



Walsall Council

Minutes of the **MEETING** of the Council of the Walsall Metropolitan Borough held on **Monday 10th January 2011 at 6.00 p.m.** at the Council House.

Present

Councillor A.G. Clarke (Mayor) in the Chair

Councillor G. Perry (Deputy Mayor)

“ A.J.A. Andrew
“ R.E. Andrew
“ T.G. Ansell
“ D.A. Anson
“ I. Azam
“ J.M. Barton
“ L.A. Beeley
“ O.D. Bennett
“ C. Bott
“ P. Bott
“ R. Burley
“ R. Carpenter
“ B. Cassidy
“ K. Chambers
“ D. Coughlan
“ S.P. Coughlan
“ C.U. Creaney
“ B.A. Douglas-Maul
“ M. D. Flower
“ A.D. Harris
“ L.A. Harrison
“ E.F. Hughes
“ P.F. Hughes
“ L.D. Jeavons
“ M. Longhi

Councillor S.W. Madeley

“ Ms. R.A. Martin
“ Mrs. B.V. McCracken
“ M. Munir
“ Mushtaq Ahmed
“ M. Nazir
“ T.S. Oliver
“ A.J. Paul
“ K. Phillips
“ D.J. Pitt
“ L.J. Rattigan
“ I.C. Robertson
“ J. Rochelle
“ B. Sanders
“ K. Sears
“ Mrs. D.A. Shires
“ I. Shires
“ P.E. Smith
“ R.M. Thomas
“ C.D.D. Towe
“ F.J. Westley
“ G. Wilkes
“ V.G. Woodruff
“ M. Yasin
“ Zahid Ali

77. **Apologies**

Apologies for non-attendance were submitted on behalf of Councillors Arif, Bird, Cook, O'Hare, E.E. Pitt, Sarohi, Turner and Twedde.

78. **Minutes**

Resolved

That the minutes of the meeting held on 8th November 2010 copies having been sent to each member of the Council, be approved as a correct record and signed.

79. **Declarations of interest**

There were no declarations of interest.

80. **Mayor's announcements**

The Mayor, on behalf of the Council, welcomed Councillor Rattigan to her first Council meeting and the Chief Executive, at the request of the Mayor, confirmed that Councillor Rattigan had signed her acceptance of office in accordance with Section 83 of the Local Government Act, 1972.

81. **Petitions**

The following petitions were submitted:

- (1) Councillor D. Shires – gritting of Furzebank Way, Willenhall
- (2) Councillor I. Shires – residents parking at Woodward's Place

82. **Question by member of the public**

Bin collections

Mr. R. Day of Littleton Road, Willenhall asked the following question of Councillor Harris:

“Could the Cabinet member explain why some residents of the Borough were not informed about the change from brown bin to green bin collections as not all residents receive free newspapers?”

Councillor Harris thanked Mr Day for attending the meeting and said that the decision to suspend the brown bin service in advance of the scheduled Christmas closedown was due to the severe inclement weather conditions. Few households were using their brown bin at this time of year as garden waste was minimal and the priority was to maximise the collection of recyclable materials and residual waste.

He said that normally we communicate any planned changes in the service by direct mail to each householder. Unfortunately during periods of inclement weather this is not always possible. We communicated the decision to residents in as many ways as practical, including the Express & Star on 16th and 17 December, together with Walsall Advertiser and Walsall Chronicle, the Council's website, Twitter, Facebook, information provided to local radio stations and also contact centres.

Despite the severe inclement weather there was only one day when no collections were made and on every other day we maintained a daily minimum service of approximately 70%. You may have heard Mr. Day that one or two local authorities have attracted some criticism on radio and TV, for not being able to collect household waste adequately over the Christmas period leaving some households waiting more than a month for a collection. I am pleased to report that this did not happen in Walsall – indeed we were commended on national radio for the service we were able to continue despite the weather. Having said that I do appreciate that not all households were aware of our decision and I regret any inconvenience to householders such as yourself.

Mr. Day asked the following supplementary question:

Could you give a guarantee that any future changes to the brown and green bin collection services will be properly communicated by a method accessible by all members of the public?

Councillor Harris replied that since 20th June 2006, Mr. Day had been in contact with officers on 14 occasions and had spoken to Councillors Flower and Bird in extensive conversations. Councillor Harris said that he could not give any guarantees, however, he would do everything practical to make sure that residents received up to date information on any proposed changes.

83. Questions by members of the Council

(1) Benefits based charging

Councillor Smith asked the following question of Councillor McCracken:

Given that the Cabinet at a meeting on 15 December 2010 received a report outlining a so called "estimated net saving" of £10.5 million over the 3 years 2011/2014 through the scrapping of the fairer charging policy and the introduction of a benefits based charging system to those in need of care services and given that this will mean new care charges to those who previously had services at no cost, big increases in charges for many

more recipients of care, risks to life and the quality of life for those who feel they cannot afford this and thus go without care as well as bringing about what might be a “hidden agenda” goal of a sharp decline in the uptake of local authority community based services, would you, the portfolio holder accept that the implementation of this policy would amount to nothing less than the exploitation of some of our most vulnerable citizens and their use by the Council as the “cash cow” to help fill the Council’s depleted coffers?

Councillor McCracken said that she did not accept the challenge or charge, the policy was being introduced on fairness and equality. Some people would have to pay if it was shown that they were able to pay. She had no idea if the charges were big, small or medium. It was not right to frighten people. She took exception to Councillor Smith’s assumption that anyone’s life would be put at risk. Whether this was being done by officers or members. His job as ward Councillor was to make us aware of any risk to life and not where there was no evidence. She went on to say that she had every confidence in the department and she did not have a hidden agenda. The policy introduced by her would be for the benefit of this borough.

She asked for Councillor Smith to point to any policy not well planned and or well thought out. If it was shown she will investigate immediately. She continued by saying that she was attempting to make sure everyone gets maximum entitlement in line with the resources available. Policies must be brought in without scaremongering. The issue of meals on wheels raised by Councillor Smith in the newspapers was a disgrace.

Councillor McCracken replied that the benefits based charging model is a simple and fair system, relating to charges for services to the level of disability benefits which people receive from the Department for Work and Pensions to meet their disability related needs. Everyone knows about people who receive a higher level disability allowance for a car with three users and many cases where the car is not used by the disabled person. That person also receives free transport to the day centre this means that someone is receiving double the benefit, whilst someone else loses out. This is the basis of the benefits based model.

She said that no disabled or vulnerable person who receives services from the Council will be required to pay anything whatsoever where they receive only the level of income judged necessary by the Department of Work and Pensions to meet all of their daily living needs. It is right and proper however, that where people receive additional benefits, specifically aimed at meeting their disability related needs, that these benefits are used for that purpose. Therefore, no person who requires help from the Council needs to cease receiving that service under any circumstances. It is wrong to suggest that the Council are misleading people. Everything has gone through scrutiny to Cabinet and back to scrutiny. She tried to incorporate all scrutiny suggestions and approach scrutiny before going to Cabinet.

Councillor Smith asked the following supplementary question:

In the light of Councillor McCracken's misleading response had she read the papers which were submitted to Cabinet on 15 December 2010 in which it was stated that there would be an increase in costs to disabled people?

Councillor McCracken replied that she acknowledged that there would be an increase in charges, but some people would pay more, some less and a lot would not pay anything when they had paid in the past. She said that this would be a fairer system.

(2) **Grit boxes**

The question was withdrawn

(3) **Stafford Street, Walsall**

Councillor Smith asked the following question of Councillor A. Andrew:

Would the portfolio holder inform me, the Council and the public what action, if any, this Council has taken over the last decade to address the situation of long time boarded up properties on one of the main arterial routes to Walsall from the north of the borough, namely Stafford Street whose dilapidated appearance in many locations on the street, not only flies in the face of the Council's so called priorities (namely "improving the quality of our environment" and "increasing enterprise and making Walsall a vibrant borough") but is also a disgrace to the borough and is undermining those businesses that are struggling to operate along this street amongst the surrounding dilapidation and dereliction?

Councillor Andrew replied that he was in constant dialogue with owners and agents. He said that we are aware that there are a number of vacant units along Stafford Street, some of which have been in a poor state of repair for some years, however, they are all in private ownership. He asked Councillor Smith how many units he had reported to the enforcement team. He went on to say that every effort was being made to get buildings back into use.

(4) **Remodelling the library service**

Councillor Smith asked the following question of Councillor Harris:

Given that the Cabinet received a report on 15 December 2010 which outlined possible net savings of £1,347,748 (a fairly precise figure), in the 2 years from 2012 to 2014 from "remodelling of the library service", would the portfolio holder like to inform me, the Council and the public, how many libraries in the Borough are likely to be closed or cease to be Council run libraries as a result?

Councillor Harris replied "six".

(5) **Walsall Council job losses**

Councillor Smith asked the following question of Councillor Towe:

Given that Walsall Council's agreed "vision" and so called 9 priorities include "reducing worklessness and creating opportunity and potential", can I ask the appropriate portfolio holder to envisage and share with me, the Council and the public, an estimate of the number of people who will lose their jobs with Walsall Council over the next 4 years as a result of the savage cuts being planned?

Councillor Towe replied that we intend to continue to contribute to the local economy and to play a part in reducing worklessness, despite the significant challenges we face. The Council has:

- Enabled the provision of 215 temporary jobs for unemployed people in Walsall through the Future Jobs Fund in 2009/10, with a further 115 being delivered for 2010/11.
- Employed 45 young people on apprenticeships since summer 2009, with potential for a further 14 to come into post before the end of the financial year.
- Employed 12 disabled people on its Recruit-ability scheme in 2010/11, providing valuable paid work experience.
- Will have provided 75 school student work experience placements (1-2 weeks) and around 20 Adult work experience placement (4 weeks plus) during 2010/11
- Provided 10 Recruitment outreach events attended by over 750 jobseekers.

Councillor Towe went on to say that on the issue of job losses, savage cuts do not help us to deal with this matter. We have had to face a massive loss in funding in 2011/12, over £42 million consequently cuts in spending levels are necessary. It is proposed therefore in the draft budget for 2011/12 that there will be 440 job losses.

(6) **Security in parks cemeteries and playgrounds**

Councillor Smith asked the following question of Councillor Harris:

Given that Walsall Council's agreed "vision" and so called 9 priorities include "reducing crime and feeling safe", would the portfolio holder inform me, this Council and the public, of the number of post holders with security related responsibilities in the borough's parks, cemeteries and playground sites, especially given what seems to be a growing level of vandalism, criminal damage, theft and arson on many of these sites and especially given that on 15 December 2010 Cabinet approved a report which outlined the deletion of 5 park ranger posts despite a warning in the same report of associated risks of vandalism, graffiti, criminal damage and arson?

Councillor Harris replied there is an establishment of 26 staff who have specific security and enforcement responsibilities for parks, cemeteries and playgrounds. The staff are responsible for the management and development of 1320 hectares of public open space covering over 295 sites.

Park rangers are often responsible for more than one location and travel between different sites. They also work a shift system.

The services provided by Green Spaces and Bereavement and Registration in our parks, play areas, open space and countryside as well as the cemeteries are highly thought of and very professionally delivered. The inclusion of enforcement powers within the ranger service will increase their effectiveness at dealing with anti social behaviour and the other problems which Cllr Smith refers to.

Councillor Harris said that we don't just rely on these staff for security. We have the greenspaces hotline to encourage park users to report problems. We are working with area managers and friends of parks groups to deal with environmental problems in parks.

(7) Transport for social services care clients

Councillor Smith asked the following question of Councillor McCracken:

Given that at the Cabinet meeting of 15 December 2010, Cabinet approved a report outlining an estimated net saving of £300,000 over the 3 years 2011 to 2014 on transport for social service care clients and given the report includes a somewhat questionable assessment that "the proposal; has no adverse affect on service users", why is it, therefore, that such savings were not made earlier?

The Mayor pointed out that the time for questions was almost complete.

On a point of order, Councillor Madeley asked that "should not the time for questions be allocated to the person asking the question and not the person replying".

The Mayor replied that this process had been implemented with the agreement of the three group leaders.

He then invited Councillor McCracken to reply to the question.

Councillor McCracken replied that the proposed reduction in expenditure reflects the priorities set nationally, both under the previous Government and under the current Government, in respect of the personalisation agenda for adult social care over the next several years.

(8) Green, grey and brown bin service

As the time allocated to questions had expired the question was not dealt with.

84. **Mayoralty 2011/12**

It was **moved** by Councillor A. Andrew and seconded by Councillor Towe:

That Councillor G. Perry be nominated as Mayor and Councillor M. Yasin be nominated as Deputy Mayor of the Walsall Metropolitan Borough Council for the municipal year 2011/2012.

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

Resolved

That Councillor G. Perry be nominated as Mayor and Councillor M. Yasin be nominated as Deputy Mayor of the Walsall Metropolitan Borough Council for the municipal year 2011/2011.

85. **By-election result – 11th November 2010**

The Council noted the result of the by-election for the Rushall-Shelfield Ward on 11th November 2010 as follows:

Names of candidates	No. of votes polled	Candidate elected
Beech, Mark William	42	
Melville, Timothy Neil	90	Lorna Jean Rattigan
Rattigan, Lorna Jean	639	
Vaughan, William Ralph	141	
Worrall, Richard Vernon	611	

Turnout 15.95%

86. **Recommendation of Cabinet – Black Country Joint Core Strategy**

The report was submitted.

It was **moved** by Councillor A. Andrew, duly seconded and:

Resolved

That Black Country Joint Core Strategy be adopted at the same time as other authorities on 3 February 2011 in accordance with Section 23(5) of the Planning and Compulsory Purchase Act 2004.

87. **Corporate parenting strategy**

The report was submitted.

It was **moved** by Councillor R. Andrew, duly seconded and

Resolved

That Walsall's approach to corporate parenting be noted and the Corporate Parenting Strategy set out at Appendix 1 of the report be approved.

88. **Designation of Statutory Scrutiny Officer**

The report was submitted.

It was **moved** by Councillor A. Andrew, duly seconded and:

Resolved

That the Executive Director, Children's Services be designated as the Statutory Scrutiny Officer.

89. **Local Admission Forum – appointment of members**

The report was submitted.

It was **moved** by Councillor R. Andrew, seconded by Councillor A. Andrew and:

Resolved

(1) That Helen Keenan (Foundation schools, secondary) be appointed as a member of the Walsall Admission Forum for a four year term of office (subject to continuing eligibility) from 10 January 2011.

(2) That further reports be received following receipt of further nominations.

90. **Review of Polling Districts and Polling Places 2011**

The report was submitted.

It was **moved** by Councillor A. Andrew, duly seconded and:

Resolved

(1) That option 2 set out in paragraph 4 of the report be followed for the review of polling districts and polling places.

- (2) That a member working group be established, nominations to be notified to the Chief Executive.

91. **Portfolio holder briefings**

(a) **Councillor Ali, Communities and partnerships**

Councillor Ali, portfolio holder for Communities and partnerships gave a presentation.

Members made comments on the presentation which were responded to by Councillor Ali

(b) **Councillor Harris, Leisure, culture and environment**

Councillor Harris, portfolio holder for Leisure, culture and environment gave a presentation.

Members made comments on the presentation which were responded to by Councillor Harris.

92. **Membership of Scrutiny and Performance Panels**

Resolved

That the following changes in membership of Scrutiny and Performance Panels for the remainder of the current municipal year be noted:

- Community Services Scrutiny and Performance Panel – Councillor Rattigan in place of Councillor Douglas-Maul.
- Social Care and Inclusion Scrutiny and Performance Panel – Councillor Rattigan in place of Councillor O’Hare.

93. **Notice of motion – Agency social workers**

The report was submitted.

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

This Council notes with concern the vast sums of money spent on agency social workers within children's specialist services - just under £3.8m over the last 3 years.

With a substantial reduction in spending in mind, coupled with the need to provide ever more efficient specialist services to our most vulnerable children and young people, this council resolves to urgently address this waste of tax payers money by;

- Agreeing to increase the levels of pay of social workers in Walsall to match that of our neighbours in the rest of the West Midlands and Staffordshire as they are currently 30% less than Staffs County Council and the second lowest in the black country and
- ensuring that current recruitment and retention processes are thoroughly reviewed as a matter of urgency to see where they can be improved.

On being put to the vote the motion was declared lost – 23 members voting in favour and 28 against.

94. **Notice of motion – Post offices**

The report was submitted.

The following motion, notice of which had been duly given was **moved** by Councillor I. Shires and seconded by Councillor D.A. Shires:

Council notes that the last Labour government closed over 5,000 Post Offices including many across Walsall borough.

Council welcomes the coalition government's plans for post offices, where there will be investment of £1.3 billion in the post office network and post offices will become one-stop shops and a central point of community life. Post offices will open longer with 80% of bank accounts will be accessible in your local post office, they will also offer information for jobseekers with post office services being offered at the shop till. Small local shops will also be able to provide post offices services.

Council will endeavour to put as much business through the post office network as possible i.e. Council tax payments and other Council services.

Council instructs the Chief Executive to write to the Postal Affairs Minister, Ed Davey MP giving this Council's full support.

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

Resolved

Council notes that the last Labour government closed over 5,000 Post Offices including many across Walsall borough.

Council welcomes the coalition government's plans for post offices, where there will be investment of £1.3 billion in the post office network and post offices will become one-stop shops and a central point of community life. Post offices will open longer with 80% of bank accounts will be accessible in your local post office, they will also offer information for jobseekers with post office services being offered at the shop till. Small local shops will also be able to provide post offices services.

Council will endeavour to put as much business through the post office network as possible i.e. Council tax payments and other Council services.

Council instructs the Chief Executive to write to the Postal Affairs Minister, Ed Davey MP giving this Council's full support.

95. **Notice of motion – Education Maintenance Allowance**

The report was submitted.

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

This Council offers its support to the democratic campaign by students in Walsall and across the country against the abolition of the Educational Maintenance Allowance (EMA) by the coalition government.

This Council notes the relatively low attainment and achievement of many of our young people through the educational system, and supports such measures which encourage our communities to improve their skills, qualifications and life chances. We believe that the EMA enhances the opportunities for young people from less well-off backgrounds to remain in education - as opposed to the alternative for many of becoming NEET (not in employment, education or training).

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 -
23 members**

Cllr: Oliver
I. Shires
Anson
Barton
C. Bott
P. Bott
Burley
Cassidy
Chambers
D. Coughlan
S. Coughlan

**Against the motion -
27 members**

Cllr: A. Andrew
R. Andrew
Ansell
Azam
Beeley
Bennett
Carpenter
Clarke
Douglas-Maul
Flower
Harris

Creaney
P. Hughes
Jeavons
Madeley
Nazir
Phillips
Robertson
D.A. Shires
Smith
Thomas
Westley
Woodruff

Harrison
E. Hughes
Longhi
Martin
McCracken
Munir
Paul
Perry
D.J. Pitt
Rattigan
Rochelle
Sanders
Sears
Towe
Yasin
Zahid

The meeting terminated at 8.45 p.m.