



You are hereby summoned to attend a meeting of the Council of the Metropolitan Borough of Walsall to be held on **MONDAY the 10th day of July 2023 at 6.00 p.m.** at the Council House, Walsall.

Public access via: <https://aisapps.sonicfoundry.com/AuditelScheduler/CreateSchedules/Past/41>

Dated this 30th day of June, 2023.

Yours sincerely,

Interim Chief Executive.

The business to be transacted is as follows:

1. To elect a person to preside if the Mayor and Deputy Mayor are not present.
2. Apologies.
3. To approve as a correct record and sign the minutes of the meeting of the Council held on 22nd May, 2023 – **(pages 13 –27)**
4. Declarations of interest.
5. **Local Government (Access to Information) Act, 1985 (as amended):**
To agree that the public be excluded from the private session during consideration of the agenda items indicated for the reasons shown on the agenda.

6. Mayor's announcements.
7. To receive any petitions
8. To answer any questions in accordance with Council procedure rules:
 - (a) From the public:

Fiona Macmillon

Walsall Local Plan is timetabled for consideration in June, with public consultation in the late summer. Councillors are the bridge between constituents and the Walsall Council, and should not again be faced with delivery of documents by hand at a late stage, as occurred with the Black Country Plan consultation. We ask how Councillors will ensure that there is a robust and timely campaign to raise public awareness amongst their constituents about this important plan for Walsall.

Shokt Fazal

In light of the cost of living crisis I commend the actions of council officers and administration in carrying out external wall cladding in low income areas. Can the portfolio holder report how many properties and residents have gained benefit of this funding and which ward areas.

- (b) From members of the Council: None

Councillor Smith

Given that the anti-social phenomena of Fly tipping and litter dropping across many parts of our Borough seem to be almost of "epidemic proportions", and would be even worse were it not for the volunteer "army" of litter pickers who give up their own time to help keep our streets, hedges and green spaces clean, despite many feeling that they are fighting a losing battle, can the appropriate Portfolio holder inform me, this Council and the people of Walsall, in relation to this:

- a) How many known-to-the -Council volunteers are there engaged in this admirable work?
- b) What is the approximate quantity of litter/rubbish they have taken off our streets in the last 12 months
- c) What is the annual financial cost to this Council to clean up the mess dropped by the anti-social fly tippers and litter droppers,

- d) How many “fixed penalties” for litter dropping/fly tipping have been issued and paid in the last 12 months,
- e) How many Court cases have taken place and/or pending with regard to fly tipping in the last 12 months,
- f) How many vehicles, proven to have been used to fly-tip, have been seized and crushed in the last 12 months,
- g) How many fly-tipping offenders have actually been “named and shamed” and finally
- h) In the interests of addressing a widely held public concern and in order to boost the morale of the volunteer litter pickers, what further deterrence action do you feel that Walsall Council needs to take in order to hold to account those who carry out this anti-social behaviour?

Councillor Smith

Given that the Department of Education fairly recently issued Guidance for maintained schools, academies, independent schools, and local authorities, published in May 2022 and to be applied from September 2022, entitled: “Working together to improve school attendance” and “Summary table of responsibilities for school attendance “ where the former document states:

“As a minimum, however, all local authorities are expected to:

- Rigorously track local attendance data to devise a strategic approach to attendance that prioritises the pupils, pupil cohorts and schools on which to provide support and focus its efforts on to unblock area wide barriers to attendance.
- Have a School Attendance Support Team which provides the following core functions free of charge to all schools (regardless of type):
 - Communication and advice: regularly bring schools together to communicate messages, provide advice and share best practice between schools and trusts within the area.
 - Targeting Support Meetings: hold termly conversations with schools, using their attendance data to identify pupils and cohorts at risk of poor attendance and agree targeted actions and access to services for those pupils.
 - Multi-disciplinary support for families: provide access to early help support workers to work intensively with families to provide practical whole-family support where needed to tackle the causes of absenteeism and unblock the barriers to attendance.

- Legal intervention: take forward attendance legal intervention (using the full range of parental responsibility measures) where voluntary support has not been successful or engaged with.
- Monitor and improve the attendance of children with a social worker through their Virtual School.

and where the latter document contains a table outlining that Local Authorities are expected to:

- Have a strategic approach to improving attendance for the whole area and make it a key focus of all frontline council services.
- Have a School Attendance Support Team that works with all schools in their area to remove area-wide barriers to attendance.
- Provide each school with a named point of contact in the School Attendance Support Team who can support with queries and advice.
- Offer opportunities for all schools in the area to share effective practice.

and further given that there is presently widespread national media coverage about concerns relating to school attendance,

Can the appropriate Portfolio holder assure me, this Council and the public;

- a) That there is evidence that our local authority (Walsall) is meeting the expectations of the D of E guidelines outlined above and indicate where Councillors can access this evidence

and

- b) Comment on the issue of school attendance/absence in Walsall Schools in the light of the recent national media coverage on this subject?

Councillor Worrall

Having been asked to help volunteers requiring permission to install a 24-hour defibrillator at the Grade 2 listed Manor Arms, Rushall, I have become aware of the bigger picture and ask Council as follows:

Do we have a policy as regards the provision of 24-hour access to defibrillators in Walsall and its district centres? If so, what it is? And whether or not we do, could we have a policy whereby we, with partners such as community groups, businesses, charities and the NHS, provide a Borough-wide network of 24-hour access, together with publicity that identifies all defibrillator points across the Borough so that all residents, businesses, and other interested parties are aware of, and publicise, where these are and how and at what times they may be accessed in case of urgent need?"

Councillor Smith

Obstruction and other inconsiderate parking near school gates is a major problem, not restricted to any particular ward, though certainly a problem in parts of the Blakenall ward, including problems outside the Goldsmith Academy in Goldsmith Road.

Given that a Report entitled "Improving School Gate Parking" by the "School Gate Working Group" made the following recommendations:

Engineering:

1. That the Council continue to support the roll out of the School Streets Programme through the continuation of investment into school enforcement static cameras.
2. The Head of Highways, Transport & Operations investigate, in consultation with the Head of Planning, the use of Section 106 contributions to improve the safety of roads surrounding schools.
3. That Head of Highways, Transport & Operations investigates the potential benefit of creating 20mph zones around schools as part of 'We Are Walsall 2040'.
4. That the Head of Highways, Transport & Operations investigate the creation of standard non-statutory signage for use on school premises outside schools in Walsall to encourage responsible driver behaviour with respect to parking and idling. The signage should include a warning that CEOs operate in the area. Partnership
5. That Officers of the Council work in partnership with West Midlands Police to combat problem areas for the school gate parking. The Working Group support the establishment of a liaison group (to discuss enforcement activity) between the Council and the Police.
6. Continue to encourage parents/carers and pupils to use alternative methods of travel to and from school
7. That the Council produce a new education campaign before the start of the new school year on the issue of road safety and school gate parking a. To invite schools as part of this campaign to design new road signage and contribute to a road safety video aimed at parents and pupils.
8. To request that the Council's two representatives currently sitting on the Transport for West Midlands Transport Delivery Committee raise the relevant recommendations of this working group at a strategic level.
9. Request that the Portfolio Holder for Education and the Executive Director of Children's Services write to all head teachers in the Borough to highlight best practice, and provide guidance (including the A*Stars programme) in relation to safety of children on roads near their schools. Education

10. That the Council continue to encourage schools currently not participating in the A*STARS programme to become involved.
11. To encourage, through the A*STARS Programme, parents/carers to access schools via sustainable modes, but if they must drive to park five minutes' walk from the school gate to alleviate congestion and to contribute to public health. a. Schools are requested to identify local parking provision (where possible) to provide park and walk opportunities. Enforcement
12. That the Head of Highways Transport & Operations explores the extension of Traffic Regulation Officers surrounding schools to maximise their use to improve safety.
13. To request that the Portfolio Holder for Regeneration write to the Secretary of State for Transport to ask that the Government support the rollout of powers to Councils to enforce via CCTV Traffic Regulation Orders and that loopholes in the existing legislation be closed, including supporting the granting of powers to Councils to enforce obstructions of highways offenses.
14. That the Council uses the Moving Traffic Offences powers once granted.
15. That the Head of Highways Transport & Operations work with APCOA to explore changing the uniform of Civil Enforcement Officers to make them more visible to the public and act as a deterrent.
16. That the level of enforcement around schools is increased.

and given that Cabinet at its meeting of 19th April 2023 upon consideration of the Report resolved to:-

1. Receive the recommendations of the Scrutiny Overview Committee in relation to School Gate Parking, and;
2. Agreed to take a report to a future meeting to respond to the working group report.

Can the Leader or the appropriate Portfolio holder inform me, this Council and the public what progress has been made to date to implement the recommendations of the Working Group, especially in relation for their recommendation that "the level of enforcement around schools is increased"?

9. To consider the following recommendation of **Cabinet (pages 28 – 51)**:

Treasury Management Annual Report

To note and forward to Council, for consideration and noting (in line with the requirements of the Treasury Management Code of Practice (2021)), the Annual Treasury Management Report 2022/23 including prudential and local indicators (Appendix A).

(Note: Report to Cabinet on 21st June, 2023 reproduced in the reports booklet for this meeting.)

10. **Audit Committee Role and Remit and Work Programme 2023/24 (pages 52 – 65)**:

To approve the revised remit and proposed officer delegations.

(Note: Report to Audit Committee on 26th June, 2023 reproduced in the reports booklet for this meeting.)

11. **Standards Committee Remit (pages 66 – 70)**:

To approve the revised remit.

(Note: Report to Standards Committee on 26th June, 2023 reproduced in the reports booklet for this meeting.)

12. **Merrion's Wood Charity** – Due to a resignation, to appoint a member to serve as Trustee for Merrion's Wood until May, 2024.

13. **West Midlands Pension Fund** - Due to a resignation, to appoint a member to the West Midlands Pension Fund.

14. **Portfolio holder briefings** - To receive a 5 minute presentation from the following portfolios:

- a. Leader of the Council – Councillor M. Bird (**pages 71 - 79**)

(Note: A member of the Council may ask the portfolio holder any question and another associated question without notice upon each report. Questioning by members is limited to 10 minutes for each report presented.)

15. To consider the following motion, notice of which has been duly given by **Councillors G. Perry, M. Bird and A. Andrew and co-signed by Councillors S. Elson, M. Statham, T. Wilson, P. Kaur, B. Bains, A. Harris, K. Sears, A. Parkes, G. Ali, I. Hussain, C. Statham, G. Flint, L. Harrison, M. Follows, B. Allen, J. Murray, K. Ferguson, K. Murphy, G.S.Sohal, W. Rasab, N. Gandham, E. Lee, R. Martin, C. Towe, V. Waters, L. Rattigan, A. Garcha, J. Whitehouse, P. Gill, S. Cooper, K. Pedley, R. Larden, A. Hicken and A. Hussain:-**

According to figures from the Office for National Statistics, knife crime offences increased 10% to 49,027 in the year to March 2022 in England and Wales. That is a 34% increase since 2010/11. Yet, there is no national programme of education for children and young people, and no targeted guidelines in the curriculum for such behaviours or prevention.

Currently, the Department for Education is reviewing Relationships, Sex and Health Education (RSHE) alongside experts in health, children's development and safeguarding. The James Brindley Foundation believes now is the perfect time to introduce the prevention of knife crime into RSHE so schools can educate children in a programme of consequential thinking.

The foundation has launched a campaign to lobby parliament for a change to the curriculum, which if agreed will be a significant step in educating children and young people on the dangers of knife crime and the likely outcomes of a chosen behaviour before acting.

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The James Brindley Foundation was set up after Aldridge resident James Brindley was fatally stabbed in an unprovoked attack on 23rd June 2017. Following this, his family, alongside social care and health professionals, set up a charity and educational programme in his name, dedicated to raising awareness and tackling all the issues surrounding youth violence and to raise funds to enable the charity to deliver its programme educating children and young people.

Therefore, this Council affirms its support for the campaign led by the foundation and commits to:

1. Writing an expressed letter of support to the Secretary of State for Education and all Walsall MP's seeking their engagement in the campaign and encouragement to legislate for the change;
2. Commits to secure support from partners of influence in utilising their negotiation powers at a regional and national level;
3. Promote the campaign on individual and corporate social media channels to maximise awareness of the petition and seek public support; and]

4. Endorse the foundation #safer streets programme utilising the lived experience of those involved with the foundation and others to effect a positive change culture across Walsall
16. To consider the following motion, notice of which has been duly given by **Councillors M. Bird, A. Andrew, G. Perry, A. Nawaz and K. Hussain**

In the past few years, vaping among adolescents has risen sharply, both nationally and internationally. Action on Smoking Health (ASH) data shows that 8.6% of 11- to 18-year-olds in England vaped in 2022, compared with 4% in 2021. The charity also reported that among those who tried vaping, 40.1% had never smoked before.

Recent Chartered Trading Standards Institute research found that 60% of local trading standards services report high street shops selling vapes or vaping products to children. Trading standards teams reported a significant rise in underage vape sales last year, with more than a fifth of youngsters buying vaping products from newsagents while 16.3% buying them from a supermarket. Walsall seems to mirror this trend with most secondary schools seizing vaping products in school premises as well as a high number of shops selling these products to underage.

The effects of e-cigarettes and vaping are still not yet fully understood - which is especially important in the context of young people, as their lungs are still developing. There is growing evidence that e-cigarettes can help people manage their nicotine cravings – but this isn't without risk. While research has shown vaping poses a small fraction of the risks of smoking, it is deeply worrying that more and more children – who have never smoked – are starting vaping.

The LGA has called on its members to step up enforcement to deal with growing numbers of shops selling vapes to children despite the 18-age limit, with many “especially concerned” by child-friendly marketing, including colourful packages.

<https://www.local.gov.uk/about/news/vapes-need-be-out-sight-and-out-reach-tackle-underage-sales-lga>

This Council therefore agrees the following:

- To write to the Secretary of state for tighter regulations on the marketing of vape products, including licensing of premises, a ban on brightly coloured packaging and a review of the flavours vape companies use which are likely to appeal to children.
- Call for harsher punishments for companies which flout advertising rules to promote their products on social media, and for more licensing powers to allow local authorities to ban the sale of e-cigarettes in shops near schools.

In addition, that we work with regional trading standards partners continuing to

- Carry out regular test purchases and have seized products and issue fixed

penalty notices when a business has been found to be in breach of the law.

- Implement mandatory age-of-sale signage on vaping products.
- Implement sanctions for breaching these rules should also be the same as penalties handed out under tobacco display regulations.

17. To consider the following motion, notice of which has been duly given by **Councillors A. Nawaz and K. Hussain**

This Council recognises;

- The concern of the public at the current state of Walsall Town Centre and the lack of people coming into the Town Centre
- The opinion of local businesses that see more people coming into the Town Centres when markets are operating
- The importance of a thriving Town and District Centres for the economic success of our borough
- The pride that the people of Walsall have in the fact that Walsall and the district centres once had thriving markets
- Walsall's 1200 year old Royal Charter protecting the rights of the markets in Walsall
- The long and proud history of Walsall Town and District Centre markets, remembered fondly by generations of residents and visitors
- The market plays a crucial role in bringing people into our Town and District centres
- Following the pandemic Walsall Town Centre market has been operating on reduced days from pre pandemic days whereas District Centre Markets have gone back to their 'normal days' of operating
- There is public support for the Town centre market to be operated for more than the current two days.

This Council calls upon the administration to:-

Increase the number of days that the Walsall Town centre market operates back to pre-pandemic days – 5 days a week – to help Walsall remain a Town known for its vibrant market helping to bring people back into the Town centre.

Part II – Private session

18. Appointment of Interim Chief Executive (private version)

To consider the recommendation of the Personnel Committee regarding the appointment of an interim Chief Executive. **(pages 80 to 82)**

[Exempt information under paragraphs 1, 2 and 4 of Part I of Schedule 12A of the Local Government Act, 1972 (as amended)]