

Minutes of the **MEETING** of the Council of the Walsall Metropolitan Borough held on **Monday 8th September, 2008, at 6.00 p.m.** at the Council House.

Present

Councillor T.G. Ansell (Mayor) in the Chair

Councillor Mrs. C. Micklewright (Dep. Mayor)

“ A.J.A. Andrew
 “ D.A. Anson
 “ M. Arif
 “ C.M. Ault
 “ J.M. Barton
 “ L.A. Beeley
 “ M.A. Bird
 “ C. Bott
 “ P. Bott
 “ B. Cassidy
 “ A.G. Clarke
 “ J. R. Cook
 “ C.U. Creaney
 “ A.E. Griffiths
 “ A.D. Harris
 “ E.F. Hughes
 “ P.F. Hughes
 “ A.D. Johnson
 “ H. Khan
 “ M. Longhi
 “ S.W. Madeley
 “ Ms. R.A. Martin
 “ Mrs. B.V. McCracken
 “ M. Munir
 “ Mushtaq Ahmed

Councillor M. Nazir

“ J.G. O'Hare
 “ T.S. Oliver
 “ A.J. Paul
 “ G. Perry
 “ J.D. Phillips
 “ K. Phillips
 “ D.J. Pitt
 “ Mrs. E.E. Pitt
 “ M.G. Pitt
 “ I.C. Robertson
 “ J. Rochelle
 “ B. Sanders
 “ K. Sears
 “ Mrs. D.A. Shires
 “ I. Shires
 “ P.E. Smith
 “ C.D.D. Towe
 “ D.J. Turner
 “ W.T. Twedde
 “ A. Underhill
 “ R.A. Walker
 “ G. Wilkes
 “ M. Yasin
 “ P.A. Young
 “ Zahid Ali

37. Apologies

Apologies for non-attendance were submitted on behalf of Councillors Chambers, Coughlan, Flower, Harrison, Sarohi and Woodruff.

38. Minutes

Resolved

That the minutes of the meeting held on 7th July, 2008, copies having been sent to each member of the Council be approved as a correct record and signed.

39. Declarations of interest

The following members declared their interest in the items indicated:

Councillor Anson	Item 11 - Walsall Housing Group (prejudicial)
Councillor P. Bott	Item 11 – Walsall Housing Group (personal and prejudicial)
Councillor Cook	Item 11 – Walsall Housing Group (personal and prejudicial)
Councillor Longhi	(1) Item 12 - Member of West Midlands Passenger Transport Authority (personal) (2) Item 13 – Governor of Shelfield Sports and Community College (personal and prejudicial)
Councillor Oliver	Item 10 – Walsall Adult and Community College (personal)
Councillor Paul	Item 11 – Walsall Housing Group (personal and prejudicial)
Councillor Sanders	Item 11 – Walsall Housing Group – Director of parent board (personal and prejudicial)
Councillor I. Shires	Walsall Housing Group (personal and prejudicial)

Councillor Wilkes	Item 13 – Building Schools for the Future (personal)
Councillor Yasin	Item 11 – Walsall Housing Group (personal and prejudicial)
Councillor Martin	(1) Park Hall Community School - Director (2) Walsall Adult and Community College (personal and prejudicial)
Councillor McCracken	Item 11 – Walsall Housing Group (personal and prejudicial)
Councillor Tweddle	Item 11 – Walsall Housing Group (personal and prejudicial)

40. **Mayor's announcements**

(a) **Item 11 – Walsall Housing Group**

The Mayor informed the Council that the report to Council on 7th July, 2008, relating to this matter had been circulated around the Council Chamber.

(b) **Paralympics**

The Mayor reported on an article in the Express & Star relating to the success of Eleanor Simmonds in gaining a gold medal in the S6 100 metres freestyle event at the Paralympics in Beijing,

Resolved

That Eleanor be congratulated on her success and that she be invited to the Mayor's Parlour on her return to the United Kingdom.

41. **Petitions**

The following petitions were submitted:

- (1) Councillor Clarke – Retention of Walsall- Wolverhampton Rail Service.
- (2) Councillor Oliver – homelessness in Walsall.
- (3) Councillor Tweddle – speed restrictions on Valley Road, Blakenall.
- (4) Councillor Yasin – closure of Delves Post Office.

42. **Questions by members of the Council**

(1) **2012 Olympics**

Councillor Robertson asked the following question of Councillor Zahid Ali:

“What strategy exists in Walsall to work with all our partners to support those of our young people who aspire and are capable of qualifying for the 2012 Olympic Games in London?”

Councillor Ali replied that the UK's hosting of the Olympic Games for the first time in 64 years created a unique opportunity to raise the profile of sport and active recreation in Walsall and to generate interest and promote opportunities for participation and raise awareness of the benefits of recreation.

The Community Activity Network was a partnership group established in 2007 bringing together key partners within Walsall involved in sport and physical activity. The group currently comprised:

- Walsall Council (Sport & Leisure, Greenspaces and Children's Services)
- Walsall tPCT
- Wolverhampton University
- Walsall College
- School Sports Partnerships
- Cabinet member for Leisure, Culture & Lifelong Learning
- Junior athletic education programme

The partnership had agreed its key priorities that reflected the shared goals of those involved which included young people's participation. The partnership was presently agreeing their action plan to deliver these priorities and it was London 2012 that would contribute significantly to this. The partnership had already secured in-principle funding from Sport England and the Department for Culture Media and Sport totalling £650,000 over the next 3 years to support interventions designed to increase participation in sport and active recreation.

Councillor Ali acknowledged that elite level success would certainly stimulate increased community participation, raising levels of physical activity across the community to improve the health of the people of Walsall had to remain our core focus. Unfortunately, the existing sports facilities infrastructure within Walsall was unlikely to attract Olympic Training Camps (with the possible exception of the Judo facilities at Wolverhampton University). Through work with the Black Country Sports Partnership we supported possible training camps elsewhere in the region.

High quality sports coaching was provided and directly supported the network of community sports clubs. Through this work and the collaboration with the School Sports Partnerships we ensured that talented young people were identified and signposted to appropriate services. This support may be directly from ourselves or through organisations which were linked with such as National Governing Bodies or UK Sport. Through the Walsall Schools Sports Partnership students would be given opportunities to develop their skills in a wide range of sporting activities. More specifically Walsall schools were involved with the following

- Walsall Children Services, Serco Gifted and Talented initiative. Identified students given extra support and have access to specialist coaching.
- Secondary Schools had adopted the Junior Athlete Education programme. This means that elite performers/athletes had a mentor in school who worked with the student, school and their sports club to achieve a flexible curriculum and work load package which met their specific needs.
- The three schools sport partnerships signpost students to the National Governing Bodies of specific sports.
- Some schools offered bursaries to students to assist them with their sporting needs.
- There was a variety of training opportunities offered to school staff to develop their skills in the delivery of high quality physical education.

Councillor Ali said that the 2012 Olympics would, post Beijing, become a standing item on the agenda of both the Community Activity Network and the Black Country Sports Partnership, (which Councillor Harrison chaired). The Olympics would be considered as a theme throughout this work and in doing so ensured that we optimised the benefit both from the games and their legacy.

A letter of congratulations would be sent to those young persons who were performing at exceptional levels as well as those who had been successful at the Beijing Olympics.

(2) Skate park facilities

As Councillor Chambers was not in attendance at the meeting the question lapsed.

(3) Regulation of Investigatory Powers Act, 2000 – directed surveillance

Councillor Smith asked the following question of Councillor Griffiths:

“With reference to the 916 authorisations of covert surveillance carried out by Walsall Council under the Regulation of Investigatory Powers Act 2000 as revealed by Councillor Griffiths in an answer to a question tabled by Councillor Smith on 7th July, 2008, would you further inform me, this Council and the public:

- (a) how much this covert surveillance has cost;
- (b) how many of the 916 authorisations led to no action against the individual/s under surveillance; and
- (c) how many of those individuals under surveillance, where no action was subsequently taken against them, were ever informed of such surveillance and apologies offered?”

Councillor Griffiths replied that detailed responses to surveillance activity questions had been provided to the meetings of Council on 25th February and 7th July 2008.

He said that surveillance activity was included within officers' job descriptions, but formed only a small part of their work activities. The much greater proportion of their time was taken on other matters, including interviews.

Councillor Griffiths stated that during the last 3 financial years, the benefits investigation team had identified in excess of £203,000 overpaid benefit as a result of its surveillance activity. He said that if this fraud had been allowed to continue unchecked this would have cost the tax payer something in excess of £4 million. This confirmed the appropriateness of the system the Council operated.

Cases where "no action" was possible due to insufficient evidence was summarised as follows:

Benefit investigations	250
Trading standard	59
Surveillance team	196
Miscellaneous	11

Allegations were usually made by a third party and it was important to establish whether fraud had taken place and needed to be addressed.

In conclusion Councillor Griffiths said that the work was subjected to strict regulation and following an independent inspection in January 2008, the service was found to be satisfactory. The Council would continue to use surveillance to protect the public purse.

Councillor Smith asked the following supplementary question:

"Can we take it that, in the future, the portfolio holder will note the cost of surveillance for the benefit of taxpayers of the Borough?"

Councillor Griffiths confirmed that costs would be taken into account in the future and requested Councillor Smith to establish the views of taxpayers in his ward on whether surveillance was a responsible action or not.

(4) Consultants fees

Councillor Oliver asked the following question of Councillor O'Hare

"Can we be provided with a detailed breakdown of how much this Council has spent on "consultants fees" in the past two years and in which service areas of the Council have they been used and for what purpose?"

Councillor O'Hare confirmed the spend on interims and consultants in 2006/2007 and 2007/08 was as follows:

	2006/2007	2007/2008
Expenditure on consultants	£1,569,710	£1,987,315
Expenditure on interim managers	£660,231	£470,605

of which £447,000 was used on the education contract, £242,000 was spent on specialist procurement and ICT transformation in 2006/2007. During 2007/2008 £128,000 was spent on the Health and Safety Executive, £285,000 on Housing 21 contract and £285,000 on programme management.

Councillor O'Hare undertook to provide Councillor Oliver with a comprehensive list.

(5) Councillor Robertson – Lighting masts at the Arboretum island

Councillor Robertson asked the following question of Councillor Harris:

“What are the installation costs of the high lighting masts at the Arboretum island versus standard lighting and what are the whole life costs of the competing installations to include costs of extra inspections?”

Councillor Harris replied that a considerable amount of design and assessment had been undertaken to ensure the appropriate form of lighting was provided at this complex five arm traffic signal controlled junction. Officers had previously answered many of Councillor Robertson's questions relating to this aspect, for example: advantages had been identified such as reducing clutter and giving uniform lighting.

He said that the full cost of the provision of 4 high masts, together with installation was approximately £54,000 and for providing the same lighting standards by using conventional lighting, was estimated at approximately £105,000. Until 2028 when the Private Finance Initiative (PFI) Lighting Contract was due to expire, the whole life costs including extra inspections showed an overall capital saving of £50,000 with no difference in energy cost, but an overall reduction in maintenance costs of approximately £10,000.

Councillor Harris said with regard to the extra inspections required for the high mast lighting system, this aspect was included in the Lighting Private Finance Initiative (PFI) Contract and so it was not an extra cost to the Council.

Councillor Robertson asked the following supplementary question:

“Can the Chairman of the Audit Committee look more closely at the figures published?”

Councillor Harris confirmed that a response would be provided, subject to commercial confidentiality.

(6) Loss of trade and damage to businesses

Councillor Robertson asked the following question of Councillor Harris:

“What representations, numbers and concerns have been received by this Council by various trade associations in Walsall about the loss of trade and damage to businesses over the extended and continued disruptions to travel of those who wish to visit and shop in our Town ?”

Councillor Harris replied that from the question, you would have thought we had built a wall around Walsall, not a multi-point access system. He said that due to the policies of this administration, Walsall Town centre was undergoing a programme of major development by both the public and private sectors to help deliver our vision of creating significant numbers of new jobs through regeneration that benefited the whole community. Included within this programme was the new College, the re-modelled hospital, Waterfront, Gigaport, and the Ring Road Improvement.

He said that the improved ring road was an essential catalyst to enable the successful delivery of these projects and other future improvements.

Because of the scale and location of these developments at the heart of the borough, the Council had recognised throughout that communication with the business community and the general public was essential. Officers had prepared and distributed regular information updates using leaflets, web sites and well publicised telephone help lines. Several stakeholder forums had been held and representatives from affected businesses, commercial organisations and trader groups, together with a number of residents, had attended and had their specific concerns addressed.

Councillor Harris stated further that representatives of the Council had also regularly attended meetings of Walsall Business Parks, Chamber of Commerce and Town Centre Management Boards to keep them advised of progress and to receive feedback.

The queries that had been received had, in general, not been from any trade association although the Chamber of Commerce had identified the need to improve temporary signage, car park signage and web site updates and these had now all been successfully delivered. Of the remaining e-mails and telephone enquiries received, none had been from trade organisations though all had been satisfactorily resolved wherever possible.

He said that following communications with the business community, they were found to be very understanding of the challenges the Council faced with these projects, although they were concerned, as indeed the Council was, about the impact on local businesses. As recently as last month, the Saddlers' Centre Manager and the Town Centre Manager both praised the progress made on the roadworks in a joint press release and the Council was now working with them on the preparation of further leaflets to keep local businesses informed and support them through this period.

Most people appreciated that this improved road would provide the borough with significant gains in the longer term in the form of attractive new development sites and a transformed image for the town as a place to invest, do business and shop. It was vital that the important role of transportation was recognised in the regeneration of Walsall Town Centre and indeed the borough. The Council would continue to work with key public and private sector partners to develop major schemes which would lead to millions of pounds of investment and 1000's of new jobs for residents of the borough. The Council would only be able to do this if we have an effective transportation system and the ring road was an absolutely vital factor in this. Coupled with the major developments in the Town Centre, this improved road would encourage many more members of the public to visit Town Centre businesses in the future. All the initiatives were supported vigorously and free parking would be introduced during the Christmas period to assist the public and businesses.

Councillor Robertson asked if the Regeneration Scrutiny and Performance Panel would look into traffic congestion in the Town.

Councillor Harris outlined the total investment and jobs for the future and the benefit of Walsall as follows:

	Investment	New jobs
College	£100m – towards achieving better education standards	-
Gigaport	£400m	3,200 – it was hoped these will be taken up by children in the area
Waterfront	£130m	700
Hospital	£162m – towards better health care	-

43. **Recommendation of Licensing and Safety Committee – Licensing Act 2003 – Cumulative impact policy**

The report to Licensing and Safety Committee was submitted:

Resolved

- (1) That approval be given to the implementation of a cumulative impact policy in the area of Walsall Town Centre identified as 'Beat 10' including areas around Bridge Street, Ablewell Street, Lichfield Street, The Bridge, Bradford Street, Bradford Place, Freer Street, Leicester Street, High Street and Park Street, as defined by the map in Appendix 2 of the report.

- (2) That the cumulative impact policy detailed in 8.2 – 8.9 of this report be approved for inclusion in the licensing authority's policy statement.

44. Appointment of independent members on Audit and Standards Committees

A report was submitted.

Resolved

- (1) That Mr. Andrew Wood, Dr Kay Biscomb and Ms. Kate McLeod be appointed as independent members to the Standards Committee for a period of three years until the end of the municipal year 2010/2011.
- (2) That Ms. Kate McLeod be appointed as independent member to the Audit Committee for a period of three years until the end of the municipal year 2010/2011.

45. Scheme of management for the Walsall Adult and Community College

A report was submitted.

It was **moved** by Councillor O'Hare, seconded by Councillor Andrew and:

Resolved

- (1) That the scheme of management for the Walsall Adult and Community College be referred to the Neighbourhood Scrutiny and Performance Panel for consideration.
- (2) That the findings of the Scrutiny and Performance Panel be reported back to Council

46. Walsall Housing Group structure change review

The report of the Health, Social Care and Inclusion panel, together with the report to Council on 7th July 2008 was submitted.

It was **moved** by Councillor O'Hare, duly seconded and:

Resolved

- (1) That following recommendation of the Health, Social Care, and Inclusion Scrutiny and Performance Panel be approved:

That the Health, Social Care and Inclusion Scrutiny and Performance Panel, having received the report of the Affordable Housing Working Group which is considered to be a balanced view based on the evidence received, commends the proposals for the group structure changes at Walsall Housing Group as part of the development of Walsall Housing Group for the future.

- (2) That the Council supports whg's proposals to:
 - (a) transfer all whg properties into one property owning (Registered Social Landlord) RSL, the current parent RSL of whg, being WHT (Walsall Housing Trust); and
 - (b) change the existing Local Trust Boards to Local Neighbourhood Boards as committees of WHT with a range of delegated authorities from the WHT Board.
- (3) That the Council notes the content of the report of 7th July 2008 and authorises the Chief Executive (or nominee) to agree the requisite Council consents under the Transfer Agreement with WHT and approve such changes to WHT's memorandum & articles as necessary.
- (4) That the Council provides all other consents necessary to effect the change to WHT's group structure.

47. **Notice of motion – Walsall/Wolverhampton rail link**

The report to report to Council on 5th November 2007 with regard to the Walsall rail service and facilities improvement plan was submitted.

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

This Council notes with concern the decision made by Mr. Tom Harris MP, the Minister for Transport, to withdraw funding from the Walsall/Wolverhampton rail link which presently caters for some 60,000 passenger trips per year.

This Council therefore calls upon Mr. Liam Byrne MP, Minister for the West Midlands, and the Members of Parliament representing Walsall to join us and exert their influence in asking Mr. Harris to review the decision and uphold the policy of encouraging the use of public transport throughout the West Midlands.

Amendment moved by Councillor J. Phillips and duly seconded:

This Council notes the decision made by Mr. Tom Harris, the Minister for Transport, to confirm withdrawal of funding from the Walsall to Wolverhampton rail link which presently caters for some 60,000 passenger trips per year, which equates to something under 1,200 trips per week on 234 journeys between the two stations, an average number of passengers of less than six per service.

The Council therefore calls upon Mr. Liam Byrne, Minister for the West Midlands, and the three Members of Parliament representing the Walsall Borough to join us and exert their influence in asking Mr. Harris to review the decision in discussions with Walsall MBC and Centro, aimed at agreeing a development strategy for the line including further extensions of the service, a timetable for early implementation of an improved service frequency and the provision of a station at Willenhall, to be funded jointly from Department for Transport and local sources on a basis to be agreed, thus upholding the policy of encouraging the use of public transport throughout the West Midlands.

On being put to the vote the amendment was declared lost.

The motion was put to the vote and declared carried and it was:

Resolved (unanimously)

That this Council notes with concern the decision made by Mr. Tom Harris MP, the Minister for Transport, to withdraw funding from the Walsall/ Wolverhampton rail link which presently caters for some 60,000 passenger trips per year.

This Council therefore calls upon Mr. Liam Byrne MP, Minister for the West Midlands, and the Members of Parliament representing Walsall to join us and exert their influence in asking Mr. Harris to review the decision and uphold the policy of encouraging the use of public transport throughout the West Midlands.

At this point in the meeting it was **moved** by Councillor Bird and duly seconded:

That Council procedure rule 9(a) be suspended for the remainder of the meeting in order to enable the business to be completed.

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

Resolved

That Council procedure rule 9(a) be suspended for the remainder of the meeting in order to enable the business to be completed.

48. **Notice of motion - Building School for the Future**

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

“This Council welcomes the excellent news that Walsall’s secondary schools have been allocated £100m+ funding from central government under the Building Schools for the Future programme.

Council also notes:

- concerns raised at the Children’s Overview and Scrutiny Panel in relation to the proposals to establish two further “academy schools”, independent of Walsall LEA;
- in particular the disquiet raised by the governing body of Darlaston Science College at the process to move to consultation on transfer to a Grace Academy;
- that Bob Edmiston, lead sponsor of the Grace Academies, has placed his view on record that: “if you tell people they are descended from monkeys, how can you expect them to behave like anything other than monkeys?”

Council therefore:

- seeks assurances that – should Darlaston Science College move toward independent academy status – all options, including possible alternative sponsorships, are explored;
- agrees that, in view of the controversial circumstances, any such proposal should be subject to a full ballot of local parents.

On being put to the vote the motion was declared lost.

49. **Notice of motion – Local Neighbourhood Partnerships**

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

Council recognises the contribution made to neighbourhood management by the work of Local Neighbourhood Partnerships.(LNPs). Council requests Cabinet to urgently review the level of resource allocation to these LNPs during the current financial year to enhance their effectiveness and avoid their meetings otherwise deteriorating into talk shops.

Amendment moved by Councillor I. Shires and duly seconded:

Council recognises the contribution made to neighbourhood management by the work of the Local Neighbourhood Partnerships (LNPs).

Council requests Cabinet to:

- (1) Urgently review the level of resource allocation to these LNPs during the current financial year to enhance their effectiveness and avoid their meetings otherwise deteriorating into talk shops
- (2) From the Council year 2009/2010, introduce a form of participatory budgeting with LNPs deciding the spending priorities of Council services within their LNP areas.

On being put to the vote the amendment was declared lost.

The motion was put to the vote and declared lost.

The meeting terminated at 9.50 p.m.