



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 12TH day of JANUARY, 2015 at 6.00 p.m.** at the Council House, Walsall.

Dated this 2nd January, 2015.

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 a correct record and sign the minutes of the meeting of the Council held on 17th November 2014.
4. Declarations of interest.

(Note: The appropriate dispensations have been granted by the Monitoring Officer to enable all Councillors to speak on items 11(1) and 11(2).)

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

To agree that the public be excluded from the private session during consideration of the agenda items indicated for the reasons shown on the agenda. There are no items to be considered in private session.

6. Mayor's announcements.

7. To receive any petitions.

8. Petitions:

(a) **Say no to parking charges in Willenhall**

The above petition containing over 1,500 signatures was submitted to Council on 17th November 2014 by the Mayor (Councillor Smith) on behalf of Mr. J. Hancock of Willenhall Ay We Action Group

(b) **Against car parking charges in Bloxwich and Brownhills district centres**

The above petition containing over 1,500 signatures was submitted to Cabinet on 17th December 2014 by Mr. M. Follows on behalf of Bloxwich and Brownhills Conservatives.

- Report reproduced in the reports booklet for this meeting.

(c) **Save Streetly Library from closure**

The above petition containing over 1,500 signatures was submitted to Council on 17th November 2014 by Councillor Clarke.

(d) **Against the closure of Pheasey Park Farm Library**

The above petition containing over 1,500 signatures was submitted to Cabinet on 17th December 2014 by Councillor Bird.

- Report reproduced in the reports booklet for this meeting.

(Note: The Council's petitions scheme states:

“Council debate - If a petition contains at least 1,500 signatures it will be debated at a meeting of the Council. This means that the issue raised in the petition will be discussed at a meeting to which all Councillors can attend and speak. The Council will endeavour to consider the petition at its next meeting although on some occasions this may not be possible and consideration will then take place at the following meeting. The petition organiser will be given 5 minutes to present the petition at the meeting and the petition will then be discussed by Councillors for a maximum of 15 minutes. The Council will decide how to respond to the petition at this meeting. They may decide to take the action that the petition requests; not to take the action requested for reasons put forward in the debate, or to ask for further information. Where the issue is one where the Cabinet are required to make the final decision the Council will decide to make recommendations to the Cabinet. The petition organiser will receive written confirmation of this decision and this will be published on our website.”)

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

- (a) From the public - **None**
- (b) From members of the Council

(1) Councillor Burley – Female genital mutilation

“Are you aware of a recent West Midlands Police and Crime Panel report highlighting serious concern at the practice of Female Genital Mutilation (FGM) still being practised here in the UK? How can Walsall Council assist and support the campaign to eliminate this abhorrent practice?”

(2) Councillor Arif – Streetly Library

“In the budget documentation it is proposed to close Streetly library which is on the periphery of the borough and has a usage of 49,678 visits for year 2013/14, far above that of the Pleck library which had 34,135 visits for year 2013/14. Pleck library is less than two mile from the Central library but is not designated for closure but Streetly is. Can the portfolio holder please advise this Council the criteria used to arrive at this decision?”

(3) Councillor I. Shires – Budget consultation

“I note from press reports that the controlling group are going to take time to look at the feedback from the budget consultation. Could the Leader of the Council please indicate to me and the public exactly what the timescale for this will be?”

(4) Councillor Bird – Budget proposals

“Will the Leader confirm that the budget proposals currently out for consultation are a return to the last Labour administration’s policy namely that “we shall not hesitate to discriminate against areas that do not return Labour Councillor”.

(5) The Mayor (Councillor Smith) – Localised Council tax reduction scheme

“Given that in a reply to a question asked by Councillor Pete Smith with regard to Agenda Item 9 at the Cabinet Meeting of 17/12/14 on Localised Council Tax Reduction Scheme, Councillor D. Coughlan confirmed that 19,676 residents in the Borough would be affected by Cabinet’s recommendation to Council (12/1/15) which, if agreed, would ensure that every householder, however low their income, would be charged at least 25% of Council tax and further given that subsequent information received by Councillor Smith that of these 19,676 people, 15,400 of them presently pay no Council tax due to their low incomes and would therefore be faced with Council tax bills for the first time of approximately £5 per week or more, will the Portfolio holder give me, this Council and the public a ward by ward breakdown of the 19,676 total figure?”

10. **Mayoralty 2015/2016.** Pursuant to Council Procedure Rule 2(vi) to name the Mayor-Elect and Deputy Mayor-Elect for 2015/2016 in accordance with the powers contained in Sections 3 and 5 of the Local Government Act, 1972.

11. To confirm the following recommendations of **Cabinet:**

(1) **Localised Council tax reduction scheme 2015/16**

- (1) That Option 1 be adopted for the Council Tax Reduction Scheme, to commence on 1 April 2015 (to fully disregard war disablement and war widows pensions).
- (2) That a small cash-limited discretionary scheme be introduced to assist the most vulnerable in exceptional circumstances.
- (3) That any annual up rating notified by the Department for Work and Pensions in line with the Housing Benefit regulations and Council tax reduction scheme, be adopted.
- (4) That the scheme be adopted for future years (inclusive of (1) and (2) above) until such time as the Council considers a change to the scheme is necessary.

(Note: Report to Cabinet on 17th December 2014 and revised Equality Impact Assessment (EqIA) reproduced in the reports booklet for this meeting.)

(2) **Council tax empty property discounts 2015/16**

That with regard to the Council tax empty property discounts 2015/16 the following be adopted as set out in paragraph 3.5 of the report:

- (1) Unoccupied and unfurnished properties – Option 2
- (2) Unoccupied properties which require major repair work or are undergoing structural alterations – Option 1.

(Note: Report to Cabinet on 17th December 2014 reproduced in the reports booklet for this meeting.)

12. To confirm the following recommendation of the **Personnel Committee:**

Pay policy 2015/16

That the Pay Policy 2015/16 be approved.

(Note: Report to Personnel Committee on 3rd December 2014 reproduced in the reports booklet for this meeting.)

13. **Amendment to the Constitution – Part 5 – Protocols.** Report reproduced in the reports booklet for this meeting.

14. **Barr Beacon Trust Management Committee.** Report reproduced in the reports booklet for this meeting.

15. **Portfolio holder briefings.** To receive 5 minute presentations from the following portfolio holders:

- Leader of the Council (Councillor S. Coughlan)
- Environment and transport (Councillor Jeavons)

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

16. To consider the following motion, notice of which has been duly given by **Councillors I. Shires, D. Shires and Barker:**

(1) Council notes:

- (a) The strong and enthusiastic participation shown by the people of Scotland in a remarkable democratic process leading to the Referendum on 18 September.
- (b) The resulting increased discussion on the devolution of powers from central government in Westminster and Whitehall.

(2) Council believes:

- (i) That power should be devolved to the people in all parts of the United Kingdom.
- (ii) That England is currently ruled by an over-centralised state that fails to reflect localities and regions.
- (iii) That concentrating more power to English MPs in Westminster is not the answer for English devolution and that passing power down to local areas of England is essential.

(3) Council therefore calls for:

Walsall MPs, the Leader of the Council and the Cabinet to lobby for urgent devolution of power, including tax raising and spending, from central government to the regions, counties, boroughs and districts and cities of England.

And that such lobbying should emphasise:

- That the devolution of powers and finance to English Councils be carried out in ways that enhance and strengthen local democratic bodies. This must include agreement that it shall be for local people and communities to decide their form of democratic leadership without having a specific model imposed (for example directly elected Mayors) in return for more powers.
- A recognition that English devolution must include both large cities and county areas, as the many Councils not within city regions must also gain greater powers and finance in order to build successful and prosperous futures.”

17. To consider the following motion, notice of which has been duly given by **Councillors I. Shires, Barker and D. Shires**:

(a) Council notes that:

- (1) The former Willenhall Gas Works site was redeveloped in the 1970s with no apparent remediation or protection from ground pollution.
- (2) That Walsall Council commenced investigations of the site in 2008 as part of its duties as Regulator. These investigations identified the presence of Benzo[a]pyrene.
- (3) Extensive consultation with residents and landowners led to Determination Notices being served in March 2012. Investigations revealed that the original polluter (the Gas Board) no longer exists. This left three Class A Parties, those being two of the housing developers along with the Council in the form of Willenhall Urban District Council, which held ownership for a while before selling on for development.

(b) Council further notes that:

- (1) This is a legally and technically complicated area of law and that whilst this protracted process continues, homeowners claim to have been incapable of selling their homes and continue to live in fear of the effects of exposure to elements which have the potential to damage health and have as a consequence been unable to lead a normal life.
- (2) In March 2014 the Council was concluding its consultation process prior to issuing Remediation Notices when DEFRA issued new guidance which required the Council to review all of its findings to date. This has resulted in a further period of apparent fear and uncertainty for those residents affected.

(c) Council resolves that:

Notwithstanding the legal process, and in the interests of the health and well-being of residents, the Chief Executive is authorised to write to the relevant Secretary of State to intervene in order that the government fund the remedial works required to remove the pollution.

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

18. To consider the following motion, notice of which has been duly given by **Councillors S. Coughlan, Robertson, Nazir, Lane, D. Coughlan, Illmann-Walker, Jeavons and Westley:**

(1) This Council notes:

- It is estimated that the UK Treasury loses as much as £12 billion to tax dodging by multinational companies every year. Developing countries lose three times more to tax dodging than they receive in aid each year – enough to give a basic education to the 57 million children currently missing out.
- The UK has a particular responsibility to end tax dodging, as it is responsible for 1 in 5 of the world's tax havens in the British Overseas Territories and Crown Dependencies.
- The use of tax havens by UK companies is rife, with 98 of the FTSE 100 companies routinely using tax havens.
- Large multinational companies pay as little as 5% in corporate taxes globally, while smaller businesses pay up to 30%.
- Those £12 billion in losses, had they been collected, would have funded all the cuts to local government since 2010 and still have left £4 billion for investment in vital public services and Walsall Council would not have had to make £74 million of cuts.

(2) This Council believes:

- As a local authority we have a duty to provide the best possible public services.
- Our ability to provide quality local services would be significantly enhanced by the increased revenues from the government tackling tax dodging.
- All who benefit from public spending should contribute their fair share.
- The UK must take a lead role in creating a fairer tax system and combating tax dodging.

(3) This Council resolves:

To support the campaign for tax justice, supporting the motion:

“While many ordinary people face falling household income and rising costs of living, some multinational companies are avoiding billions of pounds of tax from a tax system that fails to make them pay their fair share. Local governments in developing countries and the UK alike would benefit from a fairer tax system where multinational companies pay their fair share, enabling authorities around the world to provide quality public services. The UK government must listen to the strength of public feeling and act to end the injustice of tax dodging by large multinational companies, in developing countries and the UK.”