



Walsall Council

Minutes of the **ORDINARY MEETING** of the Council of the Walsall Metropolitan Borough held on **Monday 20th September, 2021, at 6.00 p.m.** at the Town Hall, Walsall.

Present

Councillor R. Burley (Mayor) in the Chair

Councillor G. Ali

“ B. Allen
“ H. Bashir
“ M.A. Bird
“ C. Bott
“ P. Bott
“ O. Butler
“ A.G. Clarke
“ S.J. Cooper
“ D. Coughlan
“ S. Coughlan
“ S.R. Craddock
“ S.K. Ditta
“ S. Elson
“ K. Ferguson
“ G. Flint
“ M. Follows
“ N.Z. Gultasib
“ A.D. Harris
“ L.A. Harrison
“ A.J. Hicken
“ A. Hussain
“ K. Hussain
“ D. James
“ L.D. Jeavons
“ P. Kaur

Councillor E. Lee

“ Mrs. R.A. Martin
“ F. Mazhar
“ K. Murphy
“ J. Murray
“ S. Nasreen
“ A.A. Nawaz
“ M. Nazir
“ K. Pedley
“ G. Perry
“ W. Rasab
“ L.J. Rattigan
“ I.C. Robertson
“ S. Samra
“ K. Sears
“ G. Singh Sohal
“ 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
“ A. Young

17. **Apologies**

Apologies for non-attendance were submitted on behalf of Councillors A. Andrew C. Creaney, N. Gandham, S. Johal and A. Nazir

18. **Minutes**

Resolved

That the minutes of the meetings of the Council held on the 26th May, 2021, copies having been sent to each member of the Council, be approved as correct records and signed.

19. **Declarations of interest**

Councillors Allen and Perry declared an interest in item 19 - Notice of Motion – GP Practices / Health Centres.

Councillor Bashir declared an interest in item 17 – Notice of Motion – Universal Credit.

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

There were no items to be considered in private session.

21. **Mayor's announcements**

Death of Councillor Harban's Sarohi

The Mayor referred to the death of Councillor Harbans Sarohi, a member of Walsall Metropolitan Borough Council from May 2000 to July 2021, elected Deputy Mayor on May 2021. The Mayor and Councillors A. Nawaz, S. Sohal, M. Bird, P. Smith and K. Hussain paid tribute to Councillor Harbans Sarohi, following which it was **moved** by the Mayor, duly seconded and:

Resolved:

That this Council have heard with deep regret of the death of Councillor Harbans Sarohi, a member of Walsall Metropolitan Borough Council from May 2000 to July 2021, elected Deputy Mayor in May 2021, and places on record their appreciation of his services to the borough over a period of many years and expresses its condolences to his family at this sad time.

22. **Appointment of Deputy Mayor 2021/22**

It was **moved** by Councillor Nawaz and seconded by Councillor Jeavons:

That Councillor Sean Coughlan be appointed Deputy Mayor of this Borough for the remainder of the municipal year 2021/22.

The motion having been put to the vote was declared **lost** – the voting being recorded as follows:

**For the motion –
18 members**

Cllr: Nawaz
Burley
Bashir
C. Bott
P. Bott
D. Coughlan
S. Coughlan
Ditta
Gultasib
K. Hussain
Jeavons
Mazhar
Nasreen
M. Nazir
Robertson
Underhill
Worrall
Young

**Against the motion –
34 members**

Cllr: Bird
Ali
Allen
Butler
Clarke
Cooper
Craddock
Elson
Ferguson
Flint
Follows
Harris
Harrison
Hicken
A. Hussain
Kaur
Lee
Martin
Murphy
Murray
Pedley
Perry
Rasab
Rattigan
Samra
Sears
Singh Sohal
Smith
C. Statham
M. Statham
Towe
Waters
Whitehouse
Wilson

**Abstentions –
1 member**

Cllr: James

At this juncture, the following members left the room and did not return.

Councillors, Nawaz, Burley, Bashir, C. Bott, P. Bott, D. Coughlan, S. Coughlan, Ditta, Gultasib, K. Hussain, Jeavons, Mazhar, Nasreen, M. Nazir, Robertson, Underhill, Worrall, Young.

There then followed an adjournment.

Upon reconvening, the Director of Governance, Mr Anthony Cox, advised that in the absence of a Mayor or Deputy Mayor, a person to preside would need to be appointed. Mr Cox duly sought nominations for a Chairperson.

23. Appointment of Chairperson to preside

Councillor Bird **moved** and it was duly seconded by Councillor Perry that Councillor P. Smith be appointed as Chairperson for the duration of the meeting.

Resolved

That Councillor P. Smith be appointed Chairperson for the duration of the meeting.

24. Petitions

The following petitions were submitted:

(1) Councillor D. Coughlan:-

- Barrowman Reinstatement – Willenhall
- Barcroft School

(2) Councillor Waters - Traffic Calming – Rushall

(3) Councillor Whitehouse – Road Safety - Pool Hayes Lane

25. Questions by members of the Public

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

The Harvestime housing development is over 50 % complete in Raleigh Street Birchills Pleck ward. What progress has been made on traffic management plan for local area as approved in planning consent.

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

26. Questions by members of the Council

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

“Given that:

- a) at an Extra ordinary Meeting of Walsall Council, held in private, on 7th August 2017, Walsall Council agreed, after a named vote (27 for, 21 against) to support a Motion moved by the then Leader of the Council, Cllr

S. Coughlan and seconded by Cllr. A Nawaz to “*approve an amendment to the 2017.18 Capital Programme to include a budget for the acquisition of the Saddlers Centre Shopping Centre and associated purchase costs of £13.802m*”, effectively buying a previously privately owned town centre shopping centre (the Saddlers Centre) that had made a loss of over £2.9m in the year before (2016), according to Topland (Saddlers, Walsall) Limited Financial Statement dated 31/5/16 and

- b) at the time Walsall Council was seeking to “save” £86m by 2020, including the closure of libraries, less grass cutting & street cleaning and other front line cuts,
- c) The Council at the time was receiving “due diligence” advice that supported the acquisition, from Cushman & Wakefield Investment Teams based in London & Birmingham whilst simultaneously a Cushman& Wakefield team based in Bristol was acting for the vendors (Topland), and furthermore, at that time, Cushman & Wakefield also had an interest in the near by Old Square Shopping Centre
- d) The then Leader of the Council, Cllr. S Coughlan was quoted in a statement published on 9/8/17 as saying “This is a very positive story for Walsall. This acquisition will provide the Council with an opportunity to add to its existing investment portfolio whilst the rental income generated will meet the aims and requirements of the Council’s four year financial plan.”

can the present Leader of the Council explain to what extent the 21-strong opposition in a named vote at the meeting of 7/8/17 to this purchase, has been vindicated, with particular reference to the forecasted anticipated cash surplus based on the Asset Management Strategy for the property prepared by the Council’s external property experts, Cushman & Wakefield which included both capital return on an assumption of sale at the end of a five year period (from 2017) plus rental income minus costs?”

Councillor Bird replied as follows:

“The acquisition of the Saddlers Centre was approved by Cabinet on 26 July 2017, and Council approved an amendment to the 2017/18 Capital Programme as required by the Constitution to include the acquisition costs. At that time the acquisition of the Saddlers Shopping Centre provided the Council with an opportunity to add to its existing investment portfolio and to achieve one of the aims of the four-year medium term financial plan in terms of the generation of increased rental income.

The Council was in receipt of specialist property investment and legal advice and undertook the necessary due diligence. The property investment advice was that the proposed purchase price represented market value, and that based upon a five-year financial model for the acquisition and management of the property it showed a return of investment of £10.9m. The financial

model was based on an Asset Management Strategy for the property prepared by the Council's specialist external property advisors.

The Asset Management Strategy included an investment model to make improvements in the Centre, as well as a targeted campaign to attract new retailers to the Centre to further enhance it as an integral part of the prime retail offer in Walsall. It also included a medium term strategy option of sale in five years' time i.e. in 2022/23 upon which the total estimated return on investment of £10.9m was calculated. As circumstances have changed given the impact of covid and the success of the Connected Gateway Scheme within the Future High Streets Funding bid, the final strategic business case and any financial implications arising from this will impact on the Strategic Asset Plan and will need to be incorporated into the Treasury Management Strategy and Budget report which Council will receive and be able to vote on in February 2022. The centre is a key strategic asset in relation to delivery of our masterplan.

Mr. Smith asked the following supplementary question:

"To what extent do you agree with me that given the fact that the Council before borrowing the £13.8m to purchase the centre did not consider the financial state of the company, Topland, Saddlers Walsall, especially their account of 2016 which showed a loss of over £2.9m, do you agree therefore that the council at the time was not in a position to make a reasoned judgement even though it went ahead with the borrowing and the purchase".

Councillor Bird replied:

"According to the Wednesbury rules, one should have all the information to make a sound decision. I wasn't present at that meeting as I have already said. However, it was a public document at Companies House and the figures you quote for Topland Walsall was in actual fact showing a loss. My understating is that there was a holding company offshore and as a result it was drawn back to the centre. My concern was expressed then and now that the advising agents for vendor and purchaser should have been examined more closely."

(b) Councillor. P.E. Smith asked the following question of Councillor Bird:-

"If as Leader of the Council, you accept, either wholly or partially that:

a) many people feel that it is time to get Walsall Council "back to normal", including the opening up of the Civic Centre to the public and so that face to face meetings can soon be held in Committee Rooms and the Council chamber without the need for laptops, headphones, masks, etc. for those who feel comfortable doing so and so that members of the public can once again have an opportunity to attend, observe and speak (where appropriate) in the interests of democratic accountability,

and

b) many people feel that there seems to be an apparent drive to make it easier (if not compulsory) for more and more Office Council employees to work from home, which is detrimental to good communications and accountability,

and

c) many people feel that the drive for more “working from home” will have a negative impact on the regeneration of the town centre and could also have a de-motivating effect on much of the workforce,

Will you therefore, if this drive for more and more office- based workers to work from home becomes inevitable, **comment on the views that** these “remote employees” could become particularly vulnerable in any future drives to save money if looking to delete posts and that the financial viability of the Civic Centre itself could become questionable, thus leading to the call to “rent out” more units of the Civic Centre and/or even to consider it being put up for sale?”

Councillor Bird replied as follows:

“Thank you for this question Councillor Smith

I welcome the opportunity to explain the Council’s approach to blended working .

Firstly the pandemic is not over – case rates in Walsall remain high, our hospital continues to be under great pressure from the number of Covid hospital inpatients and sadly people continue to die from the virus. Covid has not gone away. The health and wellbeing of staff, councillors and customers is my, and my Cabinet’s, priority. This has been, and always will be, key to our approach and forward plan. It is my imperative that staff, Members and visitors to our buildings remain safe; social distancing rules, enhanced cleaning schedules, prior booking of desk space and rooms all remain and these safety requirements continue to limit the numbers in our buildings for the foreseeable future.

That said, Covid-19 has been the catalyst for change that has driven innovation, adaptation and transformation at pace. Over the past 17 months we have seen purposeful local leadership, swifter decision making and deeper collaboration with partners and our communities. There has been a strengthening of awareness of the capacity of communities and what the Council, partners, businesses and local people can achieve and deliver together. Our blended working approach capitalises on the lessons we have learnt from the past 17 months, recognising the extraordinary contributions of our staff and volunteers and the rapid progress achieved in digitalising and transforming service delivery.

The Council’s approach is now to use the new ways of working as a catalyst for change in the way that people work and services are delivered.

There is no “back to normal” as is suggested by many – nor should there be. Work is what we do and not where we do it.

Personnel Committee in April and Cabinet in July agreed some core principles for staff coming back to buildings where they have been working full time at home. It is fair to say that the Council has not been closed over the last 17 months and the innovation that’s been shown, in particular with the resilient communities model has been exemplary and held up to be a fine example of how we can work with the community.

These principles mean that staff will come into buildings only when required. For the purposes of collaboration, team building, problem solving, development, training, face to face meetings and recruitment. And with technology available, they may use different buildings for different purposes rather than coming to the same place each time.

This approach is better for staff engagement, for recruitment and retention and is better for carbon reduction targets. As an example during the past year there has been a 27% reduction in sickness days lost. There has been a 52% reduction in short terms sickness due to stress, mental health and depression. Voluntary turnover is only 4.5%, much lower than in previous years. However, we expect Managers in this Council to manage in this Council - to manage performance and ensure that staff are delivering to the targets that they have been given. My understanding is that the Trade Unions have supported this blended approach to work and committee meetings, like this evening, are now held in person not necessarily in the building we have become accustomed to over many years.

I would say this, the Council’s budget is based on my administration’s priorities, it is about how we wisely spend every £1 of Walsall resident’s council tax on the services which matter to our residents. Savings have already been agreed based on the Council’s medium term financial plan and as a result, going forward that transformation programme will find the savings that we need to have.

Simply reverting to our old ways of working is not an option, and like many other private companies and public sector bodies, we are changing to the best ways of working for our residents and for our staff. We all hope that this is a temporary measure and as a result, going forward, we will see the new normal but recognising that the Pandemic has not gone away and will not be ignored”

Mr. Smith asked the following supplementary question:

“What consultation has taken place a) with the employees and their Unions and even more importantly b) with the boroughs residents, sadly increasingly called customers in various Council papers who pay via their taxes for the services that could be affected by this change of work practice”.

Councillor Bird replied:

“In May of this year we carried out a full staff survey, 75% of our staff said that they felt that blended working would be beneficial to the Councils services and indeed to their productivity. In some capacity 62% of staff say that their work/life balance has improved. This means that staff are more motivated and have higher levels of satisfaction working for the Council reducing turnover and sickness as I eluded to earlier. It is fair to say and I’d be very churlish if I didn’t say this, there are those that still find contacting certain individuals difficult. The Chief Executive and I have spoken about this and as a result there will be a pressure upon managers to ensure that staff are doing the work that we expect them to do by achieving the targets that are set out by those managers. I think we can look back over the last 18 months and be very proud of what we have achieved by transposing our services into a seamless digital delivery. We have still got a long way to go and, as I said, the Pandemic isn’t over. Go forward living with Covid and not ignoring it. Public health has to be the priority and I have to say if you look back and Birmingham Council had a meeting and over 100 of those councillors and officers were pinged as they had been in touch with a Covid carrier. That is something we have to take very seriously, very much like some applications in Planning when we are told that the highways officer isn’t happy with something, it’s a brave person that puts their hand up to overrule that. In this case it’s Public Health that we must listen to and The Director of Public Health has made it very clear at Personnel Committee that a blended way of working is the next step of the recovery that we hope we all will see.”

27. **Recommendation of Cabinet**

Treasury Management Annual Report

The report to Cabinet on 21 July, 2021 was submitted.

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

Resolved

That the annual position statement for treasury management activities 2020/21 including prudential and local indicators (Appendix A) be noted, in line with the requirements of the Treasury Management Code of Practice (2017).

28. **Recommendation of Standards Committee**

Code of Conduct for Elected Members

The report to Standards Committee on 12th July, 2021 was submitted.

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

Resolved

That the Code of Conduct for Councillors be approved.

29. **Recommendation of Licensing and Safety Committee**

Statement of Licensing Policy and Cumulative Impact Assessment

The report to Licensing and Safety Committee on 25th August, 2021 was submitted.

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

Resolved

That the Statement of Licensing Policy and Cumulative Impact Assessment be approved.

30. **Annual report of Audit Committee 2020/21**

The report to Audit Committee on 8th July, 2021 was submitted.

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

Resolved

That the Annual Audit Report 2020/21 be noted.

31. **Scrutiny Annual Report 2019-2021**

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

Resolved

That the Scrutiny Annual Report 2019-21 be noted.

32. **Adoption of the International Holocaust Remembrance Alliance Definition of Antisemitism**

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

Resolved

That Council adopts the International Holocaust Remembrance Alliance Working Definition on antisemitism for use across the Council, together with the worked definitions of anti-semitism.

33. **Portfolio holder briefing – Leader of the Council**

A report was submitted.

The Leader, Councillor Bird, gave a presentation.

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

34. **Notice of Motion - Universal Credit**

In accordance with paragraph 13.4 ('a' and 'c') of Part 4 (Rules of Procedure) of the Council's Constitution, this matter was not proceeded with as those members that had moved the motion, were not present.

35. **Notice of Motion - Definition of Islamophobia**

In accordance with paragraph 13.4 ('a' and 'c') of Part 4 (Rules of Procedure) of the Council's Constitution, this matter was not proceeded with as those members that had moved the motion, were not present.

36. **Notice of Motion – GP Practices / Health Centres**

Councillors Allen and Perry left the room having declared an interest and took no part in the discussion or voting thereon.

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

Resolved

That this Council:

notes the widespread public concern, bordering on anger by many residents across the Borough, at what is seen as a deterioration in the services of many GP Practices/Health Centres; Concerns about:

- Difficulty getting through on the phone to many of them.
- Difficulty getting a doctor's appointment within a reasonable time, especially a face to face appointment.
- Extra pressure put on A&E as a result of many patients being unable to obtain satisfactory responses from their GP Practices/Health centres, thus feeling the only alternatives being A&E or the Urgent Care Walk- In Centre, where patients could and often do, have a wait of several hours before being treated.
- Particular problems around inequality that the shift away from face to face meetings and towards more phone appointments and online appointments pose, especially for patients who may be profoundly deaf, unable to speak, have language barrier issues, be visually impaired, have serious

mental health issues, have learning difficulties and those without the appropriate skills and/or access to computers and the internet.

and consequently this Council resolves to use the maximum influence that it has to engage with the appropriate organisations and bodies including its own Health and Well Being Board, Healthwatch Walsall, Walsall's Members of Parliament and the Department of Health and Social Care, in order to a) draw attention to this concern and b) call for a massive improvement in what is perceived by many to be an deteriorating and unacceptable service for so many.

The meeting terminated at 8.43 p.m.