

Minutes of the **ORDINARY MEETING** of the Council of the Walsall Metropolitan Borough held on **Monday 9<sup>th</sup> January, 2023, at 6.00 p.m.** at the Council House, Walsall.

## **Present**

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

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

“ B. Allen  
“ 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  
“ M. Follows  
“ A. Garcha  
“ A. Harris  
“ L.A. Harrison  
“ A.J. Hicken  
“ C. Horton  
“ A. Hussain  
“ I. Hussain  
“ K. Hussain  
“ S. Hussain

#### **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  
“ W. Rasab  
“ L.J. Rattigan  
“ S. Samra  
“ K. Sears  
“ P. Smith  
“ C.A. Statham  
“ M.A. Statham  
“ C.D.D. Towe  
“ A. Underhill  
“ V.J. Waters  
“ J. Whitehouse  
“ T.S. Wilson  
“ R.V. Worrall

35. **Apologies**

Apologies were received on behalf of Councillors Clarke, Gandham, Gultasib, James, Johal, Singh Sohal and Young.

36. **Minutes**

**Resolved**

That the minutes of the meeting held on 7<sup>th</sup> November, 2022, a copy having been sent to each member of the Council, be approved as a correct record.

37. **Declarations of interest**

The following members declared an interest in the items indicated:

|                                |           |   |
|--------------------------------|-----------|---|
| Councillors Bashir and Worrall | Item 13 - | Watmos Community Homes Constitutional Changes |
|--------------------------------|-----------|---|

|  |           |  |
|--|-----------|--|
| Councillors Allen, Andrew, Lee, Garcha, Bains, Hicken, Pedley, Ferguson, Bashir and Perry. | Item 17 - | Notice of motion relating to the National Health Service |
|--|-----------|--|

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

**Resolved**

That the public be excluded from the meeting during consideration of the items set out in the private part of the agenda for the reasons set out therein and Section 100A of the Local Government Act, 1972.

39. **Mayor's announcements**

**Festive Period Reflection**

The Mayor reflected on events she had attended during the festive period which highlighted the fantastic diversity within the borough of Walsall. These included the well-attended civic carol service at St Matthews and the celebration at the Mandir Baba Balek Nath Temple in Caldmore, which celebrated its 39<sup>th</sup> year on 18<sup>th</sup> December, 2022.

## **Bishop Michael Fitzgerald**

The Mayor informed Council that one of Walsall's own, Bishop Michael Fitzgerald, was created a Cardinal by Pope Francis on 5<sup>th</sup> October, 2022.

## **Tributes to the Chief Executive**

The Mayor explained that Dr Helen Paterson would be leaving her role as Chief Executive in February, 2023. She thanked Dr Paterson for her hard work and contribution to the Council during her time as Chief Executive, on behalf of Walsall. In doing so, she wished her well in her new role as Chief Executive of Northumberland Council.

Councillors M. Bird and A. Nawaz concurred with the sentiments expressed by the Mayor and added further tributes.

The Chief Executive thanked members for their good wishes.

### **40. Petitions**

No petitions were submitted.

### **41. Mayoralty 2023/24**

A report was submitted (see annexed).

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

#### **Resolved**

That Councillor C. Towe be nominated as Mayor and Councillor A. Harris be nominated as Deputy Mayor of the Walsall Metropolitan Borough Council for the municipal year 2023/2024

### **42. Questions**

There were no questions.

### **43. Annual Audit Report**

The report to Audit on 21 November, 2022 was submitted.

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

#### **Resolved**

That the Annual Report of the Audit Committee 2021/22 be approved

44. **Recommendations of Cabinet**

The following reports to Cabinet held on 14 December, 2022 were considered:-

a) **Treasury Management Mid-Year Position**

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

**Resolved**

1. That Council notes (in line with the requirements of the Treasury Management Code of Practice (2017)), the mid-year position statement for treasury management activities 2022/23 including prudential and local indicators; and.
2. That Council notes that all Members should undertake training that is available from the Council's external Treasury Management advisors to enable Members to better understand and challenge the long-term financial implications of matters reported within the Treasury Management Strategy.

b) **Food Law Enforcement Plan**

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

**Resolved**

That the Food Law Enforcement Service Plan for the year 2022/23 be approved.

45. **Recommendation of Personnel Committee - Special Severance Payments**

The report to Personnel Committee on 5<sup>th</sup> December, 2022 was submitted.

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

**Resolved**

1. That the following amendments to the Constitution be approved:-

PART 3.2 (9) Personnel Committee

- (15) To appoint a Sub Committee of Personnel Committee to include at least two Independent Persons, appointed under the provisions of Section 28 of the Localism Act 2011 to consider special severance payments in respect of the Head of Paid Service.

PART 3.5 - Officer Scheme of Delegations

- 1.10 (e) To take all action to recruit, appoint, develop, manage and reward employees within approved Council policies and the law (including the operation of approved policies for voluntary severance **up to £20,000**, early retirement, redundancy and redeployment) and conditions of service in consultation with the Director – Human Resources and Section 151 Officer where applicable

12. Chief Executive

- (12.9) To approve special severance payments of £20,000 and above, but below £100,000 (with a clear record of the Leader's approval and that of any others who have signed off the payment).

46. **Watmos Community Homes Constitutional Changes**

*Councillors Bashir and Worrall, having declared an interest, left the chamber during consideration of this item.*

A report was submitted.

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

**Resolved**

That Council consents for Watmos Community Homes to amend its Rules as requested in its letter to the Council dated 26 September 2022.

47. **Committee appointments**

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

**Resolved**

That the following appointments be approved:-

**Planning Committee Vice Chair** – Councillor M. Statham

**Education Scrutiny Vice Chair** – Councillor Pardeep Kaur

48. **Portfolio Holder Briefings**

**Internal Services**

Councillor Ferguson, the Portfolio Holder for Internal Services gave a presentation.

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

## Children's Services

Councillor Elson, the Portfolio Holder for Children's Services gave a presentation.

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

### 49. **Notice of Motion – Private Hire access to bus lanes**

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

This Council

- Notes the important role played by the taxi trade in the public transport provision in Walsall
- Recognises the valuable work carried out by Taxi Drivers, not least during the period of the pandemic, providing an essential service for our residents
- Notes the positive impact on reducing the number of vehicles on the Borough's roads and therefore on the air quality for our residents, by the use of public transport including taxis
- Notes the additional time and cost for our residents who use taxis, by not allowing Private hire taxi vehicles to use bus lanes

The Council therefore

1. Calls upon the administration to allow private hire vehicles to use bus lanes in the borough of Walsall, saving time and cost to our residents
2. Calls on the administration to implement this change without delay

**Amendment** moved by Councillor Nawaz (additional wording in bold), and seconded by Councillor K. Hussain that:-

This Council

- Notes the important role played by the taxi trade in the public transport provision in Walsall
- Recognises the valuable work carried out by Taxi Drivers, not least during the period of the pandemic, providing an essential service for our residents
- Notes the positive impact on reducing the number of vehicles on the Borough's roads and therefore on the air quality for our residents, by the use of public transport including taxis
- Notes the additional time and cost for our residents who use taxis, by not allowing Private hire taxi vehicles to use bus lanes

The Council therefore

1. Calls upon the administration to allow private hire vehicles to use bus lanes in the borough of Walsall, saving time and cost to our residents
2. Calls on the administration to implement this change without delay **after:-**
  - **Consulting the taxi liaison Group;**
  - **A report has been submitted to the Licensing and Safety Committee specially convened for this issue within a calendar month of this meeting; and**
  - **A recommendation from Licensing and Safety Committee to Cabinet, to enact the change being sought.**

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

This Council

- Notes the important role played by the taxi trade in the public transport provision in Walsall
- Recognises the valuable work carried out by Taxi Drivers, not least during the period of the pandemic, providing an essential service for our residents
- Notes the positive impact on reducing the number of vehicles on the Borough's roads and therefore on the air quality for our residents, by the use of public transport including taxis
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The Council therefore

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2. Calls on the administration to implement this change without delay after:-
  - Consulting the taxi liaison Group;
  - A report has been submitted to the Licensing and Safety Committee specially convened for this issue within a calendar month of this meeting; and
  - A recommendation from Licensing and Safety Committee to Cabinet, to enact the change being sought.

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

This Council

- Notes the important role played by the taxi **and licenced Private Hire** trade in the public transport provision in Walsall

- Recognises the valuable work carried out by Taxi Drivers **and Private Hire**, not least during the period of the pandemic, providing an essential service for our residents
- Notes the positive impact on reducing the number of vehicles on the Borough's roads and therefore on the air quality for our residents, by the use of public transport including taxis **and Private Hire Vehicles**.
- ~~Notes the additional time and cost for our residents who use taxis, by not allowing Private hire taxi vehicles to use bus lanes~~

The Council therefore

**Requests that Cabinet receives a report on the implications of a change in policy to allow private hire vehicles to use bus lanes in the Borough of Walsall.**

- ~~1. Calls upon the administration to allow private hire vehicles to use bus lanes in the borough of Walsall, saving time and cost to our residents~~
- ~~2. Calls on the administration to implement this change without delay after:-~~
  - ~~• Consulting the taxi liaison Group;~~
  - ~~• A report has been submitted to the Licensing and Safety Committee specially convened for this issue within a calendar month of this meeting; and~~
  - ~~• A recommendation from Licensing and Safety Committee to Cabinet, to enact the change being sought.~~

On being put to the vote the amendment was declared carried – the voting at the request of several members of the Council being recorded as follows:

**For the amendment – 34 members**

Cllr: G. Ali  
 “ B. Allen  
 “ A. Andrew  
 “ B. Bains  
 “ M.A. Bird  
 “ R. Martin  
 “ S.J. Cooper  
 “ S. Elson  
 “ K. Ferguson  
 “ G. Flint  
 “ M. Follows  
 “ A. Garcha  
 “ A. Harris  
 “ L.A. Harrison  
 “ A.J. Hicken  
 “ A. Hussain  
 “ I. Hussain

**Against the amendment- 17 members**

Cllr: H. Bashir  
 “ C. Bott  
 “ P. Bott  
 “ R. Burley  
 “ S. Cheema  
 “ C. Creaney  
 “ S.K. Ditta  
 “ C. Horton  
 “ K. Hussain  
 “ S. Hussain  
 “ T. Jukes  
 “ F. Mazhar  
 “ R. K Mehmi  
 “ S. Nasreen  
 “ A.A. Nawaz  
 “ A. Nazir  
 “ R.V. Worrall

**Abstained -1 member**

Cllr: W. Rasab

“ P. Kaur  
“ R. Larden  
“ E. Lee  
“ K. Murphy  
“ J. Murray  
“ K. Pedley  
“ G. Perry  
“ L.J. Rattigan  
“ S. Samra  
“ K. Sears  
“ P. Smith  
“ C.A. Statham  
“ M.A. Statham  
“ C.D.D. Towe  
“ V.J. Waters  
“ J. Whitehouse  
“ T.S. Wilson

Members voted on the substantive motion and it was:-

**Resolved (unanimously)**

This Council

- Notes the important role played by the taxi and licenced Private Hire trade in the public transport provision in Walsall
- Recognises the valuable work carried out by Taxi Drivers and Private Hire, not least during the period of the pandemic, providing an essential service for our residents
- Notes the positive impact on reducing the number of vehicles on the Borough's roads and therefore on the air quality for our residents, by the use of public transport including taxis and Private Hire Vehicles.

The Council therefore:

Requests that Cabinet receives a report on the implications of a change in policy to allow private hire vehicles to use bus lanes in the Borough of Walsall.

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

**Resolved**

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

50. **Notice of Motion – NHS Ambulance Workers**

*Councillors Allen, Andrew, Lee, Garcha, Bains, Hicken, Pedley, Ferguson, Bashir and Perry, having declared an interest, left the chamber during consideration of this item when the amendment was moved.*

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

This Council recognises

- The essential and invaluable service provided by NHS nurses and Ambulance workers in the borough of Walsall
- The overwhelming support that our nurses and Ambulance workers have amongst the people of the borough of Walsall
- The sacrifices made by our nurses, ambulance staff and NHS workers in general during the pandemic
- The pay restraint forced upon our nurses and ambulance staff resulting in a real terms cut in pay for the past 12 years
- The very difficult decision that nurses and ambulance workers have had to make in taking industrial action

This Council resolves to

- Support our nurses and ambulance staff in their effort to get a decent pay rise
- Support fully the action being taken by our nurses and ambulance workers
- Stand in solidarity with nurses and ambulance service workers on this matter
- Call on the conservative government to accept the nurses and ambulance workers claims
- Call on Prime Minister Rishi Sunak to engage directly, openly and honestly with the nurses unions and the ambulance workers union to bring this matter to a conclusion urgently

**Amendment** moved by Councillor Smith (additional wording in bold and deleted words struck through), and seconded by Councillor Ditta that:-

This Council recognises

- The essential and invaluable service provided by NHS nurses and Ambulance workers in the borough of Walsall

- The overwhelming support that our nurses and Ambulance workers have amongst the people of the borough of Walsall
- The sacrifices made by our nurses, ambulance staff and NHS workers in general during the pandemic
- The pay restraint forced upon our nurses and ambulance staff resulting in a real terms cut in pay for the past 12 years
- The very difficult decision that nurses and ambulance workers have had to make in taking industrial action

This Council resolves to

- Support our nurses and ambulance staff in their effort to get a decent pay rise
- Support fully the action being taken by our nurses and ambulance workers
- Stand in solidarity with nurses and ambulance service workers on this matter
- Call on the conservative government to accept the nurses and ambulance workers claims
- ~~Call on Prime Minister Rishi Sunak to engage directly, openly and honestly with the nurses unions and the ambulance workers union to bring this matter to a conclusion urgently~~
- Call on the Prime minister Rishi Sunak to engage directly, openly and honestly with the nurses unions, the ambulance workers union **and all the other Unions representing workers across the public sector who are fighting against real term pay cuts** to bring this matter to a conclusion urgently.

On being put to the vote, the amendment was declared **carried** and became the substantive motion.

Members voted on the substantive motion and it was:-

### **Resolved (unanimously)**

This Council recognises

- The essential and invaluable service provided by NHS nurses and Ambulance workers in the borough of Walsall
- The overwhelming support that our nurses and Ambulance workers have amongst the people of the borough of Walsall
- The sacrifices made by our nurses, ambulance staff and NHS workers in general during the pandemic

- The pay restraint forced upon our nurses and ambulance staff resulting in a real terms cut in pay for the past 12 years
- The very difficult decision that nurses and ambulance workers have had to make in taking industrial action

This Council resolves to

- Support our nurses and ambulance staff in their effort to get a decent pay rise
- Support fully the action being taken by our nurses and ambulance workers
- Stand in solidarity with nurses and ambulance service workers on this matter
- Call on the conservative government to accept the nurses and ambulance workers claims
- Call on the Prime minister Rishi Sunak to engage directly, openly and honestly with the nurses unions, the ambulance workers union and all the other Unions representing workers across the public sector who are fighting against real term pay cuts to bring this matter to a conclusion urgently.

#### 51. **Notice of Motion – Citizens Advice Bureau**

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

This Council recognises the good work being carried out by the Citizens Advice Bureau for the residents of Walsall and the essential nature of the advice that is needed in helping our residents at their most vulnerable time.

This Council formally:-

- Confirms its support for the Citizens Advice Bureau; and
- Commits to fully support the Citizens Advice Bureau's work in Walsall in the future at a time of increased need for many of our residents during this Cost of Living crises.

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

This Council recognises the good work being carried out by the Citizens Advice Bureau for the residents of Walsall and the essential nature of the advice that is needed in helping our residents at their most vulnerable time.

This Council formally:-

- Confirms its support for the **National** Citizens Advice Bureau; and

- Commits to fully support the **National Citizens Advice Bureaux** work in ~~Walsall in the future at a time of increased need for many of our residents during this cost of living crisis and~~ **requests that the Walsall Citizens Advice Bureau engages with the budget Consultation to enable Cabinet to make an informed decision on their future support.**

On being put to the vote, the amendment was declared **carried** and became the substantive motion.

Members voted on the substantive motion and it was:-

### **Resolved (unanimously)**

This Council recognises the good work being carried out by the Citizens Advice Bureau for the residents of Walsall and the essential nature of the advice that is needed in helping our residents at their most vulnerable time.

This Council formally:-

- Confirms its support for the National Citizens Advice Bureaux; and
- Commits to fully support the National Citizens Advice Bureaux work and requests that the Walsall Citizens Advice Bureau engages with the budget Consultation to enable Cabinet to make an informed decision on their future support.

## **52. Appointment of Deputy Electoral Registration Officer**

A report was submitted.

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

### **Resolved**

That the Deputy Elections Manager be appointed Deputy Electoral Registration Officer for the Council.

## **53. Appointment of Interim Chief Executive and re allocation of Statutory Roles**

A report was submitted.

Members noted that the recommendations would be determined in private session following consideration of confidential information as contained in agenda item 21.

54. **Part II – Private session**

**Exclusion of public**

**Resolved**

That during consideration of the remaining item on the agenda, the Cabinet considers that the item for consideration is exempt information by virtue of the appropriate paragraph(s) of Part I of Schedule 12A of the Local Government Act, 1972, and accordingly resolves to consider the item in private.

55. **Appointment of Interim Chief Executive and re allocation of Statutory Roles**

A report was submitted.

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

**Resolved**

That:

- 1) Deborah Hindson be appointed to the post of Interim Chief Executive (Head of Paid Service) with effect from 8<sup>th</sup> February. 2023 and that authority be delegated to the Director of Human Resources, Organisational Development and Administration & Business Support, to commence contractual negotiations, in consultation with the Leader of the Council.
- 2) Mr Anthony Cox, Director of Governance be appointed as the Council's Returning Officer and Electoral Registration Officer in accordance with Section 35 of the Representation of the People Act 1983 with effect from 8<sup>th</sup> February, 2023, until such time that a new substantive Chief Executive commences employment, or the arrangement is reviewed by Personnel Committee. And:
- 3) Notes that, as the post of Interim Executive Resources and Transformation shall become vacant as of 8<sup>th</sup> February, 2023, the S151 responsibilities shall fall to the Director of Finance, Corporate Performance and Corporate Landlord.

The meeting terminated at 9.57 p.m.

Mayor:

Date: