



Walsall Council

Minutes of the **MEETING** of the Council of the Walsall Metropolitan Borough held on **Monday 8th November 2010 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
“ M. Arif
“ I. Azam
“ J.M. Barton
“ L.A. Beeley
“ O.D. Bennett
“ M.A. Bird
“ R. Burley
“ R. Carpenter
“ B. Cassidy
“ K. Chambers
“ J. R. Cook
“ D. Coughlan
“ S.P. Coughlan
“ C.U. Creaney
“ B.A. Douglas-Maul
“ A.D. Harris
“ L.A. Harrison
“ E.F. Hughes
“ P.F. Hughes
“ L.D. Jeavons

Councillor M. Longhi

“ S.W. Madeley
“ Ms. R.A. Martin
“ Mrs. B.V. McCracken
“ Mushtaq Ahmed
“ J.G. Hare
“ T.S. Oliver
“ A.J. Paul
“ K. Phillips
“ D.J. Pitt
“ I.C. Robertson
“ J. Rochelle
“ B. Sanders
“ K. Sears
“ Mrs. D.A. Shires
“ I. Shires
“ R.M. Thomas
“ C.D.D. Towe
“ D.J. Turner
“ W.T. Tweddle
“ F.J. Westley
“ G. Wilkes
“ V.G. Woodruff
“ M. Yasin
“ Zahid Ali

62. **Apologies**

Apologies for non-attendance were submitted on behalf of Councillors C. Bott, P. Bott, Flower, Munir, Nazir, E.E. Pitt, Sarohi and Smith.

63. **Minutes**

Resolved

That the minutes of the meeting held on 13th September 2010, copies having been sent to each member of the Council, be approved as a correct record and signed.

64. **Declarations of interest**

All members present declared a personal interest in item 9 – Members allowances scheme.

65. **Mayor's announcements**

As this was the last meeting of the year, the Mayor invited members to join him for drinks in the Mayor's Parlour at the conclusion of the meeting.

66. **Petitions**

The following petitions were submitted:

- (1) Councillor Martin – relocation of informal football area to an alternative location in the Arboretum
- (2) Councillor D. Shires – bus service to connect Summer Hayes and Dovedale estates to the Manor and New Cross Hospitals

67. **Question by member**

Street lighting contract

Councillor Robertson asked the following question of Councillor Ansell:

“How many times has Amey not delivered as agreed in the street lighting contract in each quarter over the last two years and what fines have then been imposed? Also what costs have been charged in each of these quarters to the Council and partners for other services such as installation of signs on these lamp posts?”

Councillor Ansell replied that the public lighting PFI contract was signed in 2002. The contractor must comply with performance standards as set out in the specification otherwise deductions would be made to the monthly unitary charge.

The key issues were how many lighting columns were working correctly and how long it took to repair faults. He was pleased to report that performance on both issues had improved over the last two years.

In 2008/09 the percentage of lighting columns fully operational was 98.8% rising in 2009/10 to 99.4%, both higher than the contract of 98%. The number of days taken to repair faults had reduced from 2.9 days in 2008/09 to 2.5 days in 2009/10 – both well within the contract target of 5 working days.

However, the contractor had deductions of £2,916 during the year 2008/09 and £1,276 during 2009/10. These were for individual cases where it took longer to either repair identified faults or update the asset database.

He said that the agreement did not permit the installation of certain specified signs and attachments such as neighbourhood watch, public safety, regulatory signs and developers signs (yellow signs). On average the Council received £5,000 in both 2008/09 and 2009/10 for these.

Councillor Robertson asked the following supplementary question:

What rebate have we received for the fact that a number of roads were due to be lit but have not, plus the pro-rate refund of maintenance costs? Does all street lighting now comply with contract stated standards, such as being painted as required and straight plumb and true? He referred to Little Hardwick Road where in the contract we were promised 30 columns, but these were not delivered and there were other examples, such as a light out for over 2 years at Clayhanger roundabout and there were other examples. He has been told that hundreds of columns were not straight and many not painted as specified in the contract. Also the lumen records showed that many areas were not lit to the standard required in the contract.

Councillor Ansell said that he would supply Councillor Robertson with information in reply to his supplementary question.

68. Recommendation of Licensing and Safety Committee – Review of statement of licensing policy

The report was submitted:

It was **moved** by Councillor Sears, duly seconded and:

Resolved

That the changes to the Council's current statement of licensing policy contained in Appendix 2 of the report be approved.

69. **Members allowances**

The report was submitted.

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

That the Council notes the recommendations of the Independent Remuneration Panel, thanks them for their work in producing the report before the Council this evening and agrees to defer any action regarding changes to the level of allowances until the review date in 12 months time.

Amendment moved by Councillor Oliver and duly seconded:

That the Council notes the recommendations of the Independent Remuneration Panel, thanks them for their work in producing the report before the Council this evening and agrees to defer any action regarding changes to the level of allowances for the duration of the current 2 year pay freeze imposed on Council staff.

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

**For the amendment -
21 members**

Cllr: Oliver
I. Shires
Anson
Barton
Burley
Cassidy
Chambers
Cook
D. Coughlan
S. Coughlan
Creaney
P. Hughes
Jeavons
Madeley
Phillips
Robertson
D.A. Shires
Thomas
Westley
Wilkes
Woodruff

**Against the amendment -
30 members**

Cllr: Bird
Ahmed
A. Andrew
R. Andrew
Ansell
Arif
Azam
Beeley
Bennett
Carpenter
Clarke
Douglas-Maul
Harris
Harrison
E. Hughes
Longhi
Martin
McCracken
O'Hare
Paul
Perry
D. Pitt
Rochelle
Sanders
Sears

Cllr. Towe
Turner
Tweddle
Yasin
Zahid Ali

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

Resolved

That the Council notes the recommendations of the Independent Remuneration Panel, thanks them for their work in producing the report before the Council this evening and agrees to defer any action regarding changes to the level of allowances until the review date in 12 months time.

70. **Appointment of independent member to Standards Committee**

The report was submitted.

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

Resolved

That Mr. Mohinder Singh be appointed an independent member to the Standards Committee for a period of three years until the end of the municipal year 2013/14.

71. **Portfolio holder briefing – Social care and health**

A briefing note was submitted

Councillor McCracken portfolio holder for Social care and health gave a presentation

Councillors Chambers, Jeavons, Burley, Robertson and S. Coughlan made comments which were responded to by Councillor McCracken.

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

Resolved

That the following appointments to Scrutiny and Performance Panel in place of the late Councillor Griffiths for the remainder of the municipal year be noted:

- Corporate Scrutiny and Performance Panel – Councillor Sanders
- Environment Scrutiny and Performance Panel – Councillor Munir
- Social Care and Inclusion Scrutiny and Performance Panel – Councillor Azam

73. **Catherine Walker Charity**

Resolved

That Councillor K. Phillips be appointed a trustee of the Catherine Walker Charity for the balance of the 4 year period expiring on 14th September 2013, in place of Councillor Cassidy.

74. **Notice of motion – Building Schools for the Future**

The report was submitted.

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

This Council welcomes the decision of the Secretary of State for Education to re-instate the building projects at Darlaston and Shelfield secondary schools, following the significant concerns caused by the unnecessary delay.

However this Council remains appalled by the actions of the Secretary of State in cancelling the Walsall Building Schools for the Future wave 6a programme affecting the future of six of our secondary schools (Joseph Leckie, Frank F. Harrison, Alumwell, Pool Hayes, Shire Oak and Streetly).

This Council believes that this decision will disadvantage thousands of young people in Walsall, and along with other Government proposals, will increase the development of a two tier education system for our Borough.

This Council therefore calls on the Secretary of State to reverse this short-sighted decision, and to reinstate the above Building Schools for the Future programme - which would have been implemented under a Labour government.

On being put to the vote the motion was **lost** – 16 members voting in favour and 35 against.

75. **Notice of motion – Parliamentary constituencies**

The report was submitted.

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

Resolved (unanimously)

This Council strongly object to the recently released proposals of the Electoral Reform Society (ERS) which would see Constituencies in this borough ripped apart to make up the numbers for other areas. We understand that the ERS will not be making the final decision but we call on the Boundary Commission and the Government to ensure that the Borough of Walsall is not used to make up the numbers in other areas and that the borough remains intact when the constituency boundaries are re-drawn.

A time will come for this Council to debate new boundaries but we call on officers to inform the Boundary Commission and the Government of the resolution of this Council to see our borough and the communities within it to be treated as communities and not just numbers.

76. **Notice of motion – Education matters**

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 regret, the contents of the briefing note regarding Sneyd School, considered by the Children's and Young People Scrutiny and Performance Panel at its meeting on 27th September, 2010 and resolves to formally acknowledge that all children and young people who have attended the school during the past five years have been offered a very poor experience in terms of their education.

Notes with concern the slow, and in some cases static, levels of GCSE attainment at Key stages 4 and 5 within parts of the Borough

Resolves to address further strategic challenges, including the development of post-16 education, and our performance relating to looked-after children.

Calls for the immediate re-constitution of an oft-promised successor body to WEB (Walsall Education Board), which was dissolved in 2008 but which has still to be replaced.

On being put to the vote the motion was declared **lost** – 21 members voting in favour and 30 against.

The meeting terminated at 7.58 p.m.