



Walsall Council

Dear Councillor,

You are hereby summoned to attend a meeting of the Council of the Metropolitan Borough of Walsall to be held on **MONDAY the NINETEENTH day of JULY, 2010 at 6.00 p.m.** at the Council House, Walsall.

Dated this 9th day of July, 2010.

Yours sincerely,

Chief Executive.

The business to be transacted is as follows:-

1. To elect a person to preside if the Mayor and Deputy Mayor are not present.
2. Apologies.
3. To approve as correct records and sign the minutes of the meetings of the Council held on 24th May and 7th June, 2010.
4. Declarations of interest.
5. Mayor's announcements.
6. To receive any petitions.

7. To answer any questions in accordance with Council procedure rules:

(a) From the public - **None**

(b) From members of the Council.

**(1) Councillor Smith – Regeneration of Goscote and Harden
(Councillor A. Andrew)**

“Given that large swathes of land on what was Goscote Estate and large parts of Poets’ Estate have remained undeveloped for some years following the demolition of hundreds of structurally sound properties and given, especially in the light of the General Election and cuts to the spending plans of the Homes & Communities Agency, that no-one now seems to know exactly when the regeneration of Harden & Goscote will be completed, will the Portfolio Holder for Regeneration outline what plans, if any, the Council and its appropriate partners now have to address and manage, for what could be several years to come, the nuisance, the eyesores, the theft, the fly tipping, the fires and other related criminal and anti social activities that are taking up a disproportionate amount of Police & Fire Service resources and bringing this Council and its partners into disrepute within the local community?”

(2) Councillor Robertson – Sickness absence (Councillor Towe)

“What is the detailed breakdown in reasons for sickness absence by employees of this Council over the last year along with a length of time absence expressed if possible please in numbers of weeks absent for individual employees and cost of providing cover either by agency staff or by seconding other employees to cover these absences?”

**(3) Councillor Cassidy – Walsall Children’s Services/Serco –
(Councillor R. Andrew)**

"Could the portfolio holder for Children’s Services disclose to this Council and the residents of this borough the salaries and bonuses received by senior officers in the employ of Walsall Children’s Services/SERCO for the year-ending March 2010 - either individually or by salary range :

- the number of officers receiving £50,000 - £75,000 per annum
- the number of officers receiving £75,001 - £100,000 per annum
- the number of officers receiving £100,001 - £125,000 per annum
- the number of officers receiving over £125,001 - £150,000 per annum
- the number of officers receiving over £150,000 per annum

and further the amount and methodology of any bonuses which were paid to those officers in addition to their salaries?"

(4) Councillor Smith – Walsall Police – use of taser guns (Councillor Arif as the Council’s representative on the West Midlands Police Authority)

“Given that Walsall Police are now empowered to use taser guns which, when fired, conducts 50,000 volts of electricity per shot into a person and can leave barbs embedded in the body that may require hospital treatment to remove, can the Walsall Council representative for the West Midlands Police Authority inform me, this Council and the public how many times the Police have used these weapons in the Walsall Borough on an unarmed person within the confines of the person’s own home?”

(5) Councillor Smith – Public sector pay cuts – (Councillor Towe)

“Given that public sector workers and in particular local authority workers and services seem to have become the scapegoats for the excesses of bankers’ bonuses, casino banking practices, MPs expense claims and the obscene income levels of the very rich (the latter bloated even further after 13 years of New Labour) and given also that those who manage to keep their local authority jobs now face the prospect of big pay cuts in real terms, attacks on their State and works pensions in future years and the extra pressure and stress of “enforced productivity” (“working smarter” as managers call it) as posts are deleted and surviving staff are expected to cover the extra work required, will the Portfolio holder for Finance & Personnel explain whether the political administration running Walsall Council is seriously intent on delivering a further body blow to its morale - sapped staff by depriving them of 3 Bank holiday days or whether this is a mere threat which it is using as a “bargaining chip” in its dispute with thousands of our Council workers who are threatened with even further pay cuts as a result of the single status pay review?”

(6) Councillor Smith – Dealing in scrap metal businesses from home without planning permission (Councillor A. Andrew)

“Would the portfolio holder inform me, this Council and the public how many complaints have been made to Walsall Council since 2 July 2007 on a ward by ward basis relating to allegations of residents dealing in scrap metal businesses from home without planning permission?”

(7) Councillor Smith – Restricted works to vehicles on the street – fixed penalty notices (Councillor Harris)

“Given that Section.4 of Part 2 of Chapter 16 of the Clean Neighbourhoods and Environment Act 2005 addresses the nuisance caused by people repairing their vehicles on the street and makes it therefore an offence to carry out “restricted works” (repairs, maintenance, servicing, improvement or dismantling) to a vehicle or any part of a vehicle on a road and given further that Authorised officers have the power to issue a Fixed Penalty Notice of £100 to any person deemed to have committed an offence under s4 of the 2005 Act, would the Portfolio holder inform me, this Council and the public, how many times the Council has used these powers to investigate and issue fixed penalties for such breaches of the law, since July 2 2007?”

(8) Councillor Smith – Register of scrap metal dealers (Councillor Harris)

“Given that the Scrap Metal Dealers Act of 1964 states that “*Every local authority shall maintain a register of persons carrying on business in their area as scrap metal dealers*”, would the Portfolio holder inform me, this Council and the public, of the number of additions to the register that have been made since 2 July 2007?”

(9) Councillor Smith – Scrap metal and/or car repair businesses in residential areas – Statutory nuisance (Councillor Harris)

“Given that the Environmental Protection Act 1990 identifies a number of issues which can constitute a Statutory Nuisance including noise, odour, accumulations or deposits, dust etc. and bearing in mind that whether a Statutory Nuisance exists depends on several factors, including the severity, duration, frequency and whether it would interfere with the "average" person's reasonable enjoyment of their property, would the portfolio holder inform me, this Council and the public, of the number of times since 2 July 2007 that Walsall Council has successfully used its powers under this Act to address and solve issues relating to the running of scrap metal and/or car repair businesses in residential areas? “

(10) Councillor Smith – Planning enforcement (Councillor A. Andrew)

“Given that Walsall Council’s Planning Services have 7 less posts now compared to 2 years ago and given that there is no guarantee that any future vacant posts in Planning & Enforcement would be filled as a result of the Council’s approach to the Conservative /Liberal Coalition Government cuts, would the Portfolio holder inform me, this Council and the public, the extent to which the low number of Planning enforcement officers in post to cover the whole of the Borough, has impaired the Council's ability to investigate and successfully resolve the number of alleged planning breaches that have been brought to its attention since July 2nd 2007? “

8. **In-year budget savings.** To consider any recommendation of the Cabinet from its special meeting to be held on 16th July 2010.

(Note: Any recommendation and report from Cabinet will be circulated at the meeting.)

9. **State of Walsall debate.** See separate report

(Note: A letter from the Chief Executive setting out the process to be followed for the debate is enclosed.)

10. To confirm the following recommendation of the **Cabinet**;

Public Safety Food Law Enforcement Plan

That the Public Safety Food Law Enforcement Plan for the year 2010/11 be approved.

(Note: Report to Cabinet reproduced in the reports booklet for this meeting.)

11. **Community Services Scrutiny and Performance Panel co-opted member from West Midlands Police Authority** To consider any recommendation from the Panel from its meeting to be held on 13th July 2010.

(Note: Note any recommendation from the Panel will be circulated at the meeting.)

12. **Portfolio holder briefing.** To receive a 5 minute presentation from the portfolio holder for regeneration.

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

13. **Amendments to contract rules.** Report reproduced in the reports booklet for this meeting.

14. **Members allowances scheme.** Report reproduced in the reports booklet for this meeting.

15. **Protocol for the practical operation of the call-in procedure.** Report reproduced in the reports booklet for this meeting.

16. **Annual scrutiny report 2009/2010.** Report reproduced in the reports booklet for this meeting.

17. **Walsall Partnership accountable body agreement.** Report reproduced in the reports booklet for this meeting.

18. **Appointment to West Midlands (Metropolitan Area) Road Safety Partnership Board.** To appoint a member to serve on the Partnership Board for the municipal year 2010/11.

19. To consider the following motion, notice of which has been duly given by **Councillors Oliver, Coughlan, Chambers, Robertson and Cassidy;**

This Council notes that the Government:

- plans to reduce the deficit much further and faster than the Labour government with a consequent threat to the recovery and greater damage to public services
- has imposed additional in year cuts to local Council programmes costing this Council £5.5 million (and rising)
- has chosen to increase VAT, a regressive tax bearing hardest on the least well-off
- has frozen child benefit, cut disability benefit and housing benefit, and abandoned the free school meals programme which would have helped 500,00 children
- and in doing so has penalised people on low and middle incomes, while doing little to ensure that the well-off bear their fair share.

Walsall Council calls on the Government to rethink its approach and resolves as part of the consultation process announced by the Government over the spending review to engage with the local community to identify priorities for the protection of local services and the local economy.

20. To consider the following motion, notice of which has been duly given by **Councillors Robertson and Thomas**:

This Council welcomes both the efforts of individuals and those running a business, to increase recycling.

Council notes the Notice of Motion passed on 2nd July 2007 relating to residents dealing in scrap and associated businesses from their homes without planning permission, where “this Council resolves to make every effort via a full strength enforcement team to stop this activity and to urge and give every assistance to our partners such as the environmental agency and the police . Further this Council will also share such information with Walsall Housing Group to encourage them to enforce their tenancy agreements which are clearly being broken in these cases and where appropriate information will be shared with our statutory partners.”

This Council notes with concern that since that notice, the problem appears to have become considerably worse and is affecting an even wider area of streets in this Borough. Council resolves to have urgent discussions with local Councillors, the Police, the environmental agencies, Walsall Housing group, and other appropriate agencies on how this serious anti social behaviour can be permanently stopped, while still encouraging the efforts of the more responsible people in recycling various forms of scrap or ‘tat’.

(Note: Report reproduced in the reports booklet for this meeting.)