following which it was **moved** by the Mayor, seconded by Councillor Wilkes and:

**Resolved**

That this Council expresses its regret at the death of Councillor W.T. Tweddle a member of this Council from May 2000 and places on record their appreciation of his services to the town and people throughout the Borough and expresses its condolences to his family at this sad time.

Members and officers stood in silence as a mark of respect.

(2) **Attendance at meetings**

In view of item (1) above, the Mayor stated that Item 12 – Local Government Act 1972 – attendance at meetings, would be withdrawn.

(3) **Cabinet responsibilities**

Councillor Bird announced that Councillor Z. Ali had accepted the position of Cabinet member for health and wellbeing portfolio. Councillor Ali would continue as Shadow Chairman of the Health and Wellbeing Board until such time that the Board was established by legislation.

50. **Petitions**

The following petitions were submitted:

- (1) Councillor Fletcher-Hall – Abbey Football Stadium – action to make the site secure and safe
- (2) Councillor Harrison – Improved bus service between Bloxwich and Blakenall
- (3) Councillor Westley:
  - (a) Stop the sale of kittens and puppies in Council licensed pet shops
  - (b) Demolition and securing of the former public houses The Leather & Bottle and The Spread Eagle on Mossley Estate

## 51. **Questions by member of the Council**

### **(1) Residents parking scheme**

Councillor Nazir asked the following question of Councillor Ansell:

“What consultation occurred with those residents who are part of a residents’ parking scheme to give them the opportunity to make their case against this increase before imposing an up to 150% increase in their charges?”

Councillor Ansell said that residents parking schemes were introduced some years ago and the scheme had been available to those who requested to join. Environmental Scrutiny and Performance Panel had carried out a review and consultation and a final report was presented to Cabinet on 12th January 2011, noting the views of the Environment Scrutiny and Performance Panel. The report made final recommendations on the proposed new level of permit costs and revisions to the existing resident parking zone criteria. Cabinet approved the content of this report for subsequent implementation.

Councillor Nazir asked the following supplementary question:

“Whether there was a case to answer as it appeared that the scheme had been introduced without prior notice to those affected?”

Councillor Ansell replied that he had understood that everyone had been given the opportunity to talk to the Scrutiny Panel, the process had been followed and would not be open to legal challenge.

### **(2) Renovations to properties**

Councillor Chambers asked the following question of Councillor A. Andrew:

“How many privately owned and tenanted properties in Thames Road, Valley Road and Smithfield Road have recently been renovated? What is the total cost of those renovations? How was the project funded and what contribution, if any, was made by the owners of private properties?”

Councillor Andrew replied that the highly successful Community Energy Saving Programme (CESP) had been undertaken in Blakenall in partnership with British Gas and Walsall Housing Group. Anyone who had visited the area over the last few months would have seen the dramatic improvement to homes that had been taking place in this key regeneration area. In addition to making a major visual improvement the works had vitally helped tackle fuel poverty by providing a comprehensive and tailored package of heating and energy efficiency works for residents.

Walsall Council had led the way in developing both the first all tenure CESP and also had the first CESP to start on site. Through developing partnerships and using approximately £100,000 of Government Regional Housing Pot funds the Council had levered in over £1m of investment from British Gas towards owner occupied homes at the same time as working with whg properties.

Blakenall Low Super Output Area (LSOA) area was selected as British Gas reviewed the various LSOA's in Blakenall with whg and chose LSOA E01010289 given its tenure mix, property type and potential range of CESP works.

Councillor Andrew said that the Council had no involvement in decision making on the LSOA area selected.

The cost per private home of regional housing pot funding was £750. The rest of the cost for owner occupiers was met directly by British Gas irrespective of whether they were one of their customers or not. No contribution was needed from owner occupiers. If residents had sought the same works themselves they would have cost in the region of £10,000 to £15,000 per home.

British Gas agreed to extend the scheme into the early months of this financial year and for 4 private homes assisted the £750 per property had been funded from the Council Capital Programme and land charged in line with the housing renewal assistance policy. The total cost to the Council had been £3,000 levering in £34,200.

Councillor Chambers asked how many homes in a number of streets were improved and Councillor Andrew said that in Thames Road a total of 57 homes comprising 32 whg and 25 private had been improved and in Smithfield Road a total of 44 homes had been improved, all of which were private. No homes had been improved in Valley Road as it was outside the target area.

British Gas worked directly with whg to develop a similar project for their properties and the actual split in costs between the two was commercially sensitive.

Councillor Andrew said this major project also put the Council in good stead to secure additional CESP and similar funding opportunities from British Gas and other utility companies this year and into the future. He hoped to be able to report at a later Council on more progress on this vitally important cross-cutting topic.

Councillor Chambers asked the following supplementary question:

Will the owners of the private properties benefiting from the improvements be free to sell their homes and keep the added value or would they have to remain in their home for a specified period?

Councillor Andrew agreed to write to Councillor Chambers.

### **(3) Councillor Robertson – Stray horses**

Councillor Robertson asked the following question of Councillor Ali:

“Can you list the actions taken against the 80 illegally placed stray horses which are currently on Council owned land since the last Council meeting in July 2011?”

Councillor Ali replied that illegal horse grazing was difficult to enforce. Bailiffs were commissioned earlier in the year to remove two horses from land at Great Bridge Road, however, following the erection of warning signs, the horses were removed by the owners themselves.

He said that discussions with specialist bailiffs had led to the erection of signs at Ross Farm open space. Experience elsewhere had shown that, in most cases, horses were removed by owners in response to such notices and hopefully this would be the case at Ross Farm open space as it was at Great Bridge Road. As the horses had been illegally grazing on the site for a lengthy period, the notices were likely to give a week's grace to allow a reasonable time for owners to find alternative locations for their horses. Following this period, the bailiffs would be instructed to move in and, initially, remove two horses. It was expected that this would lead to the removal of any remaining horses by the owners without the need to pay bailiffs to do so. This would be more cost effective for the Council.

The bailiffs charged £300 to erect notices and a removal fee of £1,500 per horse. He said that if only a small number of horses were removed, then the cost could be met from existing resources within the green space service budget. If larger numbers of horses required removal, this would place significant budgetary pressure on the service with a total potential risk of up to £120,000 for which there was no budgetary provision.

The erection of signs on Ross Farm could create other problems as the horses would be moved to another location.

Councillor Robertson asked the following supplementary question:

If the erection of notices of Ross Farm had led to the 15 stray horses being relocated nearby, a long term site needed to be investigated?

Councillor Ali said it was recognised that the problem would move. Investigations into a designated site for horses would not take place as this would lead to an influx of horses from other areas and would exacerbate the problem. Grazing was a rotational activity and would lead to difficulties, therefore officers would continue to take action.

## **52. Recommendation of Licensing and Safety Committee:**

### **Promotional site event**

The report was submitted.

It was **moved** by Councillor Sears, seconded by Councillor Bird and:

**Resolved**

That Council refuse permission for the use of a promotional site as requested by Nikki Sinclair, MEP, under Section 115(E) of the Highways Act, 1980 as it does not meet the prescribed Regulations.

**53. Recommendation of Community Services Scrutiny and Performance Panel**

**Co-opted member from West Midlands Police Authority**

It was **moved** by Councillor Harrison, duly seconded and:

**Resolved**

That, in accordance with Part 4.5 paragraph 3 of the Walsall Council Constitution, Mr. Phillip Holmes JP be appointed to the Community Services Scrutiny and Performance Panel as a non-voting co-opted member.

**54. Local Government Act, 1972 – attendance at meetings**

The item was withdrawn.

**55. Designation of Statutory Officer post**

It was **moved** by Councillor Towe, duly seconded and:

**Resolved**

That the post of Head of Legal and Democratic Services be designated Monitoring Officer and that the Constitution be amended accordingly.

**56. Elected members on Walsall's Fostering and Adoption Panels**

The report was submitted.

**Resolved**

- (1) That Walsall continues to have a Councillor as a voting (non-independent) member on both the Walsall Adoption and Fostering Panels.

- (2) That the Council maintain an elected member role in Panels in accordance with good Corporate Parenting advice and guidance; although this is no longer a statutory requirement.
- (3) That the Councillor Martin be nominated to sit on the Adoption Panel for the remainder of the current municipal year.

57. **Portfolio holder briefings**

(a) **Business support services**

Councillor Arif, portfolio holder for Business support services gave a presentation.

Members made comments on the presentation which were responded to by Councillor Arif.

(b) **Finance and personnel**

Councillor Towe, portfolio holder for Finance and personnel gave a presentation.

Members made comments on the presentation which were responded to by Councillor Towe.

58. **Blanch Woollaston Charity**

**Resolved**

That in accordance with Council procedure rule 1.2(v), the Chief Executive be delegated authority to appoint a trustee to the Blanch Woollaston Charity for a period of 3 years expiring on 13th September 2014, in place of Councillor Bott.

59. **Notice of motion**

The report was submitted.

The following motion, notice of which had been duly given was **moved** by Councillor Robertson and seconded by Councillor Young:

Council recognises that the escalation of numbers of itinerant scrap metal merchants and their activities amongst residential areas in the Borough continues to cause a great deal of problems in their neighbourhoods.

Council welcomes the activities of legitimate dealers who obey the law and in earning a living, also contribute to recycling targets in Walsall.

Council proposes to pursue the following actions:

- (1) To support a national campaign to make a small legal change so that payments for scrap can only be paid into a bank account and payment in cash is not allowed.
- (2) Facilitate a working group meeting under the relevant scrutiny committee with guidance of the area partnerships to which all relevant parties are invited to produce a report directly to Cabinet and Council within 3 months. This report to contain recommendations as to how this issue can be resolved. This working party to explore the drafting of a by-law for this Borough to deal with this issue.
- (3) If no agreement is reached Council instructs Officers to use the full powers of existing legislation with our partners to control this nuisance on our streets.

On being put to the vote the motion was declared carried and it was unanimously:

### **Resolved**

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- (3) If no agreement is reached Council instructs Officers to use the full powers of existing legislation with our partners to control this nuisance on our streets.

The meeting terminated at 8.10 p.m.

Mayor:

Date: