



Minutes of the **ORDINARY MEETING** of the Council of the Walsall Metropolitan Borough held on **Monday 10 July, 2023, at 6.00 p.m.** at the Council House, Walsall.

## Present

### Councillor C.D.D. Towe (Mayor) in the Chair

#### Councillor G. Ali

“ B. Allen  
“ A. Andrew  
“ H. Bashir  
“ M.A. Bird  
“ C. Bott  
“ R. Burley  
“ S. Cheema  
“ S.J. Cooper  
“ S.K. Ditta  
“ S. Elson  
“ K. Ferguson  
“ G. Flint  
“ M. Follows  
“ N. Gandham  
“ A. Garcha  
“ P. Gill  
“ N. Gultasib  
“ A. Harris  
“ L.A. Harrison  
“ F. Hassan  
“ A.J. Hicken  
“ C. Horton  
“ A. Hussain  
“ I. Hussain  
“ K. Hussain  
“ S. Hussain

#### Councillor T. Jukes

“ P. Kaur  
“ R. Larden  
“ N. Latham  
“ E. Lee  
“ R. Martin  
“ R. K Mehmi  
“ E. Morgan  
“ K. Murphy  
“ J. Murray  
“ A.A. Nawaz  
“ A. Parkes  
“ K. Pedley  
“ G. Perry  
“ W. Rasab  
“ L.J. Rattigan  
“ S. Samra  
“ K. Sears  
“ G. Singh Sohal  
“ P. Smith  
“ C.A. Statham  
“ M.A. Statham  
“ V.J. Waters  
“ J. Whitehouse  
“ T.S. Wilson  
“ R.V. Worrall

21. **Apologies**

Apologies were received on behalf of Councillors Bains, P. Bott, Nasreen, A. Nazir, Underhill, and Ward

22. **Minutes**

**Resolved**

That the minutes of the meeting held on 22 May 2023, a copy having been sent to each member of the Council, be approved as a correct record.

23. **Declarations of interest**

There were no declarations of interest.

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

**Resolved**

That the public be excluded from the meeting during consideration of the items set out in the private part of the agenda for the reasons set out therein and Section 100A of the Local Government Act, 1972.

25. **Mayor's announcements**

There were no Mayors announcements.

26. **Order of business**

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

**Resolved**

That the order of business for the meeting be changed so that Item 15 – Notice of Motion regarding Knife Crime, be taken before Item 7 – to receive any petitions.

27. **Notice of Motion – Knife Crime**

The following notice of motion was **moved** by Councillor Perry and seconded by Councillor Bird:

According to figures from the Office for National Statistics, knife crime offences increased 10% to 49,027 in the year to March 2022 in England and Wales. That

is a 34% increase since 2010/11. Yet, there is no national programme of education for children and young people, and no targeted guidelines in the curriculum for such behaviours or prevention.

Currently, the Department for Education is reviewing Relationships, Sex and Health Education (RSHE) alongside experts in health, children's development and safeguarding. The James Brindley Foundation believes now is the perfect time to introduce the prevention of knife crime into RSHE so schools can educate children in a programme of consequential thinking.

The foundation has launched a campaign to lobby parliament for a change to the curriculum, which if agreed will be a significant step in educating children and young people on the dangers of knife crime and the likely outcomes of a chosen behaviour before acting.

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The James Brindley Foundation was set up after Aldridge resident James Brindley was fatally stabbed in an unprovoked attack on 23<sup>rd</sup> June 2017. Following this, his family, alongside social care and health professionals, set up a charity and educational programme in his name, dedicated to raising awareness and tackling all the issues surrounding youth violence and to raise funds to enable the charity to deliver its programme educating children and young people.

Therefore, this Council affirms its support for the campaign led by the foundation and commits to:

1. Writing an expressed letter of support to the Secretary of State for Education and all Walsall MP's seeking their engagement in the campaign and encouragement to legislate for the change;
2. Commits to secure support from partners of influence in utilising their negotiation powers at a regional and national level;
3. Promote the campaign on individual and corporate social media channels to maximise awareness of the petition and seek public support; and

Endorse the foundation #safer streets programme utilising the lived experience of those involved with the foundation and others to effect a positive change culture across Walsall.

Prior to the vote being taken, a named vote was requested by several members of the meeting. The voting being recorded as follows:

For the Motion - 54	Against the Motion – No members	Abstained – No members
Cllr: “ B. Bird “ A. Nawaz “ R. Martin “ G. Ali “ B. Allen “ A. Andrew “ H. Bashir “ C. Bott “ R. Burley “ S. Cheema “ S. Cooper “ S. Ditta “ S. Elson “ K. Ferguson “ G. Flint “ M. Follows “ N. Gandham “ A. Garcha “ P. Gill “ N. Gultasib “ A. Harris “ L. Harrison “ A. Hicken “ C. Horton “ A. Hussain “ I. Hussain “ K. Hussain “ S. Hussain “ T. Jukes “ P. Kaur “ R. Larden “ N. Latham “ E. Lee “ F. Hassan “ R. Mehmi “ E. Morgan “ K. Murphy “ J. Murray “ A. Parkes “ K. Pedley “ G. Perry “ W. Rasab “ L. Rattigan “ S. Samra “ K. Sears “ G. Singh Sohal “ P. Smith		

“ C. Statham		
“ M. Statham		
“ C. Towe		
“ V. Waters		
“ J. Whitehouse		
“ T. Wilson		
“ R. Worrall		

**Resolved:**

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## 28. Petitions

The following Petitions were received:-

- |                         |   |   |
|-------------------------|---|---|
| (1) Councillor Bashir   | – | Car park in Spout Lane  |
| (2) Councillor Gandham  | – | To repair and resurface Walhouse Road                             |
| (3) Councillor Rattigan | – | Traffic calming measures in Floyds Lane and King George Crescent. |
| (4) Councillor Samra    | – | Taxi meter fare increase  |

## 29. Questions

(a) From the public:

**Dr Fiona Macmillan** submitted the following question which was put by Mr Jas Samra:

Walsall Local Plan is timetabled for consideration in June, with public consultation in the late summer. Councillors are the bridge between constituents and the Walsall Council and should not again be faced with delivery of documents by hand at a late stage, as occurred with the Black Country Plan consultation. We ask how Councillors will ensure that there is a robust and timely campaign to raise public awareness amongst their constituents about this important plan for Walsall.

**Councillor Andrew** replied as follows:

The Walsall Borough Local Plan is currently in preparation and consideration, and we will be discussing how consultation is undertaken because essentially, we are starting again following the demise of the Black Country Plan. We will certainly make sure that elected members will not be delivering leaflets at the last minute and if they wish to then that is part of our bridge between this Council and the residents. We are launching a Walsall Borough Local Plan advisory board which will be cross-party to discuss the strategy on how we move forward. For information, fifty plus Councils have delayed their plans because there are policy reforms currently being proposed by Government including

changes to the National Planning Policy Framework and the Levelling Up and Regeneration Bill that may impact on the contents of the Walsall Borough Local Plan.

### **Shokt Fazal**

The following question was put by the Mayor in the absence of the questioner. It was noted that a response would be provided in writing to Mr Fazal.

In light of the cost of living crisis I commend the actions of council officers and administration in carrying out external wall cladding in low income areas. Can the portfolio holder report how many properties and residents have gained benefit of this funding and which ward areas.

(b) From members of the Council:

### **Councillor Smith**

Given that the anti-social phenomena of Fly tipping and litter dropping across many parts of our Borough seem to be almost of “epidemic proportions”, and would be even worse were it not for the volunteer “army” of litter pickers who give up their own time to help keep our streets, hedges and green spaces clean, despite many feeling that they are fighting a losing battle, can the appropriate Portfolio holder inform me, this Council and the people of Walsall, in relation to this:

- a) How many known-to-the -Council volunteers are there engaged in this admirable work?
- b) What is the approximate quantity of litter/rubbish they have taken off our streets in the last 12 months
- c) What is the annual financial cost to this Council to clean up the mess dropped by the anti-social fly tippers and litter droppers,
- d) How many “fixed penalties” for litter dropping/fly tipping have been issued and paid in the last 12 months,
- e) How many Court cases have taken place and/or pending with regard to fly tipping in the last 12 months,
- f) How many vehicles, proven to have been used to fly-tip, have been seized and crushed in the last 12 months,
- g) How many fly-tipping offenders have actually been “named and shamed” and finally

- h) In the interests of addressing a widely held public concern and in order to boost the morale of the volunteer litter pickers, what further deterrence action do you feel that Walsall Council needs to take in order to hold to account those who carry out this anti-social behaviour?

**Councillor Flint** gave the following response:

Picking up the first two points within the question, we currently have 963 volunteers from the Healthy Spaces Team and the Walsall Litter Community Programme

A mapping process will be undertaken in the next month to confirm where volunteers are and whether they are still participating in litter removal in any capacity, whether this is cleaning their own street or tackling larger areas within the Borough.

Volunteers between July 2022 and June 2023 removed approximately 20,905 bags of rubbish from the borough.

**Councillor Murphy** gave the following response:

Responding to part C of the question, the council spends approximately £880,000 per annum clearing up fly tipping and dropped litter.

This is an unacceptable cost and money that could be spent better elsewhere, especially as we have so many ways to dispose of our waste responsibly such as: bulky waste collections, two tips open seven days a week, offering larger grey household bins where needed, providing plenty of street litter bins and, running successful operations such as environmental crime scenes and Operation Clean Up which has recently taken place in Miner Street and Dalkeith Street.

**Councillor Perry** gave the following response:

Before I answer my part, I want to reiterate the comments by Councillor Murphy. £880,000. Every single pound that is spent on removing fly tipping and littering from our streets is a pound that we cannot spend on individuals like the foundation that we have heard from this evening.

Within the last year the Council has issued 1448 littering fixed penalty notices with 471 fixed penalty notices have been issued for littering from a vehicle.

Of those, over 900 have been paid. 300 that have not been paid have been prosecuted through the single justice procedure in the Magistrates Court and the rest are being pursued.



Regarding littering from vehicles, it is more difficult for us to pursue the fine that we issue because sometimes they are not the legal registered keeper, or the vehicle may have been cloned.

Of more complex nature is fly tipping which attract most of the media attention. We have issued 18 fixed penalty notices for those more challenging problems.

Whilst it is possible to identify perpetrators from the waste, we are largely reliant on our communities to inform us of who they may be. This is in addition to good quality CCTV images where available. We are not alone in that, and it is a challenge for our Black Country partners and is also sadly, a national challenge as well.

We are trialling new and innovative approaches to tackle Fly tipping. We have been using environmental crime scenes to highlight the crime which has been successful in certain parts of the Borough. More recently, in my own Ward, we successfully identified the fly tipper on a Walsall Housing Group (WHG) parcel of land.

In terms of court cases:

- 11 fly tip prosecutions have been completed or are pending with court dates due over the next days.
- 5 single justice procedure litter prosecutions completed or pending with court dates.
- When the notices are not paid, a review is undertaken as to whether it is appropriate to pursue the matter depending on the circumstances such as being able to trace the perpetrators. Whilst I believe it is worth us chasing that, sometimes we have to accept the inevitability and outcome.

With vehicles seized, the number has been three and one is currently in storage. We have a defined period of time we can keep it in storage if they do not let us know who owns it then vehicles can be crushed. Two have already been crushed as they were not claimed. If you ever visit the depot where they crush the vehicles, they will tell you more often than not they are not claimed because they are involved in crimes, so again, we are getting them off the street. That did not happen before so yes, three might seem a low number but that's three more than we ever did previously.

I am a big believe in naming and shaming. Yes, we have only had four in the last twelve months but, due to naming and shaming, we are able to pursue all of them for public prosecution for fly tipping. In addition, we publicise other activity around fly tipping and enforcement. It is not just the naming and shaming, sometimes it is the appeal for people to come forward and provide information, sometimes it is sharing images that we capture. We all remember the case of the individual who was dumping from a disability vehicle from a car that was registered for him as a

disabled user, but they had that rescinded and lost their car in the process but again, we are largely dependent on the community.

So, what are we doing differently? We are doing everything we can, not just in terms of the legislation and the ability to fine more but looking for innovative ways including CCTV and digitalisation of kerbside CCTV in high profile areas.

The 'crime scene' initiative has been highly successful in Palfrey and Birchills and we are rolling that initiative out. We are also recruiting an additional four Community Protection Enforcement Officers which will give us more power to tackle this really important issue.

Councillor Smith, as you and my colleagues have mentioned, we owe a debt to our volunteer workforce. Yes, there is nine hundred plus, not all of them are active but it does not matter if they are not registered and recorded, they are taking an interest in this issue. Huge efforts are being made to collect fly tipping from a few and we see it on social media. It is not just our problem, there are areas of this Borough as you will see evidenced and I know the leader will allude to it later, where people simply do not care. It does not matter what you do, whether you have great armies of litter pickers who take pride in their area and want to live in a Borough that's clean and green. We can enforce, target, we can do everything and use media coverage to discourage anybody from fly tipping but there are people in this Borough, whether they choose to live here, work here, or travel through who do not care.

So, what can we do? We have got to keep having these conversations, you have got to keep raising the profile. We will use everything at our disposal and are trying our best to live in a safer, stronger, cleaner borough.

**Councillor Smith** asked the following supplementary question:

Cognisant of the Council's pledge for the Borough to be cleaner and greener and that's at the forefront of the Leaders report Item 14 later on page 71 and which I fully support, will you commit this Council to wage war like never before against the fly tippers knowing that if you do, you will have the overwhelming support of the residents of the Borough of Walsall.

**Councillor Perry** replied as follows:

Yes, we are always up for waging war on these types of issues, but the community have got to be the army that back us.

**Councillor Murphy** replied as follows:

Yes.

**Councillor Flint** replied as follows:

Yes.

**Councillor Smith**

Given that the Department of Education fairly recently issued Guidance for maintained schools, academies, independent schools, and local authorities, published in May 2022 and to be applied from September 2022, entitled: “Working together to improve school attendance” and “Summary table of responsibilities for school attendance”.

where the former document states:

“As a minimum, however, all local authorities are expected to:

- Rigorously track local attendance data to devise a strategic approach to attendance that prioritises the pupils, pupil cohorts and schools on which to provide support and focus its efforts on to unblock area wide barriers to attendance.
- Have a School Attendance Support Team which provides the following core functions free of charge to all schools (regardless of type):
  - Communication and advice: regularly bring schools together to communicate messages, provide advice and share best practice between schools and trusts within the area.
  - Targeting Support Meetings: hold termly conversations with schools, using their attendance data to identify pupils and cohorts at risk of poor attendance and agree targeted actions and access to services for those pupils.
  - Multi-disciplinary support for families: provide access to early help support workers to work intensively with families to provide practical whole-family support where needed to tackle the causes of absenteeism and unblock the barriers to attendance.
  - Legal intervention: take forward attendance legal intervention (using the full range of parental responsibility measures) where voluntary support has not been successful or engaged with.
  - Monitor and improve the attendance of children with a social worker through their Virtual School.

and where the latter document contains a table outlining that Local Authorities are expected to:

- Have a strategic approach to improving attendance for the whole area and make it a key focus of all frontline council services.
- Have a School Attendance Support Team that works with all schools in their area to remove area-wide barriers to attendance.
- Provide each school with a named point of contact in the School Attendance Support Team who can support with queries and advice.
- Offer opportunities for all schools in the area to share effective practice.

and further given that there is presently widespread national media coverage about concerns relating to school attendance,

Can the appropriate Portfolio holder assure me, this Council and the public;

- a) That there is evidence that our local authority (Walsall) is meeting the expectations of the D of E guidelines outlined above and indicate where Councillors can access this evidence

and

- b) Comment on the issue of school attendance/absence in Walsall Schools in the light of the recent national media coverage on this subject?

**Councillor M. Statham** gave the following response:

The Department for Education (DfE) published non-statutory guidance in May 2022 to help schools, trusts, governing bodies, and local authorities maintain high levels of school attendance. The guidance will become statutory when parliamentary time allows. However, Walsall recognises the fundamental importance and adopted the recommendations in full in 2022.

Walsall schools share attendance data with LA, with monthly performance meetings focusing on strengths, concerns, and next steps. Half-termly data comparisons identify increases and decreases, and weekly attendance trackers support targeted support meetings.

Each school has a named point of contact who routinely works with schools to tackle the fundamental challenges that they face, using lessons learned from other schools. The Termly Targeting Support Meetings were established in the Spring Term for each School in Walsall. There has been really positive feedback from the meetings and schools feel confident in how to adapt their processes to meet their new expectations.

The Early Help Support in Walsall is embedded, and schools can provide early preventative support, and know how to source further advice and interventions when required. Schools are aware of referral processes and are advised to do so (if not already) where there are potential indicators of concern for children and their families and can be used to enhance and support collective understanding of risk.

The Vulnerable Learners Hub tracks and monitors attendance of children with a social worker. Staff liaise with schools and social workers to raise awareness of poor attendance and training is provided for teachers and safeguarding leads to improve educational outcomes.

So, in simplistic terms yes, I can provide the assurance that the DfE expectations are being met.

Moving on to question B, within Walsall we are in a very positive position however, many local authorities will need time to transition to meet the new expectations, therefore, local authorities should meet these expectations as far as possible for academic year 2022-2023.

A meeting with Walsall's DfE advisor in March reviewed the current approach and service model. A working group of head teachers has been established to provide strategic direction and leadership.

The Department for Education's national statistical release shows that:

- The national average for overall absence in 2021/22 was 7.6%.
- Walsall's overall absence rate was 0.3% higher than national average.
- When comparing Walsall's overall absence rate to statistical neighbours, Walsall improved from 12<sup>th</sup> to 8<sup>th</sup> (out of 13).
- National published attendance data is available on the gov.uk website at this link:

<https://www.gov.uk/government/collections/statistics-pupil-absence>

It is important for members of the public to recognise, it is the legal responsibility of every parent to make sure their child receives that education either by attendance at a school or by education other than at a school. Where parents decide to have their child registered at school, their

child must attend every day that the school is open, except in a small number of allowable circumstances such as being too ill to attend.

Where all voluntary support options are unsuccessful or are not appropriate, the local authority's school Attendance Support Team will liaise with the school and the early help lead practitioner or social worker (where applicable) to take forward attendance legal intervention in line with section 5 to formalise support and/or enforce attendance.

In line with new DfE guidance we have reviewed the way we work to ensure:

- robust assessments of parents' failings is evident in the support that has been offered,
- all support to remove any barriers to education, has been exhausted
- formalised support has been implemented or considered,
- and we feel that taking forward an attendance prosecution will bring about change.

In September there will be a report presented to Education Overview and Scrutiny Committee which will provide an update of on how Walsall continues to meet its statutory responsibility in regard to attendance.

**Councillor Smith** asked the following supplementary question:

In the light of your reply and cognisant of the Council's plan, the aim is that "inequalities are reduced" mentioned in the leader's report, Item 14, which I fully support. With a yes or no answer, do you agree with me that it would be consistent with this aim, reducing inequality, in relation to educational inequalities, that everything that can be done, will be done to reduce school non-attendance.

**Councillor Statham** replied as follows:

The simple answer is yes, obviously attendance is fundamental, and it is well recognised and documented that attendance is probably the single most influential factor in receiving a good education, so yes.

**Councillor Worrall**

Having been asked to help volunteers requiring permission to install a 24-hour defibrillator at the Grade 2 listed Manor Arms, Rushall, I have become aware of the bigger picture and ask Council as follows:

Do we have a policy as regards the provision of 24-hour access to defibrillators in Walsall and its district centres? If so, what it is? And whether or not we do, could we have a policy whereby we, with partners such as community groups, businesses, charities and the NHS, provide a

Borough-wide network of 24-hour access, together with publicity that identifies all defibrillator points across the Borough so that all residents, businesses, and other interested parties are aware of, and publicise, where these are and how and at what times they may be accessed in case of urgent need?”

**Councillor Perry** gave the following response:

We debated it last meeting in terms of the ability to roll out automated external defibrillators and bleed control kits. We don't have a policy but the intention behind that motion was to start the mapping exercise that's required. We have a partnership with our health service colleagues including West Midlands Ambulance Service and the British Heart Foundation to develop something called The Circuit.

It is a national defibrillator network providing a national overview of where defibrillators can be found. You can access this by putting your postcode into the defib finder webpage [www.defibfinder.uk/](http://www.defibfinder.uk/). It will identify the closest 10 devices to that postcode or location although, some of the new defibrillators that have been purchased are not on there so there is something about the message getting across, but it is starting to have an effect.

It is a national groundbreaking initiative, it gives cardiac arrest victims the best chance of survival by linking the national network of defibrillators to each of the 14 ambulance services in the UK and, it was started here in the West Midlands. It is not possible to access the full list of defibrillators in any given area because not all the guardians give consent or have consent to share their details on the main circuit database. The defibrillators list is a live document that is constantly updated once a device has been used. Most changes to defibrillator details will show on The Circuit within approximately an hour. A small number of changes such as decommissioning a defibrillator are part of that routine, so it is really important we support it. In the past many defibrillators were not used because emergency services and the public didn't know where they were, which is part of our ongoing campaign to make people aware of them and that could eventually cost lives if the infrastructure is not publicised, so it's vital.

The Circuit replaces the previous way of logging defibrillators on the 999 system where each of the 14 ambulance services across the UK have their database allocated to it. As I said, guardians or owners of a defibrillator are advised to register it. It is a voluntary process, requiring guardians to accept The Circuit's terms and conditions, that said we have already pledged to map locally where our defibrillators and bleed control kits are and that is working already at speed. Defibrillators don't need servicing as most models run daily, weekly, and monthly checks to ensure everything is in working order, it lets the people who own them know if there is an issue or fault.

I have already talked about awareness raising but again, The Circuit is co-funded by the British Heart Foundation, the NHS, the Resuscitation Council and St John Ambulance. You have specifically mentioned in your question the Manor Arms, I understand there was an issue there, I believe it is resolved because I looked into that, there could of been an alternative solution to that anyway and I also know that a nearby pub were also purchasing one as well as they informed me during the Coronation.

**Councillor Worrall** asked the following supplementary question:

I would appreciate if we could have a summary of what you have explained in writing. The Welsh Government has funded a defibrillator policy which includes the registration of and publicity for all 24-hour defibrillators within the area. The United Kingdom Government has now started the provision of these at every maintained school that needs one and I understand that is happening now.

I wanted to ask, would it be possible for our officers to provide a briefing note for all elected members outlining respective policies of the two Governments; suggesting how we might encourage schools to take up the Government's offer and, whether we should be asking the Government to consider a national automated external defibrillator registration scheme, which I think you have alluded to anyway.

**Councillor Perry** replied as follows:

The Circuit is the national scheme that everyone is encouraged to sign up to so they are dealing with that. They have just announced a further £10 million of funding for people to access through communities, not schools because they are being funded via the direct grant but, the £10 million is to allow other community groups to access that. I have asked officers to share that already, and through the community network so it gets as widely publicised as we can.

To go back to your other point about policy, the whole point of the last Motion that we moved was around getting that local policy set together in Walsall so we know where they are here, and we can map them accordingly.

**Councillor Smith** was unable to ask the following question as the time permitted for questions had expired. The Mayor advised that a response would be provided in writing.

Obstruction and other inconsiderate parking near school gates is a major problem, not restricted to any particular ward, though certainly a problem in parts of the Blakenall ward, including problems outside the Goldsmith Academy in Goldsmith Road.

Given that a Report entitled "Improving School Gate Parking" by the "School Gate Working Group" made the following recommendations:



## Engineering:

1. That the Council continue to support the roll out of the School Streets Programme through the continuation of investment into school enforcement static cameras.
2. The Head of Highways, Transport & Operations investigate, in consultation with the Head of Planning, the use of Section 106 contributions to improve the safety of roads surrounding schools.
3. That Head of Highways, Transport & Operations investigates the potential benefit of creating 20mph zones around schools as part of 'We Are Walsall 2040'.
4. That the Head of Highways, Transport & Operations investigate the creation of standard non-statutory signage for use on school premises outside schools in Walsall to encourage responsible driver behaviour with respect to parking and idling. The signage should include a warning that CEOs operate in the area. Partnership
5. That Officers of the Council work in partnership with West Midlands Police to combat problem areas for the school gate parking. The Working Group support the establishment of a liaison group (to discuss enforcement activity) between the Council and the Police.
6. Continue to encourage parents/carers and pupils to use alternative methods of travel to and from school
7. That the Council produce a new education campaign before the start of the new school year on the issue of road safety and school gate parking and to invite schools as part of this campaign to design new road signage and contribute to a road safety video aimed at parents and pupils.
8. To request that the Council's two representatives currently sitting on the Transport for West Midlands Transport Delivery Committee raise the relevant recommendations of this working group at a strategic level.
9. Request that the Portfolio Holder for Education and the Executive Director of Children's Services write to all head teachers in the Borough to highlight best practice, and provide guidance (including the A\*Stars programme) in relation to safety of children on roads near their schools.

## Education:

10. That the Council continue to encourage schools currently not participating in the A\*STARS programme to become involved.

11. To encourage, through the A\*STARS Programme, parents/carers to access schools via sustainable modes, but if they must drive to park five minutes' walk from the school gate to alleviate congestion and to contribute to public health. a. Schools are requested to identify local parking provision (where possible) to provide park and walk opportunities.

Enforcement:

12. That the Head of Highways Transport & Operations explores the extension of Traffic Regulation Officers surrounding schools to maximise their use to improve safety.
13. To request that the Portfolio Holder for Regeneration write to the Secretary of State for Transport to ask that the Government support the rollout of powers to Councils to enforce via CCTV Traffic Regulation Orders and that loopholes in the existing legislation be closed, including supporting the granting of powers to Councils to enforce obstructions of highways offenses.
14. That the Council uses the Moving Traffic Offences powers once granted.
15. That the Head of Highways Transport & Operations work with APCOA to explore changing the uniform of Civil Enforcement Officers to make them more visible to the public and act as a deterrent.
16. That the level of enforcement around schools is increased.

and given that Cabinet at its meeting of 19<sup>th</sup> April 2023 upon consideration of the Report resolved to:-

1. Receive the recommendations of the Scrutiny Overview Committee in relation to School Gate Parking, and;
2. Agreed to take a report to a future meeting to respond to the working group report.

Can the Leader or the appropriate Portfolio holder inform me, this Council and the public what progress has been made to date to implement the recommendations of the Working Group, especially in relation for their recommendation that "the level of enforcement around schools is increased?"

### 30. **Treasury Management Annual Report**

The report to Cabinet on 21<sup>st</sup> June, 2023 was submitted.

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

**Resolved**

That in line with the requirements of the Treasury Management Code of Practice (2021), the Annual Treasury Management Report 2022/23 including prudential and local indicators (Appendix A) be noted.

31. **Audit Committee Role and Remit and Work Programme 2023/24**

The report to Audit Committee on 26<sup>th</sup> June, 2023 was submitted.

It was **moved** by Councillor Singh Sohal, seconded by Councillor Bird and:

**Resolved**

That the revised remit and proposed officer delegations be approved.

32. **Standards Committee Remit**

The report to Standards Committee on 12 April, 2023 was submitted.

Several members spoke on the importance of upholding the standards expected of members.

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

**Resolved:**

That the revised remit of the Standards Committee be approved.

33. **Merrion's Wood Charity**

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

**Resolved:**

That Councillor Gandham be appointed as a Trustee of the Merrion's Wood Charity.

34. **West Midlands Pension Fund**

No nominations were received.

35. **Portfolio Holder Briefing**

**Leader of the Council**

Councillor Bird gave a presentation.

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

36. **Notice of Motion – Vaping**

The following notice of motion was **moved** by Councillor Perry and seconded by Councillor Andrew:

In the past few years, vaping among adolescents has risen sharply, both nationally and internationally. Action on Smoking Health (ASH) data shows that 8.6% of 11- to 18-year-olds in England vaped in 2022, compared with 4% in 2021. The charity also reported that among those who tried vaping, 40.1% had never smoked before.

Recent Chartered Trading Standards Institute research found that 60% of local trading standards services report high street shops selling vapes or vaping products to children. Trading standards teams reported a significant rise in underage vape sales last year, with more than a fifth of youngsters buying vaping products from newsagents while 16.3% buying them from a supermarket. Walsall seems to mirror this trend with most secondary schools seizing vaping products in school premises as well as a high number of shops selling these products to underage.

The effects of e-cigarettes and vaping are still not yet fully understood - which is especially important in the context of young people, as their lungs are still developing. There is growing evidence that e-cigarettes can help people manage their nicotine cravings – but this isn't without risk. While research has shown vaping poses a small fraction of the risks of smoking, it is deeply worrying that more and more children – who have never smoked – are starting vaping.

The LGA has called on its members to step up enforcement to deal with growing numbers of shops selling vapes to children despite the 18-age limit, with many “especially concerned” by child-friendly marketing, including colourful packages.

<https://www.local.gov.uk/about/news/vapes-need-be-out-sight-and-out-reach-tackle-underage-sales-lga>

This Council therefore agrees the following:

- To write to the Secretary of state for tighter regulations on the marketing of vape products, including licensing of premises, a ban on

brightly coloured packaging and a review of the flavours vape companies use which are likely to appeal to children.

- Call for harsher punishments for companies which flout advertising rules to promote their products on social media, and for more licensing powers to allow local authorities to ban the sale of e-cigarettes in shops near schools.

In addition, that we work with regional trading standards partners continuing to

- Carry out regular test purchases and have seized products and issue fixed penalty notices when a business has been found to be in breach of the law.
- Implement mandatory age-of-sale signage on vaping products.
- Implement sanctions for breaching these rules should also be the same as penalties handed out under tobacco display regulations.

## **Resolved**

In the past few years, vaping among adolescents has risen sharply, both nationally and internationally. Action on Smoking Health (ASH) data shows that 8.6% of 11- to 18-year-olds in England vaped in 2022, compared with 4% in 2021. The charity also reported that among those who tried vaping, 40.1% had never smoked before.

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- Implement mandatory age-of-sale signage on vaping products.
- Implement sanctions for breaching these rules should also be the same as penalties handed out under tobacco display regulations.

### 37. **Notice of Motion – Walsall Market**

The following notice of motion was **moved** by Councillor Nawaz and seconded by Councillor K. Hussain:

This Council recognises;

- The concern of the public at the current state of Walsall Town Centre and the lack of people coming into the Town Centre
- The opinion of local businesses that see more people coming into the Town Centres when markets are operating
- The importance of a thriving Town and District Centres for the economic success of our borough
- The pride that the people of Walsall have in the fact that Walsall and the district centres once had thriving markets
- Walsall's 1200 year old Royal Charter protecting the rights of the markets in Walsall

- The long and proud history of Walsall Town and District Centre markets, remembered fondly by generations of residents and visitors
- The market plays a crucial role in bringing people into our Town and District centres
- Following the pandemic Walsall Town Centre market has been operating on reduced days from pre pandemic days whereas District Centre Markets have gone back to their 'normal days' of operating
- There is public support for the Town centre market to be operated for more than the current two days.

This Council calls upon the administration to:-

Increase the number of days that the Walsall Town centre market operates back to pre-pandemic days – 5 days a week – to help Walsall remain a Town known for its vibrant market helping to bring people back into the Town centre.

**Amendment** moved by Councillor Bird (additional wording in bold and deleted words struck through), and seconded by Councillor Andrew that:-

This Council recognises;

- ~~The concern of the public at the current state of Walsall Town Centre and the lack of people coming into the Town Centre~~
- ~~The opinion of local businesses that see more people coming into the Town Centres when markets are operating~~
- ~~The importance of a thriving Town and District Centres for the economic success of our borough~~
- ~~The pride that the people of Walsall have in the fact that Walsall and the district centres once had thriving markets~~
- ~~Walsall's 1200 year old Royal Charter protecting the rights of the markets in Walsall~~
- ~~The long and proud history of Walsall Town and District Centre markets, remembered fondly by generations of residents and visitors~~
- ~~The market plays a crucial role in bringing people into our Town and District centres~~

- ~~Following the pandemic Walsall Town Centre market has been operating on reduced days from pre pandemic days whereas District Centre Markets have gone back to their 'normal days' of operating~~
- ~~There is public support for the Town centre market to be operated for more than the current two days.~~

This Council calls upon the administration to:

**That Cabinet receives a report setting out the business case to increase the number of days that the Walsall Town centre market operates back to pre-pandemic days – 5 days a week. To include options for Continental and Street Food markets in Walsall and the District Centres at rents to achieve profitability or at worst cost neutral and investigate the most efficient way to manage the Market Service to help Walsall remain a Town known for its vibrant market helping to bring people back into the Town centre.**

On being put to the vote, the amendment was declared **carried** and became the substantive motion.

Members voted on the substantive motion and it was :-

### **Resolved**

This Council calls upon the administration:

That Cabinet receives a report setting out the business case to increase the number of days that the Walsall Town centre market operates back to pre-pandemic days – 5 days a week. To include options for Continental and Street Food markets in Walsall and the District Centres at rents to achieve profitability or at worst cost neutral and investigate the most efficient way to manage the Market Service to help Walsall remain a Town known for its vibrant market helping to bring people back into the Town centre.

## 38. **Part II – Private session**

### **Exclusion of public**

### **Resolved**

That during consideration of the remaining item on the agenda, the Cabinet considers that the item for consideration is exempt information by virtue of the appropriate paragraph(s) of Part I of Schedule 12A of the Local Government Act, 1972, and accordingly resolves to consider the item in private.



39. **Appointment of Interim Chief Executive**

A report was submitted.

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

**Resolved:**

That Emma Bennett be appointed to the post of Chief Executive (Head of Paid Service) with effect from Autumn 2023 and delegate authority to the Director of Human Resources, Organisational Development and Administration & Business Support, to commence contractual negotiations, in consultation with the Leader of the Council.

The meeting terminated at 8:46 p.m.

Mayor:

Date: