



Walsall Council

Minutes of the **MEETING** of the Council of the Walsall Metropolitan Borough held on **Monday 7th January 2019 at 6.00 p.m.** at the Council House.

Present

Councillor M. Longhi (Mayor) in the Chair

Councillor P. Bott (Deputy Mayor)

“ B. Allen
“ A.J.A. Andrew
“ D.J. Barker
“ M.A. Bird
“ C. Bott
“ R. Burley
“ O. Butler
“ K. Chambers
“ B. Chattha
“ A.G. Clarke
“ S.J. Cooper
“ D. Coughlan
“ S.P. Coughlan
“ S.R. Craddock
“ C.U. Creaney
“ A. Ditta
“ S.K. Ditta
“ B.A. Douglas-Maul
“ K. Ferguson
“ M. Follows
“ J. Fitzpatrick
“ S.F. Fitzpatrick
“ N.Z. Gultasib
“ A.D. Harris
“ L.A. Harrison
“ A.J. Hicken
“ D. James
“ L.D. Jeavons

Councillor C. Jones

“ T.J. Jukes
“ A. Kudhail
“ Mrs. R.A. Martin
“ J. Murray
“ A.A. Nawaz
“ M. Nazir
“ A.S. Nazir
“ S.L. Neville
“ G. Perry
“ L.J. Rattigan
“ W. Rasab
“ I.C. Robertson
“ J. Rochelle
“ E.B. Russell
“ S. Samra
“ H.S. Sarohi
“ K. Sears
“ I. Shires
“ G. Singh Sohal
“ M.A. Statham
“ C.D.D. Towe
“ A. Underhill
“ S. Wade
“ M. Ward
“ V.J. Waters
“ T.S. Wilson
“ R.V. Worrall
“ A. Young

66. **Apology**

An apology for non-attendance was submitted on behalf of Councillor Hussain.

67. **Minutes**

Resolved

That the minutes of the meeting held on 12th November 2018 copies having been sent to each member of the Council, be approved as a correct record and signed.

68. **Declarations of interest**

The Mayor informed members that the Monitoring Officer had granted a dispensation to all members of the Council to allow them to participate and vote on the report relating to members' allowances.

The following members declared an interest in the item indicated:

Councillor Perry	Item 18 – Notice of motion relating to the National Health Service – employee of Walsall NHS Healthcare Trust
Councillor Allen	Item 18 – Notice of motion relating to the National Health Service – employee of Walsall NHS Healthcare Trust

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

There were no items to be considered in private session.

70. **Mayor's announcements**

The Mayor informed the meeting that the item relating to Members Allowances would be taken after Item 9.

71. **Petitions**

The following petitions were submitted:

- (a) Councillor Rasab – Keep surgeries in Paddock – campaign for a Broadway North Centre.

- (b) Councillor Jones – Changes to home to school transport.
- (c) Councillor Young – Walsall Community Alarm service.

72. **Petitions**

(a) **Community Alarm service**

A report was submitted.

Ms. A. Jarvis presented the petition stating that the community alarm service was an essential service to many vulnerable individuals. The service allowed them to live independently and with dignity. She confirmed that many of the service users would be unable to afford to pay for a replacement service. Many service users were on low incomes and using foodbanks. Ms Jarvis emphasised that a significant proportion of service users were long term disabled and many others were vulnerable. She stressed that the community alarms service was a life-saving service that should not be cut to make savings. In closing, she urged for the cut to be reconsidered.

Further to debate on the matter it was:

Resolved

That the report and petition be noted.

(b) **Streetly Police resources**

A report was submitted, together with a statement from West Midlands Police.

Mr. D. Erfani presented the petition emphasising that response times to Streetly from stations in Wolverhampton and Bloxwich were unacceptable. He stated that the police needed to be located closer to Streetly to be able to respond more quickly. He noted that Streetly was a cross border authority and urged those authorities to work together and to improve the CCTV provision to deter criminal activity. He stated that a private security group had approached him to offer assistance but he had not accepted such proposals.

Further to debate on the matter it was **moved** by Councillor Shires and seconded by Councillor Barker and:

Resolved

- (1) That the report and petition be noted.

- (2) That the 3 Group Leaders, on behalf of the Council, write to the 3 local MPs to request that they meet with The Rt. Hon Nick Herd MP, Minister of State for Policing and the Fire Service, to make him aware of the issues being experienced in Walsall as a result of diminished police resources.

73 Questions

(a) From member of the public

Mr. P.E. Smith asked the following question of Councillor Bird:

“Would the appropriate Portfolio holder inform me, this Council and the general public as to whether Walsall Council has made any assessment of the likely impact of “Brexit” on local authorities such as Walsall and if so could the portfolio holder briefly outline the key finding of such an assessment, particularly highlighting the opportunities that have been identified that Brexit may offer to local authorities such as Walsall, that are not available presently due to E.U legislation obligations?”

Councillor Bird replied stating that the Council would meet the challenges as they arise. He referred to a written response setting out the Council's preparations including emergency planning, equalities, human resources, community cohesion and finance, procurement and contract matters and provided Mr. Smith with the same.

(b) From members of the Council

There were no questions from members of the Council.

74. Mayoralty 2019/20

It was **moved** by Councillor S. Coughlan, seconded by Councillor Jeavons and:

Resolved

That Councillor P. Bott be nominated as Mayor and Councillor M.R. Burley be nominated as Deputy Mayor of the Walsall Metropolitan Borough Council for the municipal year 2019/2020.

75. Members allowances

A report was submitted.

Professor S. Leach, the Chair of the Independent Members Allowances Panel presented the report of the Panel.

It was **moved** by Councillor Bird and seconded by Councillor Andrew:

- (1) That the Council note and have regard to the recommendations of the Independent Remuneration Panel and thank the Panel for their work in producing their report.
- (2) That whilst austerity, as interpreted by the Council, continues, the criterion for the annual updating of members allowances should be the NJC officers award, except when Council staff agree to a lower percentage rise, freeze or reduction, in which case that figure should be applied equally to members allowances.
- (3) That the scheme of allowances be implemented from April, 2019.
- (4) That the Council's Constitution be amended by the insertion of the new scheme at Part 6.
- (5) That the Council's Monitoring Officer be authorised to advertise the new scheme of allowances and payments made hereunder as required by statute.

Amendment moved by Councillor S. Coughlan and seconded by Councillor Jeavons that the following additional recommendation be added:

- A 20% reduction in the Extra Responsibility Allowances for elected members.

On being put to the vote the amendment was declared lost – 29 members voting in favour and 30 against. (Councillor Shires asked that his name be recorded as voting for the amendment.)

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 –
30 members**

Cllr: Bird
Allen
Andrew
Butler
Chattha
Clarke
Cooper
Craddock
Douglas-Maul
Ferguson
Follows
Harris
Harrison
Hicken
Kudhail

**Against the motion –
29 members**

Cllr: S. Coughlan
Shires
Barker
C. Bott
P. Bott
Burley
Chambers
D. Coughlan
Creaney
A. Ditta
S. Ditta
J. Fitzpatrick
S. Fitzpatrick
Gultasib
James

Longhi	Jeavons
Martin	Jones
Murray	Jukes
Neville	Nawaz
Perry	A. Nazir
Rasab	M. Nazir
Rattigan	Robertson
Rochelle	Russell
Samra	Sarohi
Sears	Underhill
Sohal	Ward
Statham	Wade
Towe	Worrall
Waters	Young
Wilson	

and it was:

Resolved

- (1) That the Council note and have regard to the recommendations of the Independent Remuneration Panel and thank the Panel for their work in producing their report.
- (2) That whilst austerity, as interpreted by the Council, continues, the criterion for the annual updating of members allowances should be the NJC officers award, except when Council staff agree to a lower percentage rise, freeze or reduction, in which case that figure should be applied equally to members allowances.
- (3) That the scheme of allowances be implemented from April, 2019.
- (4) That the Council's Constitution be amended by the insertion of the new scheme at Part 6.
- (5) That the Council's Monitoring Officer be authorised to advertise the new scheme of allowances and payments made hereunder as required by statute

76. Recommendations of Cabinet

(a) Treasury Management mid-year position statement 2018/19

The report to Cabinet on 12th December 2018 was submitted.

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

Resolved

That Council note (in line with the requirements of the Treasury Management Code of Practice (2017)), the mid-year position statement for treasury management activities 2018/19 including prudential and local indicators.

(b) Council tax premium on long term empty properties

The report to Cabinet on 12th December 2018 was submitted:

It was **moved** by Councillor Andrew and seconded by Councillor Bird and:

Resolved

- (1) That Walsall Council change the council tax premium from 50% to 100% from 1 April 2019 for properties that have been empty and unfurnished for more than 2 years.
- (2) That Walsall Council introduces a 200% council tax premium from 1 April 2020 for properties that have been empty and unfurnished for more than 5 years.
- (3) That Walsall Council introduces a 300% council tax premium from 1 April 2021 for properties that have been empty and unfurnished for more than 10 years.

77. Walsall Site Allocation Document (SAD) and Walsall Town Centre Area Action Plan (AAP)

A report was submitted.

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

Resolved

- (1) That Council adopts the Walsall Site Allocation Document (SAD) and the Walsall Town Centre Area Action Plan (AAP) (as modified) at Appendix A and B respectively, in accordance with Section 23 of the Planning and Compulsory Purchase Act 2004, and in doing so Council recognises that the policies and proposals of the SAD and AAP will supersede various saved Policies of Walsall's Unitary Development Plan (as well as associated Supplementary Planning Document(s)).
- (2) That Council authorises the publication of Adoption Statements and the final Sustainability Appraisal reports following the decisions of Council.

- (3) That Council delegates authority to the Executive Director Economy and Environment, in consultation with the Portfolio Holder for Regeneration, to make further minor modifications to the SAD and AAP prior to their final publication, provided these are edits in respect of such matters as referencing, formatting and typographical errors, and these do not include any material changes to policy wording that might affect the soundness of the plans.

78. Portfolio holder briefing – Community, leisure and culture

A report was submitted.

Councillor Perry portfolio holder for community, leisure and culture gave a presentation.

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

79. Appointments to outside bodies

(a) West Midlands Combined Authority Overview and Scrutiny Committee

The Council noted that Councillor Waters had replaced Councillor Craddock as the Council's representative on the Overview and Scrutiny Committee of the West Midlands Combined Authority for the remainder of the municipal year.

(b) Black Country Commonwealth Games Steering Group 2022

The Council noted that the Leader (or nominee) had been appointed to serve on the Black Country Commonwealth Games Steering Group 2022.

80. Notice of motion – Membership of Health and Wellbeing Board

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

The Health and Wellbeing Board (established by the Council on 8 April 2013) currently comprises 24 members. This includes 8 elected members and 5 representatives of the Clinical Commissioning Group (11 members more than the Act requires as a minimum). As with many bodies with large membership – meetings are often protracted. In order to improve the effectiveness of the Board it is proposed to reduce the number of elected members and Clinical Commissioning representatives whilst retaining balanced representation. Council resolves:

- (1) That with immediate effect the membership of the Health and Wellbeing Board be as follows:
- Chairman – to be a nominee of the controlling administration
 - 1 elected member not from the controlling administration
 - Cabinet portfolio holder for Adult Social Care
 - Cabinet portfolio holder for Children’s Services
 - Cabinet portfolio holder for Public Health
 - Executive Director Adult Social Care
 - Executive Director Children’s Services
 - Director of Public Health
 - 3 Clinical Commissioning Group representatives
 - 1 representative of Healthwatch Walsall
 - 1 representative of WM Fire Service
 - 1 representative of WM Police
 - 1 representative of “One Walsall”
 - 1 representative of NHS England
 - 1 representative of the Walsall Hospitals (NHS) Trust
 - 1 representative of the Dudley and Walsall Mental Health Trust
 - 1 representative of the Housing sector; and
- (2) That a member not from the controlling group be appointed by Council to the Board.

Amendment moved by Councillor Robertson and seconded by Councillor Shires:

That everything after “That with immediate effect the membership of the Health and Wellbeing Board be as follows” be deleted and replaced with:

- Chairman to be the Cabinet member for Public Health
 - 3 elected members not from the controlling administration
 - Cabinet portfolio holder for Adult Social Care
 - Cabinet portfolio holder for Children’s Services
 - Executive Director Adult Social Care
 - Executive Director Children’s Services
 - Director of Public Health
 - 3 Clinical Commissioning Group representatives
 - 1 representative of Healthwatch Walsall
 - 1 representative of WM Fire Service
 - 1 representative of WM Police
 - 1 representative of “One Walsall”
 - 1 representative of NHS England
 - 1 representative of the Walsall Hospitals (NHS) Trust
 - 1 representative of the Dudley and Walsall Mental Health Trust
 - 1 representative of the Housing sector; and
- (2) That 3 members not from the controlling group be appointed by Council to the Board.

On being put to the vote the amendment was declared lost – 29 members voting in favour and 30 against.

On being put to the vote the motion was declared carried – 30 members voting in favour and 29 against and it was:

Resolved

The Health and Wellbeing Board (established by the Council on 8 April 2013) currently comprises 24 members. This includes 8 elected members and 5 representatives of the Clinical Commissioning Group (11 members more than the Act requires as a minimum). As with many bodies with large membership – meetings are often protracted. In order to improve the effectiveness of the Board it is proposed to reduce the number of elected members and Clinical Commissioning representatives whilst retaining balanced representation. Council resolves:

(1) That with immediate effect the membership of the Health and Wellbeing Board be as follows:

- Chairman – to be a nominee of the controlling administration
- 1 elected member not from the controlling administration
- Cabinet portfolio holder for Adult Social Care
- Cabinet portfolio holder for Children’s Services
- Cabinet portfolio holder for Public Health
- Executive Director Adult Social Care
- Executive Director Children’s Services
- Director of Public Health
- 3 Clinical Commissioning Group representatives
- 1 representative of Healthwatch Walsall
- 1 representative of WM Fire Service
- 1 representative of WM Police
- 1 representative of “One Walsall”
- 1 representative of NHS England
- 1 representative of the Walsall Hospitals (NHS) Trust
- 1 representative of the Dudley and Walsall Mental Health Trust
- 1 representative of the Housing sector; and

(2) That a member not from the controlling group be appointed by Council to the Board.

81. Notice of motion – Universal Credit

A report was submitted.

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

Council agrees that the intention of Universal Credit (UC) to make benefits less complicated and to allow those in low paid work to keep more of their wages is a good idea, but believes that the evidence demonstrates that the Universal Credit process is flawed and causing unnecessary hardship to local families.

Council notes that UC was deliberately introduced on a slow rollout so that any issues could be seen and corrected before the benefit was introduced to all claimants.

Council further notes that the evidence of this Council and others across the country is that UC is causing huge increases in rent arrears and in general debt levels amongst claimants, many whom have never been in debt before. In addition, evidence demonstrates that most private landlords and even some housing associations are refusing to accept tenants receiving UC, leading to an increase in those registering as homeless and seeking temporary accommodation.

Council therefore resolves to write to the Secretary of State for Work and Pensions, making these points, requesting that the Government addresses these issues, and that the rollout is halted until the problems are fixed.

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

**For the motion –
28 members**

Cllr: S. Coughlan
Shires
Barker
C. Bott
P. Bott
Burley
Chambers
D. Coughlan
Creaney
S. Ditta
J. Fitzpatrick
S. Fitzpatrick
Gultasib
James
Jeavons
Jones
Jukes
Nawaz
A. Nazir
M. Nazir
Robertson

**Against the motion –
30 members**

Cllr: Bird
Allen
Andrew
Butler
Chattha
Clarke
Cooper
Craddock
Douglas-Maul
Ferguson
Follows
Harris
Harrison
Hicken
Kudhail
Longhi
Martin
Murray
Neville
Perry
Rasab

Russell	Rattigan
Sarohi	Rochelle
Underhill	Samra
Ward	Sears
Wade	Sohal
Worrall	Statham
Young	Towe
	Waters
	Wilson

82. **Notice of motion – National Health Service**

Councillors Perry and Allen 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 S. Coughlan and seconded by Councillor Jeavons:

This Council:

- (1) celebrates the fact that 70 years ago Parliament created a National Health Service, essentially free at the point of delivery;
- (2) accordingly seeks to maintain those benefits in this Borough;
- (3) resolves to write to the Secretary of State and to local MPs asking that the Government;
 - works with those in all parties to find a way of resolving the NHS's continuing cash crisis
 - makes up the funding gap in social care identified by the Local Government Association
 - publishes a White Paper outlining the Government's intentions for integrating and funding health and social care provision in the future
 - provides adequate funding for mental health care in Walsall
 - takes appropriate steps to protect community pharmacies in Walsall.

Amendment moved by Councillor Bird and seconded by Councillor Andrew:

That the following be inserted as paragraph (1) of the motion:

- (1) congratulates the local Conservative MP's and the Conservative Government in securing the £36m to replace the A&E facility at Walsall Manor Hospital;

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

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

Resolved

This Council:

- (1) congratulates the local Conservative MP's and the Conservative Government in securing the £36m to replace the A&E facility at Walsall Manor Hospital;
- (2) celebrates the fact that 70 years ago Parliament created a National Health Service, essentially free at the point of delivery;
- (2) accordingly seeks to maintain those benefits in this Borough
- (3) resolves to write to the Secretary of State and to local MPs asking that the Government
 - works with those in all parties to find a way of resolving the NHS's continuing cash crisis
 - makes up the funding gap in social care identified by the Local Government Association
 - publishes a White Paper outlining the Government's intentions for integrating and funding health and social care provision in the future
 - provides adequate funding for mental health care in Walsall
 - takes appropriate steps to protect community pharmacies in Walsall.

The meeting terminated at 8.50 p.m.