



# Walsall Council

Minutes of the **MEETING** of the Council of the Walsall Metropolitan Borough held on **Monday 10th September, 2007, at 6.00 p.m.** at the Council House.

## Present

### Councillor M.G. Pitt (Mayor) in the Chair

Councillor T.G. Ansell (Deputy Mayor)

“ A.J.A. Andrew  
“ D.A. Anson  
“ M. Arif  
“ C.M. Ault  
“ L.A. Beeley  
“ Mrs. J. Beilby  
“ M.A. Bird  
“ C. Bott  
“ P. Bott  
“ K. Chambers  
“ J. R. Cook  
“ S.P. Coughlan  
“ C.U. Creaney  
“ B.A. Douglas-Maul  
“ M. D. Flower  
“ A.E. Griffiths  
“ A.D. Harris  
“ L.A. Harrison  
“ E.F. Hughes  
“ P.F. Hughes  
“ A.D. Johnson  
“ H. Khan  
“ M. Longhi  
“ S.W. Madeley  
“ Ms. R.A. Martin  
“ Mrs. C. Micklewright

Councillor Mrs. B.V. McCracken

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

44. **Apologies**

Apologies for non-attendance were submitted on behalf of Councillors Barton, Cassidy, Clarke and Woodruff

45. **Minutes**

**Resolved**

That the minutes of the meetings held on 2nd and 23rd July 2007, copies having been sent to each member of the Council be approved as correct records and signed.

46. **Declarations of interest**

There were no declarations of interest.

47. **Mayor's announcements**

(1) **Death of Mr. J.M. Gavin**

The Mayor referred to the recent death of former Councillor Jim Gavin and paid tribute to his services to the Borough over a period of many years. Councillors Madeley, Smith and Wilkes also paid tribute, following which it was **moved** by the Mayor, duly seconded and:

**Resolved**

That this Council have heard with deep regret of the death of Mr. J.M. Gavin a member of the Walsall County Borough Council from 1961 to 1974 and a member of Walsall Metropolitan Borough Council from 1974 to 1993, of which Council he was Mayor in 1984/85 and place on record their appreciation of his services to the borough over a period of many years and extend to the members of his family their sincere sympathy in their bereavement.

(2) **Death of Mr. E.W. Newman**

The Mayor referred to the recent death of former Councillor Bill Newman and paid tribute to his services to the Borough over a period of many years. Councillors Andrew, Madeley, Oliver and Smith also paid tribute, following which it was **moved** by the Mayor, duly seconded and:

## **Resolved**

That this Council have heard with deep regret of the death of Mr. E.W Newman a member of Walsall Metropolitan Borough Council from 1986 to 2002, of which Council he was Mayor in 1998/99 and place on record their appreciation of his services to the borough over a period of many years and extend to the members of his family their sincere sympathy in their bereavement.

### **48. Petitions**

The following petitions were submitted:

- (1) Councillor Mushtaq:
  - (a) CCTV cameras for Pleck shops
  - (b) CCTV cameras for Birchills area
- (2) Councillor Nazir:
  - (a) Grange Street – provision of brown bins
  - (b) East Street – provision of brown bins
- (3) Councillor Smith:
  - (a) Wheelie bin charges
  - (b) Save the weekly bin service
- (4) Councillor Martin – Development of block of 3 storey flats at corner of Woodside Road and Woodside Close – planning ref. 07/1815/FL/E11

### **49. Questions from members of the Council**

The Mayor reminded members of procedure rule 11.8 restricting questions from members of Council to 30 minutes after which time replies could be given in writing.

#### **(1) Replacement wheelie bins**

Councillor Smith asked the following question of Councillor Walker:

Will you agree with me that when a 77 year old housebound resident from Darlaston, an 84 year old widower from Blakenall, a stroke victim from Ryecroft and an 84 year old amputee from the Pleck independently contact a Councillor within a very short space of time (which has happened recently) and express their outrage and anger at having had their wheelie bins stolen only to be told by Walsall Council to pay £18.50 for a replacement bin, that it really is time to reconsider the Council's policy on this issue in order to minimise the damage being done to the Council's image and to avoid bringing this Council into further disrepute?

Councillor Walker stated that last year 888 bins were reported lost, stolen or damaged and the majority of residents purchased the bins, only a small minority disputed the charge and some of those were as a result of genuine hardship. As reported at the last meeting, Councillor Walker confirmed that £60,000 a year was spent on replacement bins and it would therefore prove necessary to secure savings of approximately £100,000 from the street pride budget to cover the cost of replacement bins and this would lead to a reduction in street cleansing and other operations.

The administration was considering a review which would take place within the next 6 months.

Councillor Smith asked the following supplementary question:

Having welcomed the response, he asked whether Councillor Walker would agree that the cost to the Council in terms of reputation damage was far greater than the financial cost of replacing stolen wheelie bins for elderly and disabled members of the community?

Councillor Walker expressed sympathy with the residents and reiterated the financial savings that would need to be found from within the directorate in order to provide that service.

## (2) **Weekly bin collection policy**

Councillor Smith asked the following question of Councillor Walker:

Would the portfolio holder for the Environment care to explain to Council and the general public why the Council and its spokespersons misled the public before and after the local elections in May 2007 on the issue of the weekly bin collection policy, giving the distinct impression as late as June 2007 that the present policy would not be changed only to carry out a sham of a consultation exercise the next month which was seen by many as an excuse to justify the introduction of a fortnightly collection service of household rubbish in place of the present weekly service?

With regard to the consultation exercise, Councillor Walker confirmed that the views of residents would be used to shape the future of refuse collection, but unfortunately only two options were available. 24% of people on the citizens panel responded out of which 21% considered it to be an option to move to two weekly collections.

Councillor Smith asked the following supplementary question:

Do you agree that the so called local resound in the town and district centres receiving greater support from people had resulted in the Conservative group backing down?

In response, Councillor Walker stated that the decision would still have been the same despite the petition or consultation taking place as no decision had been made on a two weekly collection and therefore collections would continue on a weekly basis.

**(3) Waste and recycling collection services questionnaire**

Councillor Smith asked the following question of Councillor Walker:

Would the portfolio holder for the Environment do her best, in future to prevent Street Pride from inadvertently insulting the intelligence of the people of Walsall again as it had done recently by the amateurishly worded questionnaire on “changes to the waste and recycling collection services” to which she put her signature and which not only contained leading questions (bad practice in a truly unbiased questionnaire as an average GCSE candidate would confirm) but which then proceeded to propose two completely unacceptable options?

Councillor Walker replied that she was not aware that she had insulted the intelligence of the people of Walsall and that neither had street pride, if that had been the case she would have apologised for any insults.

Councillor Walker went on to say that the challenge of waste management for the borough was great and the amount of waste going into landfill needed to be reduced and therefore recycling increased. Councillor Walker welcomed the opportunity to discuss this matter with Councillor Smith.

Councillor Walker quoted information from a local newspaper relating to any changes to reduce the service as being unacceptable and stated that this would not be the case. When recycling was extended to include plastic and cardboard this could reduce the quantity of household waste.

Councillor Smith asked the following supplementary question:

Given the fact that Sandwell was bound by the same rules as Walsall, Sandwell was managing to handle its collection service without reducing the weekly service or the size of the bins, he asked whether Walsall was embarking on a cost cutting exercise?

Councillor Walker replied that she would welcome a discussion on these issues with Councillor Smith. If Sandwell had not already taken action to reduce their waste to landfill it would in the future as the problem was faced by every local authority. By 2010 a local authority would have to pay £2.5 million in landfill tax and this would continue to increase.

**(4) Cost of waste and recycling collection service questionnaire**

Councillor Smith asked the following question of Councillor Walker:

Would the portfolio holder for Environment tell the Council and the public what she estimates to be the cost to the taxpayers of the questionnaire “Changes to the waste and recycling collection services”?

Councillor Walker confirmed that the questionnaire cost £1,986, the postage was £1,760 and was funded by Local Area Agreement.

Councillor Smith asked the following supplementary question:

Did the cost include staff time and other staffing costs? He referred to the work of a few unpaid volunteers in local district centres who undertook a similar task and arrived at a similar conclusion.

Councillor Walker referred to enforcement costs and confirmed that it was worth investigating whether the residents were all in favour of weekly collections. The questionnaire was also giving information about changing and options available.

**(5) Social landlord rented properties in the borough**

Councillor Smith asked the following question of Councillor McCracken:

Can the portfolio holder for Regeneration tell the Council and the public, the total number of social landlord rented properties in the borough of Walsall that have been demolished in the last 5 years and are planned to be demolished in the next 5 years compared to the total number of social landlord rented properties in the borough of Walsall that have been built in the last 5 years or are planned to be built in the next 5 years?

Councillor McCracken confirmed that the majority of demolitions had been low demand high rise blocks of flats, although there were some houses in the Blakenall/Goscote area.

National guidance and our own local Housing Needs Study showed that there was a need for affordable home ownership as well as social rented properties. Housing providers in Walsall received funding to build 133 shared ownership homes in the 2006/08 Housing Corporation programme. It was expected there would be bids for approximately 200 shared ownership homes in the Housing Corporation’s 2008/11 bidding round.

In addition, at least 190 affordable home ownership properties had been negotiated on planning applications through Section 106 agreements. Further social rented and affordable home ownership properties would be provided through future planning applications, but this figure could not be quantified.

Walsall had an above average level of affordable rented housing, 26%, compared with the West Midlands (20%).

Councillor Smith asked the following supplementary question:

This demonstrated the massive short gap of rented properties demolished and asked Councillor McCracken to reconsider her comments regarding people moving on and asked whether it could be accepted that there were many people in this borough who were not able to get a mortgage to purchase a house and rented accommodation was still required,

Councillor Mrs. McCracken stated that people's aspirations were now higher and many people aspired to own their own properties. There would always be a need for rented housing accommodation.

**(6) Aids and adaptations to homes**

Councillor Smith asked the following question of Councillor McCracken:

Can the portfolio holder for Social Care, Health and Housing give this Council and the public a ward by ward breakdown of the number of residents in the borough of Walsall that are currently awaiting aids and adaptations to their homes as at estimated cost of: (a) up to £1,000 and (b) from £1,000 upwards?

In response, Councillor McCracken stated that

**(a) Up to £1,000**

There were 175 residents waiting for aids and adaptations to their homes at an estimated cost of up to £1000. 28 of these were awaiting equipment, 33 were awaiting minor adaptations via the Integrated Community Equipment Store (ICES), 20 were awaiting minor adaptations via an Occupational Therapist and 94 via WHG. The breakdown by ward is listed in the table below.

Ward	Number of cases awaiting equipment	Number of cases awaiting minor adaptations via ICES	Number of cases awaiting minor adaptations via ot/whg
Aldridge Central & South		8	0 4
Aldridge North & Walsall Wood		1	0 0
Bentley & Darlaston North		4	1 2
Birchills Leamore		4	1 5
Blakenall		1	5 13
Bloxwich East		4	0 30
Bloxwich West			1 15
Brownhills		3	0 3
Darlaston South		8	2 4
Paddock			0 0
Palfrey	6		1 1

Pelsall	3		1	6
Pheasey Park Farm	1		0	0
Pleck	2		1	0
Rushall Shelfield	8		1	4
Short Heath			2	2
St Matthews			3	0
Streetly	3		0	0
Willenhall North	5		0	1
Willenhall South			1	4
<b>TOTAL</b>	<b>28</b>	<b>33</b>	<b>20</b>	<b>94</b>

All 175 cases were in the process of being dealt with. This information was correct as of 30th August 2007 and was a snapshot of the current situation. By the time the question was answered on the 10th September most of the equipment would have been delivered and some of the adaptations would have been completed.

**(b) From £1,000 upwards**

There were 1056 residents waiting for aids and adaptations to their homes at an estimated cost of £1000 upwards. Demand for the service remains at unprecedented levels. All cases were being processed in priority order to ensure the most urgent cases were dealt with first.

The number of major adaptations completed each year continued to rise. 52 adaptations were completed in 2004/5, 120 in 2005/6 and 192 adaptations were completed in 2006/7.

Housing standards and improvements had set a target to complete 200 major adaptations in 2007/8. This would be 4 times the number completed 3 years ago. The breakdown of cases by ward is shown below.

<b>Ward</b>	<b>Count</b>
Aldridge North And Walsall Wood	28
Aldridge Central And South	45
Bentley And Darlaston North	84
Birchills Leamore	16
Bloxwich East	47
*Bloxwich West and Blakenall	195
Brownhills	75
Darlaston South	84
Paddock	2
Palfrey	112
Pelsall	38
Pheasey Park Farm	16
Pleck	41



Rushall-Shelfield	70
St Matthew's	30
Streetly	13
*Willenhall and Short Heath	160
<b>Total</b>	<b>1056</b>

\*Due to incomplete post codes two sets of wards above have been combined

At this juncture, it was **moved** by Councillor Oliver and seconded by Councillor Madeley:

That Council procedure rule 11.8 be suspended for the remainder of the session in order that questions from members of the Council can be completed.

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

**For the motion -  
29 members**

Cllr: Oliver  
I. Shires  
Ansell  
Anson  
C. Bott  
P. Bott  
Chambers  
Cook  
Coughlan  
Creaney  
Flower  
P. Hughes  
Johnson  
Khan  
Madeley  
Nazir  
J. Phillips  
K. Phillips  
E.E. Pitt  
Robertson  
Rochelle  
Sanders  
Sarohi  
D.A. Shires  
Smith  
Tweddle  
Underhill  
Wilkes  
Young

**Against the motion –  
27 members**

Cllr: O'Hare  
Ahmed  
Andrew  
Arif  
Ault  
Beeley  
Beilby  
Bird  
Douglas-Maul  
Griffiths  
Harris  
Harrison  
E. Hughes  
Longhi  
Martin  
McCracken  
Micklewright  
Paul  
Perry  
D.J. Pitt  
M.G. Pitt  
Sears  
Towe  
Turner  
Walker  
Yasin  
Zahid

and it was:

### **Resolved**

That Council procedure rule 11.8 be suspended for the remainder of the session in order that questions from members of the Council can be completed..

Councillor McCracken confirmed that 85% of equipment was delivered within 7 working days which was in line with government targets. With regard to aids and adaptations of £1,000 upwards, Councillor McCracken confirmed that there was always an increasing number of people requesting assistance with care in their own homes and cases were prioritised by occupational health officers.

Councillor McCracken undertook to provide the information via e-mail to Councillor Smith and other members of the Council on the breakdown.

Councillor Smith asked the following supplementary question:

In thanking Councillor McCracken for the detailed response, Councillor Smith asked if she could confirm that Walsall Council had a policy in terms of extensive adaptations of introducing a ceiling of £25,000 for the work.

Councillor McCracken stated that this was the policy and confirmed that the issue was a matter of discussion and was being considered. It was a concern that, within the Council's finite resources, some of the adaptations were extremely costly and impacted on other applications. The needs of the individual had to be taken into account and would be happy to arrive at a situation where more people could benefit from the money allocated from government. It was the government that put a £25,000 ceiling from their contribution.

### **(7) Future wheelie bin collections**

Councillor Robertson asked the following question of Councillor Walker:

If either of the two options for future bin collections is implemented, do you accept that many households especially with children will fill a large bin every week and so what options will then be available to these homes including what cost of having to pay privately for extra collections?

Councillor Walker replied that waste and recycling collection policies would be reviewed and would take into account families with children. With the regard to average household waste, residents could recycle 75% of their waste and should not have to pay privately for collections as policies would be reviewed to support those residents who create a large amount of waste and were unable to recycle.

(8) **Anti-Poverty Unit – financing of reorganisation proposals**

Councillor Robertson asked the following question of Councillor Griffiths:

Do you accept that the latest re-organisation proposals of the anti-poverty unit will threaten the future finances of this Council and so risk higher rises in Council Tax?

Councillors Griffiths replied that the Corporate Scrutiny and Performance Panel commissioned an independent report, produced by the Institute of Revenues and Rating and Valuation (IRRV) in response to a motion passed at Council on 6 November to consider if the authority would benefit from the establishment of Welfare Rights as an independent trust. A copy of that report was freely available to all members.

This report was discussed in much detail at the Scrutiny panel on the 30 August, officers were requested to produce a detailed business case for further consideration. At this time no reorganisation proposals exist therefore it was not possible to comment on financial implications.

The Council remained committed to providing value for money services, if we could produce the same or better service for less money than we would do so.

Councillor Robertson asked the following supplementary question:

Do you accept that there is a risk to frontline staff and what were the costs of the consultants as three sets of consultants had already been engaged?

Councillor Griffiths undertook to provide Councillor Robertson with the information in writing.

(9) **Dartmouth neighbourhood forum – withdrawal of possible neighbourhood renewal funding**

Councillor Robertson asked the following question of Councillor McCracken:

Why is the future support to over 400 elderly residents in my ward provided by the Dartmouth neighbourhood forum at serious risk by withdrawal of possible neighbourhood renewal funding, when the advice to the Walsall Borough Strategic Partnership by health professionals is that this service is crucial support to help these elderly residents?

Councillor McCracken said that Dartmouth neighbourhood forum had submitted a bid to Walsall Borough Strategic Partnership to deliver a range of activities to support LAA targets relating to falls prevention.

Walsall Borough Strategic Partnership Executive Committee had asked for additional evidence of how the proposed activities would support the LAA target. The Committee had not turned down the application for funding but had yet to make a decision. The Strategic Partnership was ultimately responsible for the governance of NRF funding and has a duty to ensure that all conditions were met.

The Council, as a partner, did not have powers to make the decision in isolation of the partnership. The Council as a key partner, along with the Healthier Communities and Vulnerable Adults Pillar, were continuing to work closely with DNF to support them in this process and recognise the positive contribution the project made to reducing health inequalities.

It should be noted, however, that any funding allocated to the project by the Walsall Borough Strategic Partnership would be short-term as NRF ends in March 2008. The Council would, however, continue to work with the organisation to try to identify potential funding streams for the future.

It was anticipated that Walsall Borough Strategic Partnership would make a decision imminently on the funding for this year.

**(10) Drug problems in Intown Row**

Councillor Oliver asked the following question of Councillor Perry:

Did the Cabinet Member for Communities and Partnerships – and the Council's Press and Publicity Unit – read the Walsall Advertiser full front page story dated 19.04.07 with regard to the town centre drugs 'shooting gallery' in Intown Row?

Councillor Perry stated that he had not read the article himself but he had seen subsequent articles regarding the matter and had visited the site on 3 separate occasions.

Councillor Oliver asked the following supplementary question:

As that article made the front page in April, why on the 23rd August this year did the Advertiser report the Council as saying that they now intended to act on this issue, but previous to August there had been no record of anti-social behaviour on that site. Was it not symptomatic of the gap in the Council's claims of joined-up thinking on these issues and the realities that existed in the communities?

In response, Councillor Perry stated that the Council would indeed be aware that the Walsall Advertiser had been running a number of articles about the abuse of drugs in the disused factory in Intown Row. In April, the Advertiser ran front page coverage highlighting the issue and the extent of the problem. I can reassure my colleague that this and subsequent articles have been read, and not just that, I have visited the site to see first hand the extent of the problem.

Following the notification, a number of interventions had been co-ordinated by the Safer Walsall Borough Partnership to address the issue. Hi's and Lows had been commissioned to provide a number of services, including fortnightly collection of used needles. They had done a tremendous job of getting the hundreds of discarded needles removed and safely disposed. I can assure that the site in question is now needle free.

We are monitored the situation and had stepped up CCTV surveillance focusing in the area. I am determined that this site, or any other disused site for that matter in the borough, were not overtaken by drug users. I am proposing a "zero tolerance" to such drugs dens in the borough, and ask that this Council join me in support of this stance. I have asked the SWBP to co-ordinate the closure of this site and proactively identify other sites for closure. Through partnership efforts we had successfully closed a property in Caldmore and another in Darlaston using ASB legislation to close "crack houses".

Tackling the menace of drugs could not be the sole responsibility of the Council. The SWBP was working with the police, Walsall tPCT, RSLs and other agencies to co-ordinate a holistic response covering treatment, rehabilitation and punitive action.

The LAA funding for SWBP services, had supported dedicated activities by the police to address drug dealing. To date there had been a total of 36 drugs operations carried out, with three offenders being charged with drug trafficking offences. Over 25 cannabis factories had been disrupted each one with an average of 300 cannabis plants, and a number of offenders charged.

In addition 24 drugs operations had been carried out in H2 including four cannabis factories, one containing over 2000 plants, one person had been charged with intent to supply Class A and a further 13 arrests for other offences including cultivation and possession.

A large amount of intelligence around the drugs trade enters intelligence systems some of which could be actioned. Drugs testing of offenders showed that the majority were taking opiates and cocaine indicating that both were freely available in the Walsall area.

There was no denying there was a drugs problem in the borough, very much like all other parts of the country. We know this is a national problem which the government had been attempting to address through various plans and programmes, but had had very limited success. The SWBP had recently appointed a new DAT manager and was hopeful that there would be a more concerted effort to address the problems of drugs in Walsall.

**(11) Provision of brown bins**

Councillor Smith asked the following question of Councillor Walker:

When will all the Council tax paying households in the Blakenall ward with a garden and presently without a brown bin such as those households in Alderley Crescent, Ashfield Close, Awlmaker Grove, Bloxwich Road, Brewer Street, Cannon Street, Cannon Street North, Cartbridge Crescent, Cartridge Walk, Chaucer Road, Church View Close, Coalpool Place, Dalby Road, Dartmouth Close, Dartmouth Place, Deans Place, Derby Street, Dryden Road, Epping Close, Essex Street, Forest Lane, Forest Place, Goldsmith Road, Goscote Close, Goscote Lodge Crescent, Goscote Place, Halford Crescent, Henley Close, Hereford Street, Hildicks Crescent, Holden Crescent, Holden Place, Hunter Crescent, Jubilee Close, Keats Road, Kent Close, Kent Street, Leckie Road, Marlow Street, Masefield Road, Mill Place, Mill Street, New Forest Road, North Street, Oswin Place, Oswin Road, Pinfold, Portland Street, Proffitt Close, Proffitt Street, Raymond Close, Roberts Road, Rose Bank Drive, Rutland Street, St. Peters Terrace, St. Thomas Close, Stag Crescent, Wareham Close, Webster Road, Whateley Place and Whateley Road, be treated equally and fairly and issued with a brown bin?

Councillor Walker confirmed that phase 2 had been completed and thanks to the petition, Councillor Smith's enquiry should go to the depot indicating the streets requiring brown bins. There was a list of 3,768 properties that made up phase 3 of the brown bin roll out to be implemented later this year. The brown bin collection ceased in the winter period and it was likely that the roll up would take place in April 2008.

Councillor Smith asked the following supplementary question:

Was the fact that almost half of the households in the Blakenall ward (approximately 2,500) without brown bins typical of other wards or were they above average or below average in that sense?

Councillor Walker stated that she did not have the figures for the wards but there were quite a few in Blakenall, Willenhall, Birchills, Aldridge North, Willenhall North and other wards of the borough. Every endeavour had been made to distribute the bins as fairly as possible and as soon as information was available on the delivery of bins, members would be informed.

**(12) Housing and Council Tax benefits payments to homeless people**

Councillor Smith asked the following question of Councillor Griffiths:

How much money has been claimed by Walsall MBC, year by year, in each of the last 3 financial years regarding Housing and Council Tax benefit payments with respect to homeless people for whom Walsall MBC has had a responsibility?

Councillor Griffiths replied that in 2004/5 the figure was £663,984 and in 2005/6 the figure was £790,539. These figures had been audited. The pre-audit figure for 2006/7 was £889,374.

Councillor Smith asked the following supplementary question:

Can Councillor Griffiths give the Council and the public an assurance that no supporting people monies or other monies had been used to bridge a shortfall in projected income in Housing and Council tax payments for the homeless, possibly to the amount of £4 million?

Councillor Griffiths replied that he did not have the figures and would forward them to Councillor Smith in writing.

#### 50. **Designation of Statutory Officer posts**

The report was submitted.

It was **moved** by Councillor O'Hare, seconded by Councillor Andrew and:

##### **Resolved**

- (1) That the post of Assistant Director of Finance be designated Section 151 Chief Finance Officer with effect from 1st October 2007, for the foreseeable future pending future decisions on the recruitment to the post of Executive Director for Corporate Services.
- (2) That the post of Interim Chief Executive be designated as Director of Adult Social Services with effect from the date of this meeting.
- (3) That with effect from the date that the Interim Chief Executive resumes his post as Executive Director Social Care and Inclusion, that post be designated Director of Adult Services.

#### 51. **Changes to Constitution with regard to Neighbourhoods**

The report was submitted:

It was **moved** by Councillor O'Hare, seconded by Councillor Andrew and:

##### **Resolved**

- (1) That Council approves the scheme of delegations relevant to Engineering and Transportation as set out in the appendix to this report.
- (2) That Council approves the addition of the detailed legislation to the scheme of delegations relevant to Public Protection as set out in the report to Council of 2 July 2007.
- (3) That these amendments and updates to the scheme of delegations take immediate effect.

52. **Changes to Constitution with regard to control of parks and open spaces**

The report was submitted.

It was **moved** by Councillor O'Hare, seconded by Councillor Andrew and:

**Resolved**

- (a) (1) That the Head of Greenspaces be authorised to exercise all the powers and duties of the Council as a local authority to administer legislation in the furtherance of his duties, including but not limited, to the following Acts:

Animals Act 1971  
Anti-Social Behaviour Act 2003  
Clean Neighbourhoods and Environment Act 2005  
Dangerous Dogs Acts 1989 and 1991  
Dogs Act 1871  
Dogs (Fouling of Land) Act 1996  
Environmental Protection Act 1990  
Local Government (Miscellaneous Provisions) Acts 1976  
and 1982  
Regulation of Investigatory Powers Act 2000  
Town Police Clauses Act of 1847 and 1889

and to delegate this authority to officers under his control from time to time.

- (2) That the Head of Green Spaces be authorised to institute on behalf of the Council any legal proceedings in relation to the control of parks and open spaces.
- (b) That these delegations take immediate effect and that the Constitution be amended accordingly.

53. **Fostering Panel**

**Resolved**

That Councillor Micklewright be appointed a member of the Fostering Panel for the municipal year 2007/2008.

54. **Notice of motion – Walsall Domestic Violence Forum**

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



## **Resolved**

That this Council recognises the valuable work done throughout the Borough by the domestic violence forum.

Although funding for Walsall Domestic Violence Forum for this financial year has now been agreed; we are critically aware that the new financial year will soon be upon us. With the evidence of numbers of victims and families that are supported every year by the professionals and volunteers associated with this forum; Council requests that an urgent meeting of all partners is called to discuss future funding bids and co-ordinate support for their longer term future.

### **55. Notice of motion – Walsall Integrated Learning Disability Service**

The report was submitted.

The following motion, notice of which had been duly given, was **moved** by Councillor Oliver, seconded by Councillor J. Phillips and

## **Resolved**

That this Council recognises the excellent work which has been implemented by Walsall's Integrated Learning Disability Service and the major challenges that lie ahead.

That this Council therefore:

- re-affirms its commitment to the strategy for learning disability in the 21st century as outlined in the "Valuing People" white paper, including the principle of independent and supported living within the community.
- recognises our civic leadership responsibilities and duty under disability equality legislation to promote active and valued citizenship.
- condemns any approaches which seek or have the effect of "demonising" people with a learning disability.

### **56. Notice of motion – Walsall Society of Artists**

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

This Council recognises the excellent and innovative contributions made by the Walsall Art Gallery to the cultural life and reputation of the Borough, and also supports the work and commitment of local artists, including the Walsall Society of Artists.

We would therefore support the Society in their call for their annual exhibition to be restored to the main third floor display area of the New Art Gallery – as an important part within the varied and exciting programme of activities based in the gallery throughout the year.

On being put to the vote the motion was declared lost – 21 members voting in favour and 32 voting against.

The meeting terminated at 8.55 p.m.