



Walsall Council

Minutes of the **MEETING** of the Council of the Walsall Metropolitan Borough held on **Monday 3rd July, 2006, at 6.00 p.m.** at the Council House.

Present

Councillor Mrs. B.V. McCracken (Mayor) in the Chair

Councillor M.G. Pitt (Deputy Mayor)

“ A.J.A. Andrew
“ T.G. Ansell
“ D.A. Anson
“ M. Arif
“ C.M. Ault
“ J.M. Barton
“ Mrs. J. Beilby
“ M.A. Bird
“ P. Bott
“ M.R. Burley
“ B. Cassidy
“ K. Chambers
“ A.G. Clarke
“ R.J.H. Collins
“ J. R. Cook
“ S.P. Coughlan
“ C.U. Creaney
“ B.A. Douglas-Maul
“ A.E. Griffiths
“ A.D. Harris
“ L.A. Harrison
“ A.D. Johnson
“ M. Longhi
“ S.W. Madeley
“ Ms. R.A. Martin
“ Mrs. C. Micklewright

Councillor M. Nazir

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

27. Apologies

Apologies for non-attendance were submitted on behalf of Councillors Hughes, Aslam, Khan, Bentley, E.E. Pitt and Beeley.

28. Minutes

Resolved

That the minutes of the meetings held on 22nd and 24th May, 2006 copies having been sent to each member of the Council be approved as a correct records and signed.

29. Declarations of interest

Councillor Sears declared a personal interest in Acorn Home Care.

30. Mayor's announcements

The Mayor announced that Reverend Peter Wilcox her Chaplain who had been based on The Crossing for several years where he had completed some sterling work had been appointed a Canon at Lichfield and she asked that it be placed on record the appreciation of the work that Reverend Wilcox had done within Walsall over the years.

The Mayor congratulated Councillor Madeley on being award an MBE for his work as a Councillor in Walsall and more particularly in his ward of Bentley and Darlaston North. Councillors Bird and Ansell paid tribute to Councillor Madeley and added their congratulations to that of the Mayor.

31.. Petitions

The following petitions were submitted:-

- (a) Councillor Robinson – residents of Blakenall with regard to placements at Christ Church School.
- (b) Councillor Douglas-Maul – Post Office in Blackwood Road, Streetly – application for off-licence.
- (c) Councillor Griffiths - objections to planning application for the erection of phone mast at The Parkway, Rushall.

- (d) Councillor D. Pitt:
 - (i) Landscaping of area bordering homes in Fisher Road known as Fisher Green.
 - (ii) King George V playing fields – locking of side gates to prevent nuisance to residents in Lydford Road.

32. Questions by members

Housing benefit claims

Councillor Robertson asked the following question of Councillor O'Hare:

“What are the latest statistics for Walsall relating to the processing of the various categories of housing benefit claims including the numbers and costs of any agency staff being used and the answer please to confirm how many claims are currently outstanding including the numbers awaiting verification?”

Councillor O'Hare said that the backlog of claims had reached a substantial amount over the last few years. He went on to say that external funding had been secured which meant that from the 23rd April the Council was able to employ an outside agency and they had processed 11,000 claim forms as at the 1st May. It was expected that by the end of August 6,000 claims would have been processed.

Councillor O'Hare then went on to set out the various time limits that would be followed in processing claims and the cost to the Council in undertaking this work.

Councillor Robertson asked the following supplementary question:

Do you agree the figure for the backlog must be over half of those awaiting decisions on housing benefit and does that put our two star rating at risk and how does this Council assist those at crisis point facing eviction, partly due to this delay in processing these claims.

Councillor O'Hare replied that he did not understand the point being made by Councillor Robertson in that 6,000 of the outstanding claims would be dealt with by August and that this figure addressed the backlog. He went on to say that four additional employees were taking calls and that through the One Stop Shop, additional staff would be available to deal with people experiencing problems. In dealing with social landlords, Walsall works with many housing groups and is at the forefront of this work. However, where verification on claims was needed, the Council were unable to make instant decisions, but wherever possible, the Council will provide assistance. He went on to say that the history of revenues and benefits goes back years and that a variety of methods had been used to address the problems not short of capital investment. He pointed to the fact that

once staff were trained they moved on and training was needed for the new staff who were employed. In the last six months new staff had been recruited and two new managers were in place and there had been an improvement in the service. He went on to say that the department had now turned the corner and the figures were available to prove that fact.

Vandalism

Councillor Coughlan asked the following question of Councillor Harrison:

“Could the portfolio holder for Leisure and Culture tell me the cost to the tax payer caused by vandalism over the last five years with a year on year breakdown?”

Councillor Harrison replied that the figures were as follows:

2001/02	£81,367
2002/03	£114,462
2003/04	£97,475
2004/05	£74,711
2005/06	£124,084

Councillor Coughlan asked the following supplementary question:

As parks champion, is she as committed as her predecessor?

Councillor Harrison replied, that she had invited all Councillors to a meeting with her to discuss issues around her portfolio.

33. Recommendation of Cabinet

Scrutiny performance review improvement plan

The report was submitted.

Resolved

- (1) That the overall findings of the performance review as detailed in Appendix 1 be approved;
- (2) That the comments of the Scrutiny Management Board set out in the report be noted;
- (3) That the improvement plan with the recommended changes set out in section 1 of the report be approved, subject to the deletion of paragraph (a) relating to bi annual meetings between the Scrutiny Management Board and Cabinet and that the finalisation of the process be delegated to the Executive Director (Corporate Services)

34. **Review of Council Constitution – Scrutiny and Performance Panels**

The report was submitted.

It was **moved** by Councillor Ansell, duly seconded and

Resolved

That the remit and terms of reference for the Scrutiny Management Board for 2006/2007 as set out in Appendix 1 and the amendments to the remits of Scrutiny and Performance Panels referred to in the report and set out at Appendix 2 be approved.

35. **Appointments on outside bodies and charities**

(a) **West Midlands Regional Assembly Housing Partnership**

Resolved

The following members be appointed to the Housing Partnership for the municipal year 2006/2007:-

Councillor Arif (4 votes) (Councillor Martin alternate)
Councillor Robinson (2 votes) (Councillor Robinson alternate)
Councillor I. Shires (1 vote) (Councillor Cook alternate)

(b) **Charities**

Resolved

That the following be appointed:-

Henry Boys Almshouses

Councillor Bott

CC Walker Charity

Harpers Marsh and Crumps Almshouse Charity

No nomination

36. **Notice of motion – performing animals**

It was **moved** by Councillor Burley and seconded by Councillor Anson:

It is noted that on 20th June 1996 the Community Services Committee resolved that the then existing policy of:

- (a) banning circuses using live animals from performing on Council owned parks within the Walsall Borough; and
- (b) preventing live animals being given or offered as a prize at any funfair stall, entertainment or sideshows on Council owned land be lifted,

but that, in future, all requests for such be submitted to the Committee and each case be considered on its merits.

It is noted that since the passing of that resolution, the Local Government Act, 2000, has been implemented resulting in the cessation of that Committee and making such decisions an executive matter.

Therefore the Council recommends to the Executive that they develop and implement as a matter of urgency a procedure that will allow each such application to be considered on its merits and that such applications will only be approved in exceptional circumstances.

Amendment moved by Councillor Bird and duly seconded:

That all words after “merits” in the last paragraph be deleted.

At this point in the meeting, Councillor Oliver asked for a legal opinion on the amendment.

Mr. Gill, Assistant Director of Legal and Constitutional Services said that there were a number cases on how Councils regulate these matters and the safest course of action was to allow such an application on its merits to avoid making a blanket policy on such matters. The appeal courts have judged that blanket policies are unlawful therefore it was best to adopt the procedure and give an indication that the application may be turned down. He said that he could not see a problem with the amendment.

Councillor Burley said that in view of the legal advice given that she would accept the amendment.

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

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

Resolved

That it be noted that on 20th June 1996 the Community Services Committee resolved that the then existing policy of:

- (a) banning circuses using live animals from performing on Council owned parks within the Walsall Borough; and

- (b) preventing live animals being given or offered as a prize at any funfair stall, entertainment or sideshows on Council owned land be lifted,

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Therefore the Council recommends to the Executive that they develop and implement as a matter of urgency a procedure that will allow each such application to be considered on its merits.

37. **Notice of motion – discarded needles**

It was **moved** by Councillor Coughlan and seconded by Councillor Oliver:

This Council welcomes the call by the Cabinet member for Community Safety, Councillor Garry Perry, for a “clean up” of discarded drug users needles in Willenhall and recognises that “it is important that children are made aware of the dangers caused by discarded needles and drug paraphernalia”. (Express & Star 8 June 2006)

However, it is noted that when Councillor Tim Oliver and Sean Coughlan similarly highlighted the dangers of discarded needles in areas where children play in Willenhall they were accused by Conservative Councillors of lies and deception over a press photograph. (Walsall Advertiser 6 April 2006, other source documents available)

We trust that in future when Councillors raise legitimate issues they will not just be accused of lying.

We call for this Council to fully review all policies and procedures in relation to discarded needles, in conjunction with the Police and in its role as the lead agency of the Safer Walsall Borough Partnership. We would also welcome a campaign by our local press to alert and promote the reporting of this danger to our children.

Amendment moved by Councillor Longhi and seconded by Councillor Perry:

This Council welcomes the call by the Cabinet member for Community Safety, Councillor Garry Perry, for a “clean up” of discarded drug users needles in Willenhall and recognises that “it is important that children are made aware of the dangers caused by discarded needles and drug paraphernalia”. (Express & Star 8 June 2006)

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We trust that in future when Councillors raise legitimate issues they will not just be accused of lying.

That Council refer this matter to the Neighbourhood Scrutiny and Performance Panel with a recommendation that all policies and procedures in relation to discarded needles be reviewed and that the Police and all other appropriate agencies be involved in this review.

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

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

Resolved

This Council welcomes the call by the Cabinet member for Community Safety, Councillor Garry Perry, for a “clean up” of discarded drug users needles in Willenhall and recognises that “it is important that children are made aware of the dangers caused by discarded needles and drug paraphernalia”. (Express & Star 8 June 2006)

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We trust that in future when Councillors raise legitimate issues they will not just be accused of lying.

That Council refer this matter to the Neighbourhood Scrutiny and Performance Panel with a recommendation that all policies and procedures in relation to discarded needles be reviewed and that the Police and all other appropriate agencies be involved in this review.

38. Notice of motion – Recycling centres

It was **moved** by Councillor Oliver and seconded Councillor Walker:

This Council welcomes the increasing realisation across all parties in Walsall of the importance of a commitment to a wide range of recycling initiatives – although it must be recognised that we still have a long way to go.

It is noted that Cabinet recently approved a re-tendering process for the operation of our household waste and recycling centres at Fryers Road, Leamore and Merchants Way, Aldridge, which is now contracted in partnership with ECT recycling.

It is our view that the decision to reduce the opening hours of the recycling centres, taken as part of the tendering process, was a retrograde step. Residents and press coverage report long queues to legitimately dispose of waste at weekends, whilst these sites are only open during normal working hours on weekdays.

We believe that this is viewed by the public as a disincentive to recycling and is likely to lead to an increase in the already major problem of illegal dumping of household goods. Longer weekday opening hours would increase recycling options for ordinary working families and this Council therefore calls for a review of this aspect of contractual arrangements.

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

Resolved

This Council welcomes the increasing realisation across all parties in Walsall of the importance of a commitment to a wide range of recycling initiatives – although it must be recognised that we still have a long way to go.

It is noted that Cabinet recently approved a re-tendering process for the operation of our household waste and recycling centres at Fryers Road, Leamore and Merchants Way, Aldridge, which is now contracted in partnership with ECT recycling.

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The meeting terminated at 7.45 p.m.