



# Walsall Council

Minutes of the **EXTRA-ORDINARY MEETING** of the Council of the Walsall Metropolitan Borough held on **Thursday 27th September, 2007, at 6.00 p.m.** at the Council House.

## Present

### Councillor M.G. Pitt (Mayor) in the Chair

#### Councillor M.G. Pitt Mayor)

“ T.G. Ansell (Deputy Mayor)  
“ A.J.A. Andrew  
“ D.A. Anson  
“ M. Arif  
“ C.M. Ault  
“ J.M. Barton  
“ L.A. Beeley  
“ Mrs. J. Beilby  
“ C. Bott  
“ P. Bott  
“ B. Cassidy  
“ A.G. Clarke  
“ J. R. Cook  
“ S.P. Coughlan  
“ C.U. Creaney  
“ B.A. Douglas-Maul  
“ M. D. Flower  
“ A.E. Griffiths  
“ A.D. Harris  
“ L.A. Harrison  
“ E.F. Hughes  
“ P.F. Hughes  
“ H. Khan  
“ M. Longhi  
“ S.W. Madeley

#### Councillor Mrs. C. Micklewright

“ Mrs. B.V. McCracken  
“ Mushtaq Ahmed  
“ M. Nazir  
“ J.G. O’Hare  
“ T.S.Oliver  
“ A.J. Paul  
“ G. Perry  
“ J.D. Phillips  
“ K. Phillips  
“ D.J. Pitt  
“ Mrs. E.E. Pitt  
“ I.C. Robertson  
“ J. Rochelle  
“ H.S. Sarohi  
“ K. Sears  
“ Mrs. D.A. Shires  
“ I. Shires  
“ P.E. Smith  
“ C.D.D. Towe  
“ D.J. Turner  
“ W.T. Twedde  
“ R.A. Walker  
“ V.G. Woodruff  
“ M. Yasin  
“ P.A. Young  
“ Zahid Ali

**57. Apologies**

Apologies for non-attendance were submitted on behalf of Councillors Bird, Chambers, Johnson, Martin and Underhill.

**58. Declarations of interest**

Councillor Ansell declared a personal interest in the report of the District Auditor.

**Private Session**

**59. Exclusion of public**

**Resolved**

That during consideration of the item relating to the appointment of the Chief Executive, the Council considers that the item for consideration is exempt information by virtue of the paragraph 1 of Part I of Schedule 12A of the Local Government Act, 1972, and accordingly resolves to consider the items in private.

**60. Appointment of Chief Executive**

The report was submitted.

**Resolved**

- (1) That the recommendation of the Appointments Board to appoint Mr. Paul Sheehan to the post of Chief Executive (Head of the Paid Service), subject to no well founded objections being received, be approved.
- (2) That authority be delegated to the Interim Chief Executive, in consultation with the Leader of the Council, to agree the terms and conditions of employment.

[Exempt information under paragraph 1 of Part I of Schedule 12A of the Local Government Act, 1972 (as amended)]

**Public session**

**61. Independent reports relating to an Employment Tribunal matter**

The Mayor reminded the meeting and the public present in the gallery, that any recording of this meeting was not permitted without prior agreement.

The Mayor said that Mr. Mirza Ahmed, the Monitoring Officer of Birmingham City Council was in attendance to advise him during the remainder of the meeting.

Before we start I know that the following report will attract strong feelings from members and that we have a responsibility to hold people to account, but we need to be very careful about what we say and stay focused on the recommendations set out in the report. By doing that, we will avoid placing ourselves individually or the Council in any potential legal difficulties. We should avoid over personalising the issues around any former or existing employees and if further action is required I am sure that the Interim Chief Executive will consider that.

All members will be broadly aware of the laws of defamation and I remind you that they apply to comments made in this Chamber, If any member is unsure I have the Monitoring Officer next to me to provide advice. However, the general rule is that any statement must be factually true, a fair comment and must be without malice.

You will also be familiar with our Code of Conduct for members and the duties to consider whether you have an interest to declare, treating others with respect and not bullying or intimidating others.

The Monitoring Officer will provide me with advice during the debate which I shall share with you and you will recall your duty to have regard to his advice. So lets have a debate in which we can all make fair accurate and balanced comments which will require very few interruptions from me or the Monitoring Officer.

It was **moved** by Councillor O'Hare and seconded by Councillor Andrew:

That Council procedure rules 9(a) – Duration of meeting; 15.4 – Content and length of speeches and 15.5 – When a member may speak again; be suspended for the duration of the meeting.

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

### **Resolved**

That Council procedure rules 9(a) – Duration of meeting; 15.4 – Content and length of speeches and 15.5 – When a member may speak again; be suspended for the duration of the meeting.

It was **moved** by Councillor O'Hare and seconded by Councillor Andrew:

- (1) That the Council notes the contents and accepts the recommendations of both reports
- (2) That Council endorses the action plan which responds to the recommendations and refers monitoring of its implementation to the Audit Committee.

Councillor O'Hare then introduced the District Auditor and said that he would be presenting his report to the meeting this evening.

The District Auditor, Mr. John Gregory then addressed the Council on the subject of his report.

Members then asked Mr. Gregory a number of questions relating to this report.

**Amendment** moved by Councillor Smith and seconded by Councillor P. Bott:

That the following be added to the recommendations contained in the report:

- (3) That Council calls upon the Executive for a report on the use (past and present) of Neighbourhood Renewal Funds within Walsall MBC.

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

The following substantive motion was put to the meeting:

- (1) That the Council notes the contents and accepts the recommendations of both reports
- (2) That Council endorses the action plan which responds to the recommendations and refers monitoring of its implementation to the Audit Committee.
- (3) That Council calls upon the Executive for a report on the use (past and present) of Neighbourhood Renewal Funds within Walsall MBC.

**Amendment** moved by Councillor Oliver and seconded by Councillor Shires:

That paragraph (3) be amended to read as follows:

- (3) That Council calls upon the Executive for a report on the use (past and present) of Neighbourhood Renewal Funds within Walsall MBC to be presented in the first instance to the Regeneration Scrutiny Committee.

After a request by Councillor O'Hare, Councillor Oliver agreed that his amendment be altered to read:

- (3) That Council calls upon the Executive for a report on the use (past and present) of Neighbourhood Renewal Funds within Walsall MBC to be presented in the first instance to the Regeneration Scrutiny Committee and subsequently to the Council.

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

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

**Resolved**

- (1) That Council notes the contents and accepts the recommendations of both reports;
- (2) That Council endorses the action plan which responds to the recommendations and refers monitoring of its implementation to the Audit Committee;
- (3) That Council calls upon the Executive for a report on the use (past and present) of Neighbourhood Renewal Funds within Walsall MBC to be presented in the first instance to the Regeneration Scrutiny Committee and subsequently to the Council.

The meeting terminated at 9.35 p.m.