



# Walsall Council

Dear Councillor,

You are hereby summoned to attend a meeting of the Council of the Metropolitan Borough of Walsall to be held on **MONDAY the THIRD day of NOVEMBER, 2008 at 6.00 p.m.** at the Council House, Walsall.

Dated this 24th day of October, 2008.

Yours sincerely,

Chief Executive.

The business to be transacted is as follows:-

1. To elect a person to preside if the Mayor and Deputy Mayor are not present.
2. Apologies.
3. To approve as a correct record and sign the minutes of the meeting of the Council held on 8th September, 2008.
4. Declarations of interest.
5. Mayor's announcements.
6. To receive any petitions.

7. To answer any questions in accordance with Council procedure rules:

(a) From the public

(b) From members of the Council.

(1) **Councillor Chambers – Skate park facilities (Councillor Harrison)**

“What progress has been made with regard to replacing the skate park facilities previously provided on the Town Wharf site? This facility in addition to providing appropriate facilities for boarding enthusiasts saved damage to our Town Centre.”

(2) **Councillor Anson – Roadside drains (Councillor Walker)**

“Will the portfolio holder responsible inform me how often roadside drains are cleared through the whole road system of Walsall MBC?”

(3) **Councillor Smith – 43 Wenlock Gardens (Councillor Andrew)**

“Could the appropriate Portfolio Holder inform me, the Council and the public, given that residents in Wenlock Gardens and nearby Alderley Crescent, Ryecroft, Walsall have had to tolerate for approximately the last 10 years, the eyesore of a privately owned, mid terrace boarded up property (namely 43 Wenlock Gardens) sitting in a dilapidated and over grown state amongst otherwise well kept and occupied properties:

(a) what hope, if any, Walsall Council can give residents that the Council has the will, the wherewithal and /or the ability to put a stop to this situation by at long last taking whatever action is necessary to bring this property to a standard that is fit for purpose, thus removing a visual & environmental eyesore that has been a blot on this area for far too many years and

(b) which other residential properties in the Borough have remained unoccupied and boarded up for as long as 43 Wenlock Gardens, Walsall, to the Council’s knowledge?”

8. To confirm the following recommendation of the **Cabinet**:

**Council tax discounts on second homes and empty premises**

(a) That the discount on second homes be reduced to 10% from 1 April 2009;

(b) That the discount on premises left empty for more than 6 months be reduced to 0% from 1 April 2009.

(Note: The report to Cabinet relating to this recommendation is reproduced in the reports booklet for this meeting.)

9. To confirm the following recommendation of the **Licensing and Safety Committee**:

**Street Trading review**

- (a) That the Statement of Street Trading Policy detailed at Appendix 3 to the report be approved;
- (b) That the Statement of Street Trading Policy be reviewed on a regular basis at intervals not exceeding two years;
- (c) That in pursuance of the powers conferred upon it by virtue of Section 3 and Schedule 4 of the Local Government (Miscellaneous Provisions) Act, 1982, approval be given to the following:-
  - (i) That all streets currently designated as licensed for the purposes of street trading be redesignated as consent streets, such designation coming into force on a date to be determined by Council and that the Head of Public Protection be authorised to make the necessary statutory advertisements (a list of all streets currently designated as licensed streets is attached as Appendix 4);
  - ii) That the whole of Walsall Town Centre be designated as prohibited for the purpose of street trading except for certain sites listed within Appendix 5 and detailed in the plans 20 to 44A (excluding 23, 25 and 32) of the attached Appendix 6 which sites be designated consent streets (street being defined as part of a street) for the purposes of street trading, such designations coming into force on a date to be determined by Council and that the Head of Public Protection be authorised to make the necessary statutory advertisements (this proposal being subject to the temporary relocation of Walsall Market);
  - (iii) That the streets listed at Appendix 7 be designated as prohibited for the purpose of street trading except for certain sites identified at plans 1 to 5, 8 to 16 and 18, of the attached Appendix 6, which sites be designated consent streets (street being defined as part of a street) for the purposes of street trading, such designation coming into force on a date to be determined by Council and that the Head of Public Protection be authorised to make the necessary statutory advertisements;
  - (iv) That Skip Lane, Pheasey, Walsall between its junction with Sutton Road and Barr Lakes Lane be redesignated from a consent street to a prohibited street for the purpose of street trading, such designation coming into force on a date to be determined by Council and that the Head of Public Protection be authorised to make the necessary statutory advertisement (a map of the location is attached as Appendix 8);

- (v) That Council hereby agrees that the sites identified at plans 6, 7 and 17 of the attached Appendix 6 be redesignated as designated sites within a consent street.
- (d) That it be noted that in re-designating the streets from licence to consent, for existing licence holders, the licensing service will not propose any changes to the permit held during its lifetime (including renewals) without the agreement of the permit holder.
- (e) That approval be given to:-
  - (i) the perimeter of all designated street trading sites being permanently indicated at their location by such means to be identified;
  - (ii) the list of designated sites for street trading in the Districts being reviewed on a regular basis at intervals not exceeding two years and in the case of Walsall Town Centre on the permanent siting of Walsall market and thereafter at intervals not exceeding two years;
  - (iii) the establishment of a two tier consent system as detailed at paragraph 9.3 of the report;
  - (iv) the establishment of designated sites for other street activity as detailed at paragraphs 9.4 c and 9.5 of the report;
  - (v) the fees outlined at Appendix 9 of the report;
  - (vi) the process for attracting expressions of interest for children's amusement rides as detailed at paragraph 9.7 of the report;
  - (vii) the criteria for shop displays as detailed at Appendix 10 of the report, subject to the deletion of bullet points 7 and 9 and to the amendment of bullet point 1, by the addition of the words 'safe and not present any danger to the public' after the words 'All displays must be stable ...';
  - (viii) the criteria for licensed advertisements on the highway as detailed at Appendix 12 of the report.
- (f) That, in consequence of the foregoing,
  - (1) Licensing & Safety Committee be delegated the authority to:
    - (i) determine applications when representations are received and not subsequently withdrawn;
    - (ii) suspend or revoke a consent for street trading or other street activity;

- (iii) add, remove or amend conditions attached to street trading and other street activity consents;
  - iv) set annual fees for street trading and other street activity consents;
- (2) Officers be delegated the authority to:
  - (i) amend the application process as may be set out from time to time in the Council's Street Trading Policy;
  - (ii) issue a consent if an application is properly made out and no representations are received from consultees, or representations have been received but subsequently withdrawn;
  - (iii) suspend a consent for breach of conditions;
- (3) In accordance with the resolution of Licensing & Safety Committee on 19th March 2008, the Trading Standards Manager be delegated the authority to devise specifications for vehicles/units but in the event of disagreement on the suitability of a particular unit, the matter be referred to the Licensing and Safety Committee for consideration.
- (4) The decision of Council from its meeting on 12th December 1983 establishing a process for the control of street trading in Walsall Borough, and all subsequent resolutions of Council varying that process be rescinded.

(Note: The report to Licensing and Safety Committee relating to this recommendation is reproduced in the reports booklet for this meeting.)

**10. Walsall Adult and Community College.** Report on the recommendations of the Neighbourhood Scrutiny and Performance Panel reproduced in the reports booklet for this meeting.

#### **11. Membership of Committees:**

##### **(a) Audit Committee:**

- (i) To report the resignation of Councillor C. Bott with effect from 10th September 2008.
- (ii) To appoint a member to the Committee for the remainder of the municipal year.

- (b) **Development Control Committee** - To note that the Labour Group has appointed Councillor Barton to the vacancy on the Development Control Committee, following the resignation from the Council of former Councillor J. Phillips.
- (c) **Neighbourhood Scrutiny and Performance Panel** - To note that the Labour Group has appointed Councillor Robertson to the vacancy on the Neighbourhood Scrutiny and Performance Panel, following the resignation from the Council of former Councillor J. Phillips.

12. To consider the following motion, notice of which has been duly given by **Councillors Arif, Griffiths, Harrison, McCracken, Micklewright, Munir, M.G. Pitt, D.J. Pitt, Walker and Yasin:**

This Council condemns the Government for their policy of Post Office closures. The Government hold the record for closing post offices faster than any other government – almost 10 a week since 1997. The Government are pushing ahead with a further 2,500 post offices which will continue to decimate the network; by 2010 over a third of the entire post office network will have closed down.

Communities will be pitted against each other because of a “dog-eat-dog” closure programme: if one community campaigns successfully against a closure, a neighbouring branch will be shut down.

Countless areas will lose this valued service and vulnerable people will lose a service they depend upon. Government Ministers have taken no account of the needs of the elderly, of disabled people, or the most disadvantaged – the very ones who will lose out most.

We have already seen a number of closures in Walsall and with recent announcements stand to lose a further 5, as such we move the following motion that this Council:

- Strongly opposes any further closures of post offices within our borough and specifically Rushall, Delves, Dudley Fields, Stafford Street and The Butts that are under immediate threat from the Government.
- Recognises that post office services are vital in providing an accessible service to the most vulnerable in our communities, namely the elderly and young families/parents.
- Suggest to Government and the Post Office Network that one post office within each ward is given “Crown Post Office” status and therefore a flagship of community access.
- Supports measures to enhance the products on offer at post offices, particularly financial products and other Government services.

- Calls for post offices to be given the freedom to compete with other financial and banking services in offering similar products.
- Calls on officers to investigate and report to Cabinet what Council services could be provided through the Post Office Network in Walsall Borough to further improve our engagement with local people and the resource implications of adopting such a policy.

13. To consider the following motion, notice of which has been duly given by **Councillors Oliver, Chambers, Barton, Wilkes, Anson, Robertson and Phillips:**

This Council places on record its grave concerns regarding the proposed closure of Sneyd Community College and, furthermore, that Walsall Children's Services - SERCO and the Cabinet do not appear to have a coherent and well-planned strategy in place in relation to secondary school provision across the borough.

This Council, therefore calls for an end to this piecemeal approach to secondary education, and that no further action (closures and transfers) be undertaken until such time as a Boroughwide strategy is presented – followed by a full debate on the Council's strategy in order to reassure parents, teachers and those who use facilities in secondary schools that they will be able to access high quality education and community support in their local area."