



Walsall Metropolitan Borough

Minutes of the **MEETING** of the Council of the Walsall Metropolitan Borough held on **Monday 13th September, 2004, at 6.00 p.m.** at the Council House.

PRESENT

COUNCILLOR M.A. BIRD (MAYOR) IN THE CHAIR

Councillor R.J.H. Collins (Deputy Mayor)

“ A.J.A. Andrew
“ T.G. Ansell
“ D.A. Anson
“ J.M. Barton
“ L.A. Beeley
“ A.G. Bentley
“ Mrs. J. Beilby
“ P. Bott
“ M.R. Burley
“ B. Cassidy
“ K. Chambers
“ A.G. Clarke
“ J.R. Cook
“ S.P. Coughlan
“ B.A. Douglas-Maul
“ A.E. Griffiths
“ A.D. Harris
“ L.A. Harrison
“ E.F. Hughes
“ A.D. Johnson
“ H. Khan
“ M. Longhi
“ S.W. Madeley
“ Ms. R.A. Martin
“ Mrs. B.V. McCracken

Councillor Mrs. C. Micklewright

“ J.G. O'Hare
“ T.S. Oliver
“ A.J. Paul
“ G. Perry
“ K. Phillips
“ D.J. Pitt
“ Mrs. E.E. Pitt
“ M.G. Pitt
“ I.C. Robertson
“ R.S. Robinson
“ J. Rochelle
“ C.E.M. Rose
“ T. Rowley
“ B. Sanders
“ H.S. Sarohi
“ I. Shires
“ C.D.D. Towe
“ D.J. Turner
“ W.T. Tweddle
“ A. Underhill
“ R.A. Walker
“ H. Withnall
“ M. Yasin
“ P.A. Young

45. **Apologies**

Apologies for non-attendance were submitted on behalf of Councillors Aslam, Sears, D.A. Shires, Woodruff and Ault.

46. **Minutes**

It was **moved** by the Mayor and seconded by the Deputy Mayor:-

That the minutes of the meetings held on 28th and 30th June, 2004, copies having been sent to each member of the Council, be approved as correct records and signed.

Councillor Withnall referred to the issue of the Walsall Wood Allotment Charity and said that the Mayor had agreed that there would be a report back on this matter.

The Mayor replied that the notice of motion would deal with this issue. The Chief Executive confirmed that only one Charity had objected apart from the Walsall Wood Charity and that they had since changed their constitution. The remaining charities had all acted upon the Council's policy.

Resolved

That the minutes of the meetings held on 28th and 30th June, 2004, copies having been sent to each member of the Council, be approved as correct records and signed.

47. **Declarations of interest**

The following members declared their interest in the items indicated:-

Councillor I. Shires	Item 13 – notice of motion re: Walsall Housing Group (personal)
Councillor Burley	(1) Item 12 - Walsall Hospice – non-executive director of Walsall Hospitals NHS Trust (prejudicial)
	(2) Item 13 – Walsall Housing Group – Director of Darlaston Housing Trust (prejudicial)
Councillor Yasin	(1) Item 13 – Walsall Housing Group (personal)
	(2) Stag Public House (personal)

Councillor Paul	(1) Item 13 – Walsall Housing Group – member of Aldridge Brownhills Housing Trust ((personal)
	(2) Item 14 Member of Walsall Wood Allotment Charity (personal)
Councillor Sanders	Item 13 – Walsall Housing Group board member (personal)
Councillor Beeley	Item 13 – member of Walsall Housing Group (personal)
Councillor Madeley	Item 13 – Walsall Housing Group (personal prejudicial)
Councillor Coughlan	Item 13 – Walsall Housing Group (personal prejudicial)
Councillors Anson, Ault, Beeley, Bentley, Collins, Cook, Douglas-Maul, Harrison, Khan, Madeley, Micklewright, Paul, Rochelle, Rose, Rowley, Towe, Underhill, Young, Yasin, Zahid and Longhi	The Stag Public House, Bloxwich – public question (prejudicial) (Member of Development Control Committee

48. **Mayor's announcements**

The Mayor formally presented the Deputy's Mayor's Badge to Councillor Cook as Councillor Cook was not present at the annual meeting of Council on 28th June, 2004.

49. **Petitions**

The following petitions were received:-

- (1) Councillor Robertson – Hardy Road, Blakenall – request for brown bins
- (2) Councillor Phillips – Save The Stag, Field Road, Bloxwich
- (3) Councillor Madeley – Bentley Road North at junction with King Charles Avenue – request for crossing
- (4) Councillor Anson – Pleck Ward – request for brown bins

- (5) Councillor Underhill – against new road linking Nechells Lane island and the Keyway
- (6) Councillor Phillips – Lower Farm protest – play area

The petitions were referred to the appropriate Scrutiny and Performance Panels.

50. **Questions from members of the public**

(1) The Stag Public House

Mr. K. Watkins of 9 Sandymount Road, Walsall, asked the following question of Councillor Andrew:

“I am sure that you would agree that over the decades the area around The Stag in Field Road, Bloxwich, has more than done its share in satisfying housing needs and that no reasonable person would want to impose any more on the area.

And that you agree The Stag is a beautiful example of an art deco pub, a living piece of local history loved and used by generations of Bloxwich people. That its architecture, range of real ales and good food make it unique in the area.

I am sure you realise that The Stag is one of the best pubs in the West Midlands, a star attraction that draws people in from outside the borough to spend money here, Walsall CAMRA's pub of the year.

I am sure that you would agree that people from far and wide have come to love this pub and that it is doing nothing but good for the image of Walsall, that it is a loved and successful enterprise of which the town should be proud.

Can you describe the benefits which will come to the town and its trade, to conservation of the borough's past, to local residents and to many of us who have come to love the place, by demolishing it and building houses?”

At this point in the meeting, all members of the Development Control Committee present left the room, together with Councillor Longhi, the portfolio holder with responsibility for the Environment.

Councillor Andrew replied that for the benefit of any members of the public present, who may not be familiar with this building, the Stag public house was a pleasant 1930's “mock Elizabethan” building and the brewery had made a decision to close the public house and sell it to developers. Mr. Watkins may be better advised to take his concerns to the annual meeting of the shareholders of the brewery as the powers of the Council to stop the brewery selling its property or indeed anyone else, are non-existent. The Council was required to determine a planning application made in respect of this site. The Development Control Committee is charged with determining all applications on planning grounds. The rules for determining planning applications are written within the law of this country.

Planning permission had been refused by the former Bloxwich District Committee based on the loss of the public house on 13th June, 2001. Outline planning permission was granted for the redevelopment of the site on 11th June, 2002.

The Representation Hearings Panel specifically considered concerns raised about the loss of the public house as a community facility in the context of the then Council's adopted planning policy and government guidance. In particular, the panel had to give due regard to national planning guidance on residential developments as set out in Planning Policy Guidance Note 3.

The panel considered a petition of objection with over 300 signatures and received representation from supporters of the public house. However, given the lack of a planning justification to refuse the proposed development and with little material evidence before it that the pub was a valuable community facility, the panel had no alternative but to support the planning application. This application does not expire until June 2007.

Councillor Andrew said that he fully respected the concern raised by the loss of the Stag and whilst he agreed that the people of Walsall loved this pub and were proud of it, that had not stopped the brewery from deciding to sell it. The brewery and the developers are aware of local feelings and have made their decision. He went on to say that if the public wished to stop this development then they needed to take their concerns to the owners of the public house. Many Councillors would support this action as they feel the same but that does not mean that the planning consent can be overturned.

Mr. Watkins asked the following supplementary question to Councillor Andrew:-

Will you give a undertaking that this Council will give weight to this objection and arrange talks with the brewery and developers?

Councillor Andrew replied that he had already answered this question. He went on to say that this was a planning issue to be dealt by the Development Control Committee and pointed out that members of that Committee had left the room during this discussion. He went on to advise Mr. Watkins to take his protest to the Development Control Committee and gave an assurance that the Council would do its utmost to support the residents.

Those members of the Development Control Committee who had previously left the meeting returned.

(2) Walsall Housing Group

Mr. P. Smith of 65 Harden Road, Walsall asked the following question of Councillor Ansell:-

"Following the publication in May 2004 of a page of a leaked document entitled "Demolition schedule approved by Board and incorporated into 30 year Business Plan", which listed a 5 year demolition plan covering named properties totalling 884, mainly in the Blakenall, Harden and Goscote areas, and the subsequent quote in the Walsall Chronicle of 13th May when Darshan Chatha of WHG stated;

“The content of the business plan was drawn up as a result of findings of an urban planning study on the sustainability of certain estates in the Bloxwich area. This work was carried out before the transfer of properties to Walsall Housing Group in March 2003.”

Would the Leader of the Council outline the extent to which he and/or Walsall Council and any of its officers were aware of such demolition proposals?”

Councillor Ansell said that he assumed that the urban planning study referred to in the question was the stock survey study which evaluated the Council's housing stock before commencement of the transfer and highlighted problems with housing throughout the Borough. He went on to say that there were parts of that report which said that certain properties were unsustainable and that they would need to be demolished and that this report had been widely available before the transfer of properties.

Mr. Smith asked the following supplementary question:-

In the light of your reply can I ask you to give the tenants, owner/occupiers, traders and community groups at Blakenall, Harden and Goscote an assurance that Walsall Council will use the powers and influence that it possesses both now and in the future to ensure that:

- (1) All those residents who wished to stay in their present homes and all local communities do so with the modernisations and refurbishments promised before the so called “big switch;
- (2) Proper and meaningful consultation takes place with all interested parties, including local traders before rather than after plans are drawn up;
- (3) That demolition is kept to an absolute minimum and only where consensus is reached on it;
- (4) That the pitifully low compensation offers of £3,400 to those where rehousing does take place, following consultation and agreement, is dramatically revised upwards to reflect the number of years the tenancy has been held and the internal work to homes and gardens that has taken place;
- (5) That individual Councillors are not intimidated with threats of being reported to the Standards Board for the conduct of Councillors for daring to speak up for the people who elected them, even if it means criticising Walsall Council;
- (6) Above all, that a policy of openness and transparency is operated in order that some of the confidence lost in Walsall Council and the democratic process is restored as soon as possible.

Councillor Ansell replied that whatever happens in Blakenall and any part of this town, Walsall Housing Group should be asked the question as it is their plans that are being implemented. He referred to the notice of motion later on in the summons and concluded by saying said that he was concerned over what is happening on this issue.

51. Questions from members of the Council

It was moved by Councillor Ansell and duly seconded:-

That Council procedure rule 11.8 – time allowed for questions - be suspended in order to allow all the questions to be answered this evening.

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

Resolved

That Council procedure rule 11.8 – time allowed for questions - be suspended in order to allow all the questions to be answered this evening.

(1) Health equalities in Walsall

Councillor Robertson asked the following question of Councillor Paul:-

Has Councillor Paul read the report by the Director of Public Health for Walsall on health equalities in Walsall and what plans, with our partners and including the timescale, will this Council implement to redress this imbalance?

Councillor Paul said that he had read this report and did not think that a Council meeting was the place to discuss the contents in detail. If the Council were to deal with this matter properly, unless Councillor Robertson is trying to make cheap political points. It should be considered through the scrutiny process and allow the Director of Public Health to talk through the report and explain some of the things included for those of us who are not health experts and give advice on them. This report had already been considered by the Social Care and Supported Housing Scrutiny and Performance Panel who would be considering the report's implications as part of their work programme.

Councillor Paul went on to highlight some of the good points within the report. Targets set for improvement in housing in the Borough, increasing educational attainment, reducing smoking in manual groups, increasing vaccination up-take, reducing deaths from cancer, circulatory diseases and accidents were all due to be met. He praised the work of staff and the work of the health service that had been done to tackle these difficult issues as well as the work of educational staff and teachers because of the association between better education and better health in individuals.

There were two areas that the Director of Public Health had highlighted as being at risk of not meeting their targets. First was reducing obesity. The current figures show that 18% of men and 15% of women are obese and that target is to reduce that to 14% of men and 10% of women. Obesity means that individuals have to be motivated to make changes and seek help and this was a major area where partners needed to work together. One of the exciting things that was already happening was that we are looking at school meal services and Councillor Hughes will be bringing to Cabinet in December proposals which would be underpinned by healthy eating in young people.

The other area where there was a high risk of not meeting targets was improving access to sexual health services. The new consultant community gynaecologist was awaited and he said that he was keen to discuss with partners how this could be improved.

The executive summary of the Director of Public Health's report stated that there were eight areas which were making good progress, but may not meet the targets set. Councillor Paul said that he recommended was that rather than deal with the question from Councillor Robertson in isolation, we look at this matter with the Health Partnership Board and through scrutiny.

There was much in the report that makes interesting reading whether it was about high incidence of pregnant women smoking or high conception rates in the under 18's. He hoped that some of these issues would encourage the Primary Care Trust to develop the new health centre in Brownhills. This local authority had £1 million to invest in that centre and he hoped that the Director of Public Health would put some energy into resolving this issue. The lowest ranking ward in the child poverty index was Blakenall and we are hoping that work being done by the New Deal for Communities and the millions of pounds being invested would begin to see a turn around in that situation.

As Councillor Robertson indicated in his question, many of these issues could not be tackled alone and we have to work with our partners. Schools have an important role to play as indeed do families. As this report also indicated what was happening in our wards, Councillor Paul said he would expect that when the Local Neighbourhood Partnerships are producing their local plans about what they hope to achieve over the next five years, they would target issues of importance in their areas. For example, in Pleck, St. Matthews and Palfrey, he anticipated targets be set for the reduction in admissions to hospital due to road accidents, Bloxwich East could look at reducing the number of deaths from circulatory disease, Birchills and Blakenall could target the numbers of deaths from cancer, the number of women smoking in Walsall should be considered and the conception rate in 15 to 17 year olds needed to be tackled by a number of LNP's across the Borough.

Councillor Paul continued that there were two other actions also taking place with partners.

The Walsall Strategic Partnership were hosting a borough-wide event entitled "Tackling Health Inequalities in Walsall" on 16th September to consider the range of possible priorities for action and steer the local agenda to those that will have the greatest impact.

The Health and Social Care Partnership Board had put forward a Health Commission to the Borough Strategic Partnership, the focus of which was to address two major issues of health inequalities, that was adult mortality rates and infant mortality rates and work across the plans and strategies of the partnership to ensure that they make maximum contribution to the reduction of these figures and address inequalities across the Borough.

Councillor Paul thanked the meeting for listening to his long answer and urged that people get involved to help improve and address the health inequalities in the Borough.

(2) Fly tipping and disposal of tyres at refuse amenity sites

Councillor Roberson asked the following question of Councillor Longhi:-

The Council's policy of refusing to accept scrap tyres at our refuse sites and therefore allowing garages to charge £1+ per tyre for disposal is encouraging fly tipping, this coupled with the charge for collecting large household items is also encouraging fly tipping. Does the Cabinet member for the environment not accept that this policy is not working and we should introduce a policy that will allow us to move large items free of charge and agree to allow tyre disposal at our refuse amenities?

Councillor Longhi thanked Councillor Robinson for all the support that he had given over the past municipal year.

Councillor Longhi went on to say that he disagreed with the point made in the question and pointed out that tyres were not domestic waste . He added that he did not think that a charge of £1 to dispose of used tyres justified fly tipping.

Councillor Longhi continued by saying that to change our policy to allow tyre disposal at our refuse amenities would encourage every trader to dispose of tyres at the ratepayers expense. He said that the charge for the removal of bulky items represented good value for money and continued by reminding the Council that the public can dispose of items for free at waste disposal sites.

Councillor Longhi concluded by saying that he did believe in partnership working where possible with other organisations to improve recycling.

(3) Provision of accommodation for HGV drivers

Councillor Rose asked the following question of Councillor Longhi:-

What is Walsall Council proposing to do to accommodate HGV's and drivers who are providing a service to the businesses and people of Walsall?

Councillor Longhi referred to the fact that Councillor Rose had asked the same question six months previously.

Councillor Longhi said that the Council did not have the capacity in-house to look at this issue. He went on to say that he thought that the Council should not be providing facilities for HGV drivers at the moment.

Councillor Longhi continued by saying that he thought that the way forward was for the Council to work in conjunction with the Chamber of Commerce on a survey, but he did not think that it was appropriate for the Council to commit any funds to this.

Councillor Rose asked the following supplementary question:-

Six months ago the Council were told that this initiative would be looked at. What are the chances of this initiative being looked at in this Borough?

Councillor Longhi replied that, in his opinion, the initiative should be taken by the Road Haulage Association or the companies carrying out the deliveries and it should not be a Council initiative. He added that, at the present time, the Council was trying to reduce congestion in Walsall.

(4) Chronicle feature promoting recycling and the environment

Councillor Phillips asked the following question of Councillor Longhi:-

“With reference to the four page ‘wrap around’ feature that appeared in the Chronicle on 29th July Could you please advise what the cost was of the advertisement and who authorised it?”

Councillor Longhi said that the cost of the wrap around was £2,500 and was agreed by the Department of the Environment, Food and Rural Affairs. The cost of the wrap was paid for by the Government through the DEFRA grant as the Government wished to promote recycling and the environment. He hoped that Council would congratulate officers for this excellent publication and thank the local press for their support in working with us to make this wrap around so successful. Councillor Longhi also thanked the people (two out of three readers) who had given feedback. Payment was authorised by the delegated officers.

The responses included:

- support for new approach to recycling, litter squads and improved lighting
- suggestions about getting fast food chains to help clean up litter
- getting businesses to contribute and fines for litter louts

Councillor Longhi said to Councillor Phillips that the Council believed in keeping the public informed, giving them advice on the environment and improvements, inviting people to get involved and he was sure that she would want to thank the Government for encouraging the Council to keep the public informed.

Councillor Phillips asked the following supplementary question:-

Can Councillor Longhi given an assurance that this information goes to all residents of the Borough where the Chronicle does not circulate.

Councillor Longhi replied that the Chronicle provided the best value for money.

(5) Community Associations

Councillor Chambers asked the following question of Councillor Perry:-

Would the Cabinet member responsible, acknowledge that our Community Associations in Walsall continue to face a crisis of funding and update us on the talks as promised to ensure that we preserve the infrastructure of this valuable community resource for our communities across the Borough?"

Councillor Perry said that there was no crisis in the funding of community associations and that this was an important means of providing youth services. Changes to funding were required to provide this.

Councillor Perry continued by saying that there had been meetings with the Federation and Working Groups had been established to deal with the issues of funding and quality. He went on to assure the Council that funding will remain unchanged until these meetings had been held.

The Council was looking to move forward youth service provision in the Borough and this would be done in partnership with community associations.

52. Standards Committee

Resolved

That the appointment of Mr. L. Bates as Chairman of the Standards Committee for the remainder of the municipal year be confirmed.

53. Independent Review Panel

The report relating to this matter is reproduced in the reports booklet for this meeting.

Resolved

- (1) That the Executive Director for Finance, Legal and Performance Management and the Assistant Director of Legal Services, in consultation with the members working group as set out in (2) below, establish an independent panel to review the scheme of members allowances.
- (2) That each Group Leader inform the Assistant Director of Legal Services within the next 7 days of their nominee(s) to the working group.
- (3) That the findings of the independent review panel and their recommendations be reported back to Council.

54. Local Neighbourhood Partnerships

The report relating to this matter is reproduced in the reports booklet for this meeting.

Resolved

That Local Neighbourhood Partnerships be considered quorate if 3 Councillors are present and that this arrangement will be in force for no longer than 2nd January 2005; after 2nd January 2005, the Council resolution on the quorum must be fully implemented.

55. Cabinet membership

Councillor Ansell explained that Councillor Clarke had given a written resignation as Cabinet member for Community Engagement and Organisational Development following his appointment as Chair of the West Midlands Passenger Transport Authority and that Councillor Zahid had been appointed as Cabinet member for Community Engagement and Organisational Development in his place.

Councillor Clarke said that he was honoured to be offered the position of Chair of the West Midlands Passenger Transport Authority and thanked his Cabinet colleagues and the Executive Management Team for their support during his term of office.

Resolved

That the appointment of Councillor Zahid as Cabinet member for Community Engagement and Organisational Development in place of Councillor Clarke be noted.

56. West Midlands Planning and Transportation Sub-Committee

Councillor Ansell reported that Councillor Douglas-Maul was the Conservative Group's nomination for appointment as a non-voting member to the West Midlands Planning and Transportation Sub-Committee.

Resolved

That the appointment of Councillor Douglas-Maul as a non-voting member on the West Midlands Planning and Transportation Sub-Committee be noted.

57. **Notice of motion – Walsall Hospice**

The following amended notice of motion was **moved** by Councillor Ansell and seconded Councillor Withnall:-

This Council warmly welcomes the new capital appeal to raise funds for a hospice in Walsall and strongly supports the trustees of the appeal in their renewed efforts to provide this important facility for the borough.

The Council intends to be actively involved as this project develops and nominates the Cabinet portfolio holder for health and social care, to be the Council representative on the board of trustees.

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

Resolved (unanimously)

That this Council warmly welcomes the new capital appeal to raise funds for a hospice in Walsall and strongly supports the trustees of the appeal in their renewed efforts to provide this important facility for the borough.

The Council intends to be actively involved as this project develops and nominates the Cabinet portfolio holder for health and social care, to be the Council representative on the board of trustees.

58. **Notice of motion – Walsall Housing Group – large scale demolition programme**

It was **moved** by Councillor Robertson and seconded by Councillor Young:-

This Council expresses concern that the large scale demolition programme by Walsall Housing Group is creating justifiable wide spread stress and anxiety in some very vulnerable but close knit communities in this Borough.

The view of our partners in Walsall Housing Group that replacements will be for private housing seems at variance with a number of objectives in the draft Walsall Housing Strategy of November 2003. This Council believes that there is a need for affordable rented social housing in this Borough for all age categories especially for young couples and for the elderly. This Council can more actively scrutinise the activities of our partners in the Walsall Housing Group in conjunction with their Boards. There must be a comprehensive meaningful consultation process with both tenant and home owners on redevelopments or changes to services as was promised.

Amendment moved by Councillor Ansell and duly seconded:-

That this Council expresses concern that the large scale demolition programme by Walsall Housing Group is creating justifiable wide spread stress and anxiety in some very vulnerable but close knit communities in this Borough and that there must be a comprehensive meaningful consultation process with both tenant and home owners on redevelopments or changes to services as was promised.

On being put to the vote the amendment was declared carried unanimously.

The amendment was put as the substantive motion and declared carried and it was:-

Resolved

That this Council expresses concern that the large scale demolition programme by Walsall Housing Group is creating justifiable wide spread stress and anxiety in some very vulnerable but close knit communities in this Borough and that there must be a comprehensive meaningful consultation process with both tenant and home owners on redevelopments or changes to services as was promised.

59. Notice of motion – nominations to Charities

As the two signatories to this notice of motion were not presented in the Council Chamber the motion fell.

The meeting terminated at 8.30 p.m.