



## ***Walsall Metropolitan Borough***

Minutes of the **MEETING** of the Council of the Walsall Metropolitan Borough held on **Monday 4th July, 2005, at 6.00 p.m.** at the Council House.

### **PRESENT**

#### **COUNCILLOR J.R. COOK (MAYOR) IN THE CHAIR**

Councillor Mrs. B.V. McCracken (Dep Mayor)

“ A.J.A. Andrew  
“ T.G. Ansell  
“ D.A. Anson  
“ M. Arif  
“ A. Aslam  
“ C.M. Ault  
“ J.M. Barton  
“ L.A. Beeley  
“ A.G. Bentley  
“ Mrs. J. Beilby  
“ M.A. Bird  
“ P. Bott  
“ M.R. Burley  
“ B. Cassidy  
“ K. Chambers  
“ A.G. Clarke  
“ R.J.H. Collins  
“ 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

Councillor Ms. R.A. Martin

“ Mrs. C. Micklewright  
“ M. Munir  
“ J.G. O'Hare  
“ T.S. Oliver  
“ A.J. Paul  
“ G. Perry  
“ D.J. Pitt  
“ Mrs. E.E. Pitt  
“ M.G. Pitt  
“ I.C. Robertson  
“ R.S. Robinson  
“ J. Rochelle  
“ C.E.M. Rose  
“ B. Sanders  
“ H.S. Sarohi  
“ K. Sears  
“ Mrs. D.A. Shires  
“ I. Shires  
“ C.D.D. Towe  
“ D.J. Turner  
“ W.T. Twedde  
“ R.A. Walker  
“ H. Wilkes  
“ V.G. Woodruff  
“ M. Yasin  
“ P.A. Young  
“ Zahid Ali

26. **Apologies**

Apologies for non-attendance were submitted on behalf of Councillors Phillips and Underhill.

27. **Minutes**

**Resolved**

That the minutes of the meetings held on 23rd and 25th May 2005, copies having been sent to each member of the Council, be approved as correct records and signed, subject to the inclusion of Councillor O'Hare in the list of members present at the meeting on 25th May 2005.

28. **Declarations of interest**

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

Councillor Perry	Notice of motion re: Walsall Hospitals – employee of Walsall Hospitals NHS Trust (personal and prejudicial)
Councillor Sanders	Notice of motion re: Civic quarter (personal)
Councillor Sears	Acorn Home Care (personal)
Councillor McCracken	Notice of motion re: Civic quarter (personal)
Councillor Burley	Notice of motion re: Walsall hospitals (prejudicial)
Councillor Oliver	Notice of motion re: Walsall hospitals (personal)
Councillor Micklewright	Notice of motion – Civic quarter
Councillor Woodruff	Notice of motion – Walsall Hospitals
Councillor Khan	Notice of motion – Walsall Hospitals

29. **Mayor's announcements**

**(1) Councillor Withnall**

The Mayor referred to the recent death of Councillor Withnall.

The Mayor and Councillors Ansell, Mrs. Pitt, Bird, Oliver, Coughlan, Wilkes, Robertson and Madeley paid tribute to Councillor Withnall's tremendous contribution to the Council and the Borough over a period of many years, following which it was **moved**, duly seconded and:-

### **Resolved**

That this Council have heard with deep regret of the death of Councillor Harold Withnall, a member of the Walsall Metropolitan Council from 1990 and place on record their appreciation of his services to the Town over a period of many years and extend to his family their sincere sympathy in their bereavement.

Members and officers stood in silence as a mark of respect.

### **(2) Association of Civic Heads for the West Midlands**

The Mayor congratulated Councillor Douglas-Maul on his appointment as President of the Association of Civic Heads for the West Midlands and the surrounding area and recognised the great honour for Walsall as it is the first time since the Association was established in 1949 that a Walsall member had held that position.

Councillor Douglas-Maul said that it was a privilege to represent Walsall and assured the Council that he would do his utmost to be a good ambassador to represent the Council.

## **30. Petitions**

The following petitions were submitted:-

- (a) Councillor Rose – erection of security gate at Broadstone Avenue and Bloxwich Road
- (b) Councillor Beeley – residents of Tapton Close, Lower Farm – removal of brick flower beds for extra car parking
- (c) Councillor Walker – planning application 05/1198/PT/E3 – objections to erection of mast at All Equestrian, Green Lane, Shelfield
- (d) Councillor Young – condition and lack of repair to houses in Goscote
- (e) Councillor Robinson – residents of Mossley, Dudley Fields and Chepstow requesting wardens to combat vandalism and anti-social behaviour
- (f) Councillor Coughlan – safety of children in new school in Willenhall – request for integrated sprinkler system

**31. Question from member of the public**

**Regional Assemblies**

Mr. G. Eardley of 40 Hillside, Brownhills, Walsall asked the following question of Councillor Ansell:-

“The Conservative manifesto for the General Election of May 2005 states and I quote “Conservatives understand that people identify with their town, city or county, not the arbitrary ‘regions’. We will abolish Labour’s regional assemblies (page 21)”

Yet the Conservative controlled Walsall Metropolitan Borough Council sends a representative and helps fund the West Midlands Regional Assembly.

Is this not an example of the Conservatives saying one thing but doing another when they are in power?”

Councillor Ansell said that the questioner was correct that people identify most strongly with the town and the place they live. In most parts of the country regions were artificial and the lack of support for regions was shown in the recent referenda which rejected the idea of regional government.

He pointed out that the Council no longer sent a representative to the West Midlands Regional Assembly as this was done through the West Midlands Local Government Association on which the three group leaders were the representatives, but the Council participated in the Assembly, which was a non elected chamber established to represent West Midlands interests and in particular the interests of West Midlands Councils in discussion with Government.

Councillor Ansell said he supported the manifesto ‘s intention to abolish regional bodies. However, where we could use a regional tier to influence central government for the benefit of Walsall people we clearly should do so. Simply to withdraw from regional bodies would be to run the severe risk of external funding support being reduced and Walsall’s profile in the region and beyond being damaged. Last year Walsall obtained a significant amount of funding for local regeneration projects including funding for Bloxwich market, Darlaston war memorial, local parks, improving Walsall town centre and much more. This funding was organised by Government at regional level and we need to be at the table representing Walsall’s interests.

He said that the correct position for us to take was to challenge Government on this ill thought out approach to regionalism, whilst at the same time making sure our interests are properly represented where there was influence to be gained and decisions to be made. This was precisely the position that Walsall Council had adopted.

Councillor Ansell concluded by saying that whilst we may be sceptical about regional policy we have to put the interests of Walsall first.

Mr. Eardley asked the following supplementary question:-

“Can the Leader of the Council inform me what contribution the Council makes to the West Midlands Regional Assembly and what proportion goes to the European office rather than to the West Midlands Regional Assembly?”

Councillor Ansell informed Mr. Eardley that he would respond to his supplementary question by letter.

### **32. Question from members of the Council**

#### **Putting the Citizen First**

Councillor Oliver asked the following question of Councillor Ansell:-

“Could the appropriate Cabinet member please inform us of the various dates and postponements which have been given as to the proposed completion of contracts with commercial partners connected to the “Citizen First” project, as indicated to our Council employees in relation to their planned transfers of employment (TUPE) along with an update on the current envisaged timescales for progress?”

Councillor Ansell said that this was possibly the biggest partnership in the country and before the contract is signed we have to ensure that it is in the best interests of the people of Walsall as well as employees. Negotiations are advanced and would soon be concluded. At that point the matter would be referred to scrutiny committee, Cabinet and Council for further debate.

Councillor Oliver asked the following supplementary question:-

“In view of the continuing delays and the project not coming to fruition, where are the development and associated costs falling, the level of the costs and who would bear the burden of them?”

Councillor Ansell replied that costs had been incurred on both sides, particularly the partner, on the understanding that there was a possibility that the project might not go ahead, this was made clear at the outset. The contractor was happy with the way negotiations were progressing. If it was not in the interests of the Council and its employees, the contract would not go ahead.

### **33. Darlaston South ward by-election result**

#### **Resolved**

That the result of the by-election for the Darlaston South ward held on 9th June 2005 be noted:-

<b>Name of candidates</b>	<b>Votes cast</b>	<b>Candidate elected</b>
Graham Edward Wilkes	688	Graham Edward Wilkes
Christine Susan Bott	367	
Kevin Royston Smith	325	
Chad Louis Pitt	273	
Allan Robert Johnston	120	
Derek Bennett	72	
Peter Alan Winterton	11	

**Percentage poll 20.75%**

### 34. **Recommendations of Cabinet**

#### **(1) Supplementary Planning Document for Affordable Housing**

The report to Cabinet was submitted.

It was **moved** by Councillor M.G. Pitt and seconded by Councillor Ansell:-

That the Supplementary Planning Document for Affordable Housing be approved and adopted.

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

#### **Resolved**

That the Supplementary Planning Document for Affordable Housing be approved and adopted.

#### **(2) West Midlands Local Transport Plan**

The report was submitted:-

It was **moved** by Councillor Longhi and seconded by Councillor Ansell:-

- (a) That the 2005 West Midlands Local Transport Plan be approved.
- (b) That the Leader of the Council be authorised to agree any late changes to the plan, in consultation with the Leaders of the other West Midlands Councils through the West Midlands Joint Committee.

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

#### **Resolved**

- (a) That the 2005 West Midlands Local Transport Plan be approved.

- (b) That the Leader of the Council be authorised to agree any late changes to the plan, in consultation with the Leaders of the other West Midlands Councils through the West Midlands Joint Committee.

**35. Establishment of additional Employment Appeals Committee**

The report was submitted.

**Resolved**

- (1) That an additional Employment Appeals Committee be established for the municipal year 2005/2006 with a political balance of 4 Conservative: 2 Labour: 1 Liberal Democrat.
- (2) That members be appointed to serve on Employment Committee 'A' and 'B' for the municipal year 2005/2006 as set out in the schedule circulated prior to this meeting.
- (3) That the Chairman and Vice-Chairman of Employment Committee 'B' be appointed as set out on the schedule circulated prior to this meeting.
- (4) That the timetable of meetings of the Employment Appeals Committees for 2005/2006 as set out in the Appendix 1 to this report be approved.
- (5) That the dates for training set out in Appendix 2 be noted.
- (6) That any member of the Council who was not involved in the decision being appealed, be authorised to act as a substitute for a Committee member.

**36. Appointment of independent members to Standards Committee**

The report was submitted.

**Resolved**

That Ms. Kate McLeod and Dr. Kay Biscomb be appointed as independent members of the Standards Committee, for 3 years, until the end of the 2007/2008 municipal year.

**37. Membership of Development Control Committee:**

**Resolved**

That the following change in membership of the Development Control Committee for the remainder of the current municipal year be noted:-

Councillor Martin to replace Councillor Sanders

38. **Notice of motion - Civic Quarter**

The following motion, notice of which has been duly given was **moved** by Councillor Oliver and duly seconded:-

That this Council welcomes the investment toward a new Civic Quarter in Leicester Street and Darwall Street. However, we also share the serious concerns raised by representatives of people with disability as to the loss of the current disabled car parking spaces.

We note that, following a series of complaints, there have been efforts late in the day by Council officers to address this issue, but we do not believe that this has been a satisfactory process. Such issues should be at the centre of the planning process, not seen as an afterthought.

We therefore hope that appropriate lessons have been learnt for future developments, and even at this late stage, call for a re-think and meeting with relevant groups in order to try and reach a resolution of this regrettable situation.

**Amendment** moved by Councillor Andrew and duly seconded:-

That the second and third paragraphs of the motion be deleted with the substitution of the following:-

That officers be instructed to continue to seek further disabled parking facilities within the town centre site with consultation with all interested groups such as Age Concern, Shopmobility, Arthritis Society and all other official groups that represent people with disabilities.

That officers be instructed to draw up a policy to deal with the abuse of the 'Blue Badge' scheme with the ultimate sanction of removal of such passes capabilities thus allowing the limited spaces available to be used by those who are in genuine need.

On being put to the vote the amendment was declared carried – 36 members voting in favour and 19 members voting against.

The substantive motion was put to the vote, declared carried and:-

**Resolved**

That this Council welcomes the investment toward a new Civic Quarter in Leicester Street and Darwall Street. However, we also share the serious concerns raised by representatives of people with disability as to the loss of the current disabled car parking spaces.



That officers be instructed to continue to seek further disabled parking facilities within the town centre site with consultation with all interested groups such as Age Concern, Shopmobility, Arthritis Society and all other official groups that represent people with disabilities.

That officers be instructed to draw up a policy to deal with the abuse of the 'Blue Badge' scheme with the ultimate sanction of removal of such passes capabilities thus allowing the limited spaces available to be used by those who are in genuine need.

**39. Notice of motion – illegal fly posting**

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

That this Council is committed to improving our local environment and street scene, and we are therefore in support of policies against the eyesore of illegal fly posting. We note the exceptions relating to posters on lamp posts promoting General and Council election candidates, which are allowed under separate bye-laws.

Walsall has a history of vibrant local community groups and activities, and our Council should support our volunteers and local charities in their work toward community cohesion and events. We therefore call for new regulations to allow genuine and responsible non-profit making community groups to promote their activities by the same rules as election candidates, through a simple system of application (similar to licensing processes, delegated or otherwise).

**Amendment** moved by Councillor Longhi and duly seconded:-

Add:-

We therefore request that the Cabinet receive a report on the banning of all posters being displayed on lamp posts and other street furniture and seek the views of Amey plc and all other interested parties.

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

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

**Resolved**

That this Council is committed to improving our local environment and street scene, and we are therefore in support of policies against the eyesore of illegal fly posting. We note the exceptions relating to posters on lamp posts promoting General and Council election candidates, which are allowed under separate bye-laws.

Walsall has a history of vibrant local community groups and activities, and our Council should support our volunteers and local charities in their work toward community cohesion and events. We therefore call for new regulations to allow genuine and responsible non-profit making community groups to promote their activities by the same rules as election candidates, through a simple system of application (similar to licensing processes, delegated or otherwise).

We therefore request that the Cabinet receive a report on the banning of all posters being displayed on lamp posts and other street furniture and seek the views of Amey plc and all other interested parties.

#### 40. **Notice of motion – Walsall hospitals**

At this point in the meeting, Councillors Perry, Woodruff and Burley left the meeting.

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

We believe that this Council should be committed to the long term and genuine development of local services for local people. These policies should include the aim to develop health services which are as local as possible, and to fight to keep a Walsall Hospital which is managed on behalf of Walsall people. People in our local communities tell us that they are worried that the proposed merger of Walsall and Wolverhampton Hospital Trusts could be the thin edge of the wedge, and furthermore, there are indications that the financial situation may not bring the best deal for the people of Walsall. We certainly do not want to see people having to travel further for their hospital services.

This Council therefore calls for immediate, full, proper and genuine consultation to take on board the views of Walsall people as to this proposed merger and, if so required, will seek and support alternative solutions.

**Amendment** moved by Councillor Paul and duly seconded:-

Delete all words after “on behalf of Walsall people” in paragraph 1 and delete paragraph 2 and replace with the following:-

- (1) This Council therefore establishes, with immediate effect, a time limited scrutiny panel to receive information from the NHS trust boards of Walsall and New Cross hospitals on their proposals for the future delivery of hospital services in the Borough, including the full consultation documents and that the following members be appointed to the panel in accordance with the political balance requirements:-

Cons: 5      Lab: 3      Lib/Dem: 1

- (2) That the scrutiny panel be delegated authority to consider in detail the proposals of the trust boards in the light of the information provided and to submit their views on the matter to the Cabinet/Council.

During the course of the debate it was **moved** by Councillor Bird, duly seconded and:-

**Resolved**

That Council Procedure Rules be suspended to allow consideration of this item to be completed.

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

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

**Resolved**

We believe that this Council should be committed to the long term and genuine development of local services for local people. These policies should include the aim to develop health services which are as local as possible, and to fight to keep a Walsall Hospital which is managed on behalf of Walsall people therefore:-

- (1) This Council therefore establishes, with immediate effect, a time limited scrutiny panel to receive information from the NHS trust boards of Walsall and New Cross hospitals on their proposals for the future delivery of hospital services in the Borough, including the full consultation documents and that the following members be appointed to the panel in accordance with the political balance requirements, names to be supplied by 15th July 2005:-

Cons: 5      Lab: 3      Lib/Dem: 1

- (2) That the scrutiny panel be delegated authority to consider in detail the proposals of the trust boards in the light of the information provided and to submit their views on the matter to the Cabinet/Council.

The meeting terminated at 9.05 p.m.