

Minutes of the **ORDINARY MEETING** of the Council of the Walsall Metropolitan Borough held on **Monday 3<sup>rd</sup> October, 2022, at 6.00 p.m.** at the Council House, Walsall.

## **Present**

### **Councillor R. Martin (Mayor) in the Chair**

#### **Councillor G. Ali**

“ A. Andrew  
“ B. Bains  
“ H. Bashir  
“ M.A. Bird  
“ C. Bott  
“ P. Bott  
“ R. Burley  
“ S. Cheema  
“ S.J. Cooper  
“ C. Creaney  
“ S.K. Ditta  
“ S. Elson  
“ K. Ferguson  
“ G. Flint  
“ N. Gandham  
“ A. Garcha  
“ A. Harris  
“ L.A. Harrison  
“ A.J. Hicken  
“ C. Horton  
“ A. Hussain  
“ I. Hussain  
“ K. Hussain  
“ S. Hussain  
“ D. James  
“ S. Johal

#### **Councillor T. Jukes**

“ P. Kaur  
“ R. Larden  
“ E. Lee  
“ F. Mazhar  
“ R. K Mehmi  
“ K. Murphy  
“ J. Murray  
“ S. Nasreen  
“ A.A. Nawaz  
“ A. Nazir  
“ K. Pedley  
“ G. Perry  
“ L.J. Rattigan  
“ S. Samra  
“ K. Sears  
“ G. Singh Sohal  
“ P. Smith  
“ C.A. Statham  
“ M.A. Statham  
“ C.D.D. Towe  
“ V.J. Waters  
“ J. Whitehouse  
“ T.S. Wilson  
“ R.V. Worrall

21. **Apologies**

Apologies were received on behalf of Councillor Allen, Clarke, Follows, Gultasib, Rasab and Young.

22. **Minutes**

**Resolved**

That the minutes of the meeting held on 23<sup>rd</sup> May, 2022, a copy having been sent to each member of the Council, be approved as a correct record.

23. **Declarations of interest**

None.

24. **Local Government (Access to Information) Act, 1985 (as amended)**

There were no items to be considered in private session.

25. **Mayor's announcements**

**Passing of Her Majesty, Queen Elizabeth II**

The Mayor referred to the sad passing of Her Majesty, Queen Elizabeth II. The Mayor and members paid tribute to Her Majesty, Queen Elizabeth II, following which it was **moved** by the Mayor, duly seconded and:

**Resolved:**

That this Council place on record our sincere and deepest appreciation for the life of service and dedication given by Her Majesty, Queen Elizabeth II. Her Majesty was a much loved and respected Monarch, who visited Walsall during her long reign and touched the lives of residents, companies and organisations in Walsall. She will be greatly missed and forever remembered by the people of Walsall. We celebrate an remarkable life of duty and give thanks that Her Majesty was part of our lives. We send our heartfelt condolences to His Majesty, King Charles III and his family at this sad time.

**Deaths of Councillor Joan Beilby and Graham Wilkes**

The Mayor referred to the deaths of former Councillor Joan Beilby a member of Walsall Metropolitan Borough Council from 1978 to 1986 and from May 2000 to May, 2008 and former Councillor Graham Wilkes a member of Walsall Metropolitan Borough Council from June 1989 to June 2004 and from June 2005 to May 2012, the year he served as Deputy Mayor. Members paid tribute to former

Councillor Joan Beilby and former Councillor Graham Wilkes following which it was **moved** by the Mayor, duly seconded and:

**Resolved:**

That this Council have heard with deep regret of the deaths of former Councillor Joan Beilby a member of Walsall Metropolitan Borough Council from 1978 to 1986 and from May 2000 to May, 2008 and former Councillor Graham Wilkes a member of Walsall Metropolitan Borough Council from June 1989 to June 2004 and from June 2005 to May 2012, the year he served as Deputy Mayor. This Council places on record their appreciation of their services to the borough over a period of many years and expresses its condolences to their families at this sad time.

**Commonwealth Games**

The Mayor personally thanked colleagues from teams across the Council and the people of Walsall who volunteered their time to contribute to making the Commonwealth Games a huge success. In doing so, the Mayor highlighted that she was incredibly honoured to take part in the community festival at Walsall Arboretum in July, 2022 which saw the arrival of the Birmingham 2022 Queen's Baton Relay, which was subsequently relayed throughout the Arboretum by 12 Baton bearers.

**26. Petitions**

A petition was received from Councillor Elson, on behalf of respect of residents of Johnson Road and Hawthorn Road, Shortheath, in respect of traffic calming.

**27. Questions**

**From members of the Public:**

In accordance with paragraph 10.8, Part 4 (Rules of Procedure) of the Councils Constitution, the Mayor read out the following question at the request of the questioner, who was not in attendance:-

Can Council confirm that any recommendation for the Black Country Plan from the Scrutiny Meeting of the 10th November could be incorporated in Regulation 19 before the Black Country Plan is submitted for Public Examination or does a decision at Cabinet on the 19th October preclude that?

The Mayor confirmed that, in the questioner's absence, and at the questioner's request, a response would be provided to them in writing.

**From Members of the Council:**

**(a) Community Associations**

Councillor. P.E. Smith asked the following question of Councillor Perry:

Would the appropriate Portfolio Holder join me in;

- a) thanking the several Community Associations and other Community Groups across the Borough that have been and still are working in partnership with Walsall Council to address the difficulties that residents, especially vulnerable residents have endured due to Covid and could endure due to Cost of Living problems especially around fuel and food poverty and the difficulty that many may have in being able to access help via the internet

and

- b) Giving a brief outline of some of the splendid work that these organisations have been doing and are prepared to do in the future, in order to give vulnerable individuals and local communities the capacity for greater resilience as we go forward?

Councillor Perry replied as follows:

I welcome any opportunity to continue to thank the brilliance of our community organisations and community associations in this context specifically. We should first give a nod to the fact that we have so many organisations working in partnership with this Council and when we look back at Covid and the resilience shown throughout that period, we talk in tow terms – our statutory partner organisations but also the orle of our community organisations and without them I don't believe we would have done half the things that we achieved during the pandemic and mor importantly to support our vulnerable residents amongst the communities that we all represent.

I do thank them and will continue to thank them at every opportunity not just for stepping up and reaching out during the Pandemic but the work they have continued to do since. In the past I remember very clearly often debates in this chamber about Community Associations tended to focus on their ability to survive as an organisation. We are no beyond that and it is now about their ability to thrive. With the support we have given them as an Authority and working with our partners we are seeing the benefits of believing in those organisations.

In terms of the ongoing work of our community organisations, the Walsall community network in a very short period of time will relaunch itself, that's how strong the organisation has become. It is bringing new organisations like 'residents are us' in Beechdale on board that were not part of that network but will now due to the strength and offer of support they will get from being part of that body. They are also helping us with parts and elements of the housing crisis support fund so that's making sure that individuals who need that help and access to the grant funding available are getting it.

In addition to that, the support offered by Ryecroft Community Centre, within the ward of the questioner, is second to none and helps to support very difficult to reach communities with housing and welfare advice, allowing people to be

digitally inclusive through learning and those coming through the front door by supporting them to access online benefit applications and welfare support. Also the work they did even before the energy crisis in ensuring that people had access to help and support through their energy scheme not just with the development of their innovative app at Ryecroft but also I'm quite aware of the work that they did to try and support social care and front door access there and continue to do so with innovative and digital means of supporting our residents.

That said, some of the work that happened in the Pandemic continues such as food parcels, clothing support not just at Ryecroft but across the whole of Walsall in our Community buildings. So, they have moved beyond their traditional offer of activities and income based recreation, courses although some of this continues. In order to thrive they are working with us and our statutory partners in delivering many of the things we need from them and that's why we make budget decisions as a Council we must always bear in mind that if we want our communities to support us we have to be prepared to invest whether small or large amount it goes a long way as they tend to deliver ten times more than we do as an Authority. That is why we must continue to support them in areas such as Social Care where demands are massive and instead of just passporting information over and saying get on with it actually what is the realistic offer there and I know we are looking at that throughout the winter as another opportunity such as slipper swap to ensure people have appropriate footwear and replacing ferrules on the bottom of walking sticks.

Community Associations have such a lot to offer and I will always continue to express my thanks to them at every opportunity as an active player in the community network.

Councillor Smith asked the following supplementary question:

Are you satisfied that the Council are giving sufficient funding to the community associations for the work that they are doing on behalf of the Council or in partnership with the Council which may increase in future.

Councillor Perry replied:

Of course, we could always give them more and I am able to passport the budgets available, which have been significant over the last two years not just through investment this Council has put in but prioritising the access to funding for community associations but also some external monies that we receive. The network is all about maximising the opportunity to do that. But, as you heard earlier we cannot expect our community associations to do more on our behalf if we aren't prepared to invest in them. That is both us as a Council and partners as well. A lot of our community associations are opening up their doors as part of the safe place scheme where people can utilise that as a third party reporting centre but if you feel you have any vulnerability you have a safe place to go. Again, there is money attached to the police and crime commission and the police itself which can be utilised to support. So, instead of thinking in the old ways of holding onto money because we know how we want to spend it we must trust our community associations to do that. This is what I'm trying to achieve.

## **(b) School Uniform Policy**

Councillor. P.E. Smith asked the following question of Councillor Statham:

Given that Statutory guidance from the Department for Education on the Cost of School Uniforms was published on 19<sup>th</sup> November 2021 under the Education (Guidance about Costs of School Uniforms) Act 2021 and that this Act requires the appropriate authorities of relevant schools to have regard to this guidance when developing and implementing their school's uniform policy, including local authorities, and further given that the main Points of the Guidance are as follows:

- Parents should not have to think about the cost of a school uniform when choosing which school(s) to apply for. Therefore, schools need to ensure that their uniform is affordable.
- In considering cost, schools will need to think about the total cost of school uniforms, taking into account all items of uniform or clothing parents will need to provide while their child is at the school.
- Schools should keep the use of branded items to a minimum.
- A school's uniform policy should be published on the school's website, be available for all parents, including parents of prospective pupils, and be easily understood.
- Schools should ensure that their uniform supplier arrangements give the highest priority to cost and value for money (including the quality and durability of the garment).
- Single supplier contracts should be avoided unless regular tendering competitions are run where more than one supplier can compete for the contract and where the best value for money is secured. This contract should be re-tendered at least every 5 years.
- Schools should ensure that second-hand uniforms are available for parents to acquire. Information on second-hand uniforms should be clear for parents of current and prospective pupils and published on the school's website.
- Schools should engage with parents and pupils when they are developing their school uniform policy.

**Can the appropriate Portfolio holder inform me, this Council and the public, of the extent to which local authority controlled schools have, in the light of this recent Government guidance, made changes to the development and implementation of their Schools' Uniform policies as well as the extent to which the local authority can influence Academy Trusts to do likewise?**

Councillor Statham replied as follows.

Councillor Smith, thank you for this important question. It is vitally important to advise members where schools sit within the educational structure. Schools whether state maintained or academies as autonomous entities, the responsibility for policy formulation and application lies with the individual school governing bodies and the head teacher. As such the appropriate authority for the implementation of the statutory guidance for the cost of school uniforms is the individual school and their board of governors.

The over arching objective of the Act is to reduce the cost of school uniforms through the removal of logo's etc... and making uniforms available through numerous retailers giving parents and carers greater choice and value when procuring.

To assist with any queries members may receive, I will forward separately the guidance to all elected members for reference a 'Councillors Guide to School Complaints'. Should any parents or carers have concerns with regard to the implementation of the schools uniforms policies, they will have the mechanism to advise how to raise their individual concerns.

It's also appropriate to advise all elected members that there are additional support funds for the provision of school uniform and essential school equipment. Support can be applied for through the C.C Walker Charity and the Walsall Wood Allotment Fund which can be located on the Councils website detailing application process and qualifying terms.

**(c) Civic Centre Staffing**

Councillor. P.E. Smith asked the following question of Councillor Bird:

Given that whilst it may be the case for some that "work is what you do, not where you do it from" but also given that for many other public sector workers as well as arguably large sections of Walsall residents (and Council tax payers) "work is not just what you do but where you do it from", would you share with me, this Council and the public, information on the following question, in 5 sub-sections:

- a) How many Council employees worked entirely from the Council House/Civic Centre before Covid caused a re- think?
- b) How many Council employees presently work entirely from the Council House/Civic Centre?
- c) How many Council employees work entirely from home?
- d) How many Council employees work from a mixture of home and The Council House/Civic Centre?
- e) How many Council employees work on site, at their place of work, due to the impracticability of working from home due to the nature of their work?

Councillor Bird replied as follows.

In response to a, above, there are c 1900 that worked entirely from the Council House/Civic Centre before Covid.

In response to b, there are approximately 100 who work entirely from the civic/council house – because they cannot work from home due to the nature of their work (curators, cleaners, registrars, post room, FM etc) or for welfare reasons. The remaining 1800 work from the civic/ council house part of the time depending on the reasons for their being in the office and then work the remainder of their time in a flexible way, eg at home or in another location. All staff are working 100% of the time, following the presence with purpose principles and we are able to work in many different ways and in many different locations making efficient use of our buildings and improving productivity.

In response to c, in line with the Council's new ways of working, no employees work entirely from home.

In response to d, there are 1800.

In response to e, outside of the 100 in the civic/ council house there are C.1100 who work in other sites or in the community.

Councillor Smith asked the following supplementary question:

Given the fact that quite often key officers are in darkness during what we would normally consider working hours because working from somewhere else, and I'm not suggesting that they aren't working by the way, and given that large swathes of the civic centre are empty but full of hundreds of thousands of pounds of equipment and furniture that seems to be piling up and gathering dust, can I ask what are the plans for the civic centre given the fact that now it looks as if there is an awful lot of surplus space.

Councillor Bird replied as follows:

The plans for the civic centre are as they have always been, a place where people can come and do their job in work or indeed elsewhere but there are no plans, that appear to be alluded to, for anything other than them being a place for our employees to work in accordance with the response to your first part of the question.

d) **Commonwealth Games**

Councillor Worrall asked the following question of Councillor Perry:-

Could the Portfolio Holder explain to Council how it was that, of all seven West Midlands Metropolitan Districts, only Walsall did not host any competitive Commonwealth Games events, and what permanent legacy projects are proposed, so that the people of Walsall have significant lasting benefit from the unique opportunity provided by the 2022 Commonwealth Games?

Councillor Perry replied as follows:



Some members may remember that the venue for the 2022 Commonwealth Games was originally intended to be Durban, South Africa. Work started in 2015, but in 2017 when South Africa was struggling to build the venues due to financial constraints. Birmingham offered to step in with a bid based on the use of existing venues. Obviously, this was during a Labour administration in Walsall as it was prior to the Conservative administration taking control. Afterwards I was asked to be the Commonwealth Games Lead but at that time we were sitting in a Wolverhampton science park, myself and an officer from the Council as part of the Black Country Steering Group where it was our intention to do all we could to get the maximum benefit from the Birmingham Commonwealth Games. I predicted that the benefits to Walsall would not be as beneficial to Walsall as it would be for Birmingham. So, whilst we were in there fighting it was a lost cause because much of the work and energy was focussed on Birmingham. That said, one of the opportunities we really wanted to push was for the Judo championship to be held here in Walsall which is renown nationally and internationally as a centre of excellence for Judo. I was pushing that at the time with the Chancellor of Wolverhampton University. However, a decision had already been made to use Coventry Arena for a number of events, including Judo.

We were proud to welcome the Queen's Baton Relay to Walsall in a hugely successful event across Walsall Arboretum and Walsall Gala Swimming & Fitness Centre. Where we have also seen benefit and legacy benefit is with grass roots organisations as over 30 voluntary sector community organisations attended to showcase their physical activity offerings to the public, and have fed back an upturn in attendances since the event.

In addition, post commonwealth games there was an opportunity for community groups to bid for equipment that was used in the games. I am aware that a number of organisations across Walsall have done that and finally there was some bids by active sports black country which received over £10k for additional sports resources for community and grass roots clubs.

Councillor Worrall asked the following supplementary question:-

I understand that there was an allocation of commonwealth funding to district Councils but don't know the amount that Walsall received but would be interested to know what the amount was, what's been spent and what has it been spent on and what it may be spent on.

Councillor Perry replied as follows:

I am not aware of this funding and will undertake my own investigation as if other black country boroughs have benefitted from something that I hadn't been made aware of then I assure you that I will get onto it.

28. **Amendments to Planning and Building Control delegations under Part 3.5 of the Council's Constitution and adoption of Policy and Guidance to mitigate the impact of new residential development in respect of the Cannock Chase Special Area of Conservation**

*Prior to consideration of this matter, the Mayor called the Council's Director of Governance to advise on the legal position relating to the Cannock Chase Special Area of Conservation.*

A report was submitted (see annexed).

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

**Resolved**

That the:

1. Amendments to the Constitution as set out in Appendix 1 of the report as submitted be approved;
2. Cannock Chase Special Area of Conservation Policy, as set out in Appendix 2 of the report as submitted, be approved and included within the Local Plan; and
3. Guidance in respect of the Cannock Chase Special Area of Conservation be approved, as set out in Appendix 3 of the report as submitted.

29. **Recommendation of Cabinet - Surveillance and Access to Communications Data**

The report to Cabinet on 7<sup>th</sup> September, 2022 was submitted.

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

**Resolved**

That the:-

1. Use of the Regulation of Investigatory Powers Act 2000 for the years ending 31 March 2018, 31 March 2019, 31 March 2020, 31 March 2021 and 31 March 2022 and is assured by the Executive Director Economy Environment and Communities, as the Council's Senior Responsible Officer for this legislation, that usage is consistent with the Council's Policy and Procedures, be noted;
2. Draft Corporate Policy and Procedures on the Regulation of Investigatory Powers Act 2000, be approved; and
3. Executive Director Economy Environment and Communities be delegated authority to make administrative amendments to the policy as part of the report to Council.

30. **Committee Appointments**

A report was submitted [annexed].

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

**Resolved**

That:-

- a) Councillor Samra be appointed Vice Chair of Licensing and Safety Committee for the remainder of the municipal year; and
- b) It be noted that Councillor Nawaz has become a member of the Audit Committee.

31. **Portfolio Holder Briefings**

**Leader of the Council**

Councillor Bird, the Leader of the Council gave a presentation.

Members asked questions in relation to the presentation which were responded to by Councillor Bird.

Arising from the presentation Councillors Nawaz, Smith, P. Bott, K. Hussain and Mehmi asked further questions which were duly responded to by Councillor Bird.

**Education and Skills**

Councillor Statham, the Portfolio Holder for Education and Skills gave a presentation.

Members asked questions in relation to the presentation which were responded to by Councillor Statham.

Arising from the presentation Councillors Smith, S. Dittah, K. Hussain, A. Nawaz, and T. Jukes asked further questions which were duly responded to by Councillor Statham.

32. **Notice of Motion – First Stop Shop**

The following motion, notice of which had been duly given was **moved** by Councillor A. Nawaz and seconded by Councillor K. Hussain:

‘That this Council:

- Recognises that due to the decision of the current administration to close the Councils 'First Stop Shop' residents are unable to access much needed face to face support for issues including housing benefit, Council tax, planning issues, taxi licensing issues and homelessness, leading to inconvenience and distress for many; and
- Understands that many residents are unable, for various reasons, to access the Councils Services by electronic means and that many residents are still coming to the Civic Centre to access the One Stop Shop.

This Council urges the current administration to reconsider its decision to close this much needed facility and to reinstate some form of 'face to face' access, within the First Stop Shop for the borough's residents.'

On being put to the vote the motion was declared **lost** – 19 members voting in favour, 30 against and 2 abstentions.

*At this juncture, Councillor Bird moved and it was duly seconded by Councillor Andrew that standing order 9a be suspended in order to enable the business to be transacted. The meeting consented.*

### 33. **Notice of Motion – Increased Energy Costs for Schools**

The following motion, notice of which had been duly given was **moved** by Councillor A. Nawaz, seconded by Councillor K. Hussain:

This Council:-

- Recognises that the continued increases in the cost of energy will impact upon Walsall's already tight school budgets;
- Notes that this increase must be met within existing schools budgets;
- Is concerned that the education of our borough's children may be affected as schools have to spend more of their budgets on energy costs.

This Council calls upon the Leader to write to the relevant Government Minister to request that specific ringfenced funding be made available to meet the increased cost of energy for schools.

**Amendment** moved by Councillor Bird (additional wording in bold), and seconded by Councillor Andrew that:-

This Council:-

- Recognises that the continued increases in the cost of energy will impact upon Walsall's already tight school budgets;
- Notes that this increase must be met within existing schools budgets;
- Is concerned that the education of our borough's children may be affected as schools have to spend more of their budgets on energy costs.

This council calls upon the Leader to write to the relevant Government Minister to request that specific ringfenced funding be made available **to meet the**

**increased cost of energy for schools and that the Government develops and implement a strategy to install sustainable green energy generating equipment on appropriate school sites to permanently resolve the issue of instability in energy costs.**

On being put to the vote, the amendment was declared carried and became the substantive motion as follows:-

‘This Council:-

- Recognises that the continued increases in the cost of energy will impact upon Walsall's already tight school budgets;
- Notes that this increase must be met within existing schools budgets;
- Is concerned that the education of our borough's children may be affected as schools have to spend more of their budgets on energy costs.

This Council calls upon the Leader to write to the relevant Government Minister to request that specific ringfenced funding be made available to meet the increased cost of energy for schools and that the Government develops and implement a strategy to install sustainable green energy generating equipment on appropriate school sites to permanently resolve the issue of instability in energy costs.’

Members voted on the substantive motion and it was:-

### **Resolved (unanimously)**

This Council:-

- Recognises that the continued increases in the cost of energy will impact upon Walsall's already tight school budgets;
- Notes that this increase must be met within existing schools budgets;
- Is concerned that the education of our borough's children may be affected as schools have to spend more of their budgets on energy costs.

This Council calls upon the Leader to write to the relevant Government Minister to request that specific ringfenced funding be made available to meet the increased cost of energy for schools and that the Government develops and implement a strategy to install sustainable green energy generating equipment on appropriate school sites to permanently resolve the issue of instability in energy costs.

### **34. Notice of Motion – One Stop Shop**

The following motion, notice of which had been duly given was **moved** by Councillor P. Smith and seconded by Councillor K. Hussain.

'This Council is aware that given the increasing and likely ongoing cost of living problems especially for those on lower incomes and others with problems that put them at a disadvantage, there is an understandable corresponding increase in the demand and expectation for help, assistance or advice, not just via online help but face to face help, by large numbers of our Borough's residents.

This Council is also aware that thousands of its local residents will not have access to, or the ability to use, a computer and/or the internet, especially, though not exclusively, older generation residents, residents with certain learning difficulties, those who are on the lowest incomes and those who are inadequately housed or homeless.

This Council is further aware that following the closure of the Council's One Stop Shop at the Civic Centre due to Covid, there is now no official Council office anywhere in the Borough for residents of its 104,000 plus households to go to, to seek Council help or advice on Council related matters of concern to them, such as concerns over Council tax, Benefits, food poverty, fuel poverty, cost of living issues, Blue Badges and other disability issues, Planning matters, etc. etc.

The Council is also aware that its drive to save money (predominantly due to the government controlled system that funds local Councils) has been through more digital technology which simply translated means possibly greater convenience and possibly monetary savings to the Council but greater difficulties and social costs for those referred to in the last paragraph, as well as greater reliance by the Council on the Community Centres and Hubs that are now increasingly being called upon to take on the extra work generated by the Cost of living crisis, especially more so now that the One Stop Shop at the Civic Centre is closed to the public.

**Therefore this Council, as a matter of urgency calls on its Leader and Cabinet to work with their Executive Directors to address this concerning issue by either re- opening the One –Stop- Shop at the Civic Centre and/or working out a fully funded strategy of partnership with local Community Organisations & Hubs to help plug the increasing disconnect that is taking place between a growing number of our Borough's local residents and their Council.'**

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

The meeting terminated at 9.00 p.m.

Mayor:

Date: