



Walsall Council

Minutes of the **ANNUAL MEETING** of the Council of the Walsall Metropolitan Borough held on **Monday 21st May, 2012, at 6.00 p.m.** at the Council House.

Present

Councillor D.A. Anson (Mayor) in the Chair

Councillor M. Nazir (Deputy Mayor)

“ A.J.A. Andrew
“ R.E. Andrew
“ T.G. Ansell
“ M. Arif
“ I. Azam
“ D.J. Barker
“ O.D. Bennett
“ M.A. Bird
“ C. Bott
“ P. Bott
“ R. Burley
“ B. Cassidy
“ K. Chambers
“ A.G. Clarke
“ J. R. Cook
“ D. Coughlan
“ S.P. Coughlan
“ C.U. Creaney
“ A. Ditta
“ B.A. Douglas-Maul
“ J. Fitzpatrick
“ S.F. Fitzpatrick
“ S. Fletcher-Hall
“ M. D. Flower
“ A.D. Harris
“ L.A. Harrison
“ E.F. Hughes
“ K. Hussain

Councillor G. Illmann-Walker

“ D. James
“ L.D. Jeavons
“ T.J. Jukes
“ M. Longhi
“ Ms. R.A. Martin
“ Mrs. B.V. McCracken
“ J. Murray
“ T.S.Oliver
“ G. Perry
“ K. Phillips
“ L.J. Rattigan
“ J. Rochelle
“ E.B. Russell
“ H.S. Sarohi
“ K. Sears
“ Mrs. D.A. Shires
“ I. Shires
“ P.E. Smith
“ R.M. Thomas
“ C.D.D. Towe
“ A. Underhill
“ D.J. Turner
“ S. Wade
“ F.J. Westley
“ V. Whyte
“ V.G. Woodruff
“ R.V. Worrall
“ A. Young
“ Zahid Ali

1. **Welcome to new members**

The Mayor welcomed the newly elected members to the Council – Councillors C. Bott, Smith, Underhill, Wade, Whyte and Worrall

2. **Election of Mayor**

It was **moved** by Councillor Sarohi and seconded by Councillor Hussain:

That Councillor Dennis Alfred be elected Mayor of this Borough for the Municipal Year 2012/2013.

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

Resolved

That Councillor Dennis Alfred be elected Mayor of this Borough for the Municipal Year 2012/2013.

The Council adjourned to enable the Mayor to put on the robes and chain.

Councillor D.A. Anson (Mayor) in the Chair

The Mayor read and signed his Declaration of Acceptance of Office. The Mayor thanked the Council for the honour conferred upon him.

3. **Appointment of Deputy Mayor**

It was **moved** by Councillor Worrall and seconded by Councillor S. Coughlan:

That Councillor Mohammad Nazir be appointed Deputy Mayor of this Borough for the Municipal Year 2012/2013.

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

Resolved

That Councillor Mohammad Nazir be appointed Deputy Mayor of this Borough for the Municipal Year 2012/2013.

4. **Minutes**

Resolved

That the minutes of the meeting of the Council held on the 16th April 2012, copies having been sent to each member of the Council, be approved as a correct record and signed.

5. **Mayor's announcements**

(a) **Mayor's Chaplain**

The Mayor said that he had appointed the Reverend M. Kinder of St. Paul's at The Crossing as his chaplain during his year of office.

(b) **Mayor's Civic Service**

The Mayor informed the Council that there would be a service in the Town Hall, Walsall on Thursday 14th June 2012 at 11.00 a.m.

(c) **Charities**

The Mayor said that monies raised during his year of office would be donated to Leukaemia and Lymphoma research.

6. **Presentation of badges to retiring Mayor and Mayoress**

The Mayor presented badges to the retiring Mayor and Mayoress, Councillor G. Perry and Mrs. J. Perry.

7. **Vote of thanks to retiring Mayor and Mayoress**

It was **moved** by Councillor Longhi, seconded by Councillor Ansell and:

Resolved

That the Council thank Garry Perry for the contribution he has made as Mayor of Walsall MBC to the people who live and work in the Borough and that Mrs. Perry be thanked for her services as Mayoress.

Councillor Perry replied.

8. **Adjournment**

It was **moved** by the Mayor, duly seconded and:

Resolved

That the Council adjourn until 6.00 p.m. on Wednesday 23rd May 2012.

The meeting adjourned at 6. 35 p.m.

Meeting reconvened at 6.00 p.m. on Wednesday 23rd May 2012

The Mayor reminded the meeting that 2 hours 35 minutes remained for business to be transacted and said that he proposed to change the order of business so that the notice and motion with regard to the Leader of the Council (Item 19) and the report relating to the Constitution (item 15) would be dealt with after item 11 – formation of political groups.

9. Declarations of interest

There were no declarations of interest.

10. Petitions

The following petitions were submitted:

(a) Councillor Jeavons:

- (1) Campaign to get an indoor skatepark built in Walsall
- (2) The Mirus Academy – improving road safety in Willenhall Lane, Bloxwich Lane and Leamore Lane

(b) Councillor Worrall:

- (1) Scheme to improve Pelsall Lane, Rushall bus lay-by to shoppers and residents
- (2) Moving of Pelsall Lane Rushall bus stop
- (3) 86 Lichfield Road, Shelfield (Brush Garage)

11. Election results – 3rd May 2012

The report was submitted.

Resolved

That the report be noted.

12. Formation of political groups

The report of the Chief Executive was circulated around the Council Chamber.

Resolved

That the receipt of returns from political groups be noted.

13. **Notice of motion – Leader of the Council**

The following motion, notice of which had been duly given was **moved** by Councillor S. Coughlan and seconded by Councillor Jeavons:

In accordance with the provisions of the Local Government Act 2000, as amended, by paragraph 67 of the Local Government and Public Involvement in Health Act 2007, and as provided for in Article 7, paragraph 7.04 of the Council's Constitution, this Council resolves to remove Councillor Bird from the office of Leader with immediate effect and that also in accordance with the aforementioned Act, appoints Councillor Oliver as Leader of the Council.

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 - 28 members	Against the motion – 29 members	Neutral – 3 members
Cllr: Oliver	Cllr: Bird	Cllr: C. Bott
Anson	I. Shires	P. Bott
Burley	A. Andrew	Smith
Cassidy	R. Andrew	
Chambers	Ansell	
D. Coughlan	Arif	
S. Coughlan	Azam	
Creaney	Barker	
Ditta	Bennett	
J. Fitzpatrick	Clarke	
S. Fitzpatrick	Cook	
Fletcher-Hall	Douglas-Maul	
Hussain	Flower	
Illmann-Walker	Harris	
James	Harrison	
Jeavons	Hughes	
Jukes	Longhi	
Nazir	Martin	
Phillips	McCracken	
Russell	Murray	
Sarohi	Perry	
Thomas	Rattigan	
Underhill	Rochelle	
Wade	Sears	
Westley	D.A. Shires	
Whyte	Towe	
Worrall	Turner	
Young	Woodruff	
	Zahid	

14. **Constitution and timetable of meetings 2012/2013**

The report was submitted.

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

- (1) That the amendments to the following parts of the Constitution as set out in the report be approved:
 - (a) Part 2 – Articles of the Constitution:
 - Article 4 – The Council
 - Article 9 – Standards Committee
 - (b) Part 3 – Responsibility for Functions:
 - Scheme of delegations to Committees
 - Advisory bodies, statutory Committees and other bodies
 - Scheme of delegations to officers
 - (c) Part 4 – Rules of procedure:
 - Budget and policy framework rules
 - Financial rules
 - Contract rules
 - (d) Part 5 – Codes and protocols:
 - Budget setting protocol
 - New protocol 16 – Use of resources by Councillors
- (2) That the Community Services and Environment Scrutiny and Performance Panels be merged to form one Scrutiny and Performance Panel to be called “Community Services and Environment Scrutiny and Performance Panel” and that the Constitution be amended accordingly.
- (3) That the timetable of meetings for the municipal year 2012/13 as amended in accordance with the above be approved – see Appendix attached.

At 6.30 p.m. the Council adjourned to enable members to consider the motion.

The meeting reconvened at 7.00 p.m.

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

Resolved

- (1) That the amendments to the following parts of the Constitution as set out in the report be approved:
 - (a) Part 2 – Articles of the Constitution:
 - Article 4 – The Council
 - Article 9 – Standards Committee
 - (b) Part 3 – Responsibility for Functions:
 - Scheme of delegations to Committees
 - Advisory bodies, statutory Committees and other bodies
 - Scheme of delegations to officers
 - (c) Part 4 – Rules of procedure:
 - Budget and policy framework rules
 - Financial rules
 - Contract rules
 - (d) Part 5 – Codes and protocols:
 - Budget setting protocol
 - New protocol 16 – Use of resources by Councillors
- (3) That the Community Services and Environment Scrutiny and Performance Panels be merged to form one Scrutiny and Performance Panel to be called “Community Services and Environment Scrutiny and Performance Panel” and that the Constitution be amended accordingly.
- (3) That the timetable of meetings for the municipal year 2012/13 as amended in accordance with the above be approved – see Appendix attached.

15. Members appointed to the Executive

A list was circulated around the Council Chamber.

Resolved

That the Council note the following Cabinet responsibilities for the municipal year 2012/13:

Description of portfolio	Name of portfolio holder
<p>1. Leader of the Council - overall responsibility for Council strategy, the corporate plan and the working smarter programme, communications and public relations, city region agenda, government relations and liaison with local MPs and West Midlands leaders. Local Strategic Partnership.</p>	Councillor Bird
<p>2. Deputy Leader and Regeneration – economic development, physical development, markets, property and asset management, Black Country Consortium, sub regional regeneration issues. Town and district centres. Planning policy and local development framework. Strategic housing role, housing partnerships, private sector housing, homelessness.</p>	Councillor A. Andrew
<p>3. Business support services – shared services, including ICT and procurement; business improvement.</p>	Councillor Arif
<p>4. Children’s services - education services, including relationship with Walsall Children’s Services, Serco, social services for children, safeguarding and promoting welfare of children, looked after children and corporate parenting, care leavers, interagency cooperation, involvement of children and young people, youth parliament, children’s trust arrangements, youth offending services, youth service.</p>	Councillor R. Andrew
<p>5. Public protection - community safety, Safer Walsall Partnership, public protection. Chair of Shadow Health and Wellbeing Board.</p>	Councillor Ali
<p>6. Community engagement and voluntary sector - neighbourhood management, community engagement and consultation, community associations, voluntary and community sectors.</p>	Councillor I. Shires

- | | | |
|-----|---|----------------------|
| 7. | Finance and personnel - strategic and operational financial management, insurance, risk management, revenues and benefits, policy led budgeting. Financial regulations, audit, legal and constitutional services; human resources. | Councillor Towe |
| 8. | Leisure and culture - parks, leisure and culture services including the New Art Gallery, libraries, adult learning, school meals, sports, museums and twinning. Cemeteries and crematoria. | Councillor Harris |
| 9. | Social care and health - care services for older people and people with learning disabilities, people with physical disabilities and people with mental health needs, health partnership and the public health agenda, community meals, supporting people, protection for vulnerable adults. | Councillor McCracken |
| 10. | Transport and environment – traffic and transportation, car parks, gateways and corridors, strategic transport and highways. Waste management, clean and green agenda, sustainability, pollution control, street cleansing. | Councillor Ansell |

16. **Appointments on Committees**

A list was circulated around the Council Chamber. Councillor Oliver said that he would inform the Chief Executive of the Labour Group nominations to Scrutiny and Performance Panels following the meeting.

Resolved

That the following members be appointed to Committees for the municipal year 2012/13:

Audit Committee

Councillors Chambers, J. Fitzpatrick, Flower, Hughes, Illmann-Walker, Murray, D. Shires
1 independent member

Appointments Board

7 members (as notified to the Chief Executive for each meeting by the group leaders)

Employment Appeals “A”

Councillors Cook, Douglas-Maul, Harrison, Jeavons, Jukes, Martin, Nazir

Employment Appeals “B”

Councillors Bennett, Cook, James, Martin, Russell, Sears, Thomas

Licensing and Safety Committee

Councillors Anson, Burley, Clarke, Cook, Douglas-Maul, S. Fitzpatrick, Harrison, Hussain, Murray, Rochelle, Sarohi, Sears, Smith, Whyte

Planning Committee

Ward	Councillor
Aldridge Central & South	Rochelle
Aldridge North & Walsall Wood	Harris
Bentley & Darlaston North	Underhill
Birchills-Leamore	Jeavons
Blakenall	Thomas
Bloxwich East	S. Fitzpatrick
Bloxwich West	Westley
Brownhills	Wade
Darlaston South	P. Bott
Paddock	Ali
Palfrey	Ditta
Pelsall	Perry
Pheasey Park Farm	Bird
Pleck	Sarohi
Rushall-Shelfield	R. Andrew
Short Heath	Cook
St. Matthews	Azam
Streetly	Douglas-Maul
Willenhall North	I. Shires
Willenhall South	Creaney

Standards Committee

Councillors A. Andrew, Martin, Phillips, D. Shires
6 independent members

Children's and Young People

Councillors Hughes, Martin Perry, D. Shires
3 Labour group members to be nominated

together with representatives from:

- 1 representative - Lichfield Diocesan Education (voting)
- 1 representative - Archbishop of Birmingham (voting)
- 3 Parent governors (voting)
- 1 Primary Education Teacher (non-voting)
- 1 Secondary Education Teacher (non-voting)

Community Services and Environment

Councillors Azam, Harrison, Rattigan, Woodruff
3 Labour group members to be nominated

Corporate

Councillors Flower, Rochelle, D. Shires, Turner
3 Labour group members to be nominated

Health

Councillors Bennett, Flower, Longhi, Woodruff
3 Labour group members to be nominated

Regeneration

Councillors Azam, Barker, Harrison, Longhi, Wade
3 Labour group members to be nominated

Social Care and Inclusion

Councillors Barker, Douglas-Maul, Rattigan, Rochelle
3 Labour group members to be nominated

17. Appointment of Chairmen and Vice-Chairmen

A list was circulated around the Council Chamber and nominations received.

Resolved

That the following members be appointed Chairmen and Vice-Chairmen of Committees for 2012/13:

Committee	Chair	Vice-Chair
Audit	Councillor Hughes	Councillor Illmann-Walker

Employment Appeals A	Councillor Douglas-Maul	Councillor Jeavons
Employment Appeals B	Councillor Bennett	Councillor Thomas
Licensing and Safety	Councillor Sears	Councillor Clarke
Planning	Councillor Perry	Councillor Bird
Children's and Young People Scrutiny and Performance Panel	Councillor Cassidy	Councillor Martin
Community Services and Environment Scrutiny and Performance Panel	Councillor Woodruff	Councillor Creaney
Corporate Scrutiny and Performance Panel	Councillor S. Coughlan	Councillor Flower
Health Scrutiny and Performance Panel	Councillor Longhi	Councillor James
Regeneration Scrutiny and Performance Panel	Councillor Harrison	Councillor Azam
Social Care and Inclusion Scrutiny and Performance Panel	Councillor Oliver	Councillor-Douglas-Maul

18. **Appointments on outside bodies and charities**

At list was circulated around the Council Chambers and nominations were made as set out.

(a) **Outside bodies**

Resolved

That the following members be appointed to the undermentioned outside bodies for the municipal year 2012/13:

Local Government Association – General Assembly

Councillors Bird (2 votes), Douglas-Maul, Oliver, S. Coughlan

West Midlands Councils

Leader of the Council (Councillor Bird)

West Midlands Fire and Rescue Authority

Councillor Chambers (Prime member)
Councillor Young (Deputy prime member)
Councillor Douglas-Maul

West Midlands Integrated Transport

Councillor Worrall (Prime member)
Councillor Ditta (Deputy prime member)
Councillor Clarke

West Midlands Joint Committee

Councillor Bird (non voting) and Councillors A. Andrew and Oliver (non-voting)

Black Country Consortium

Leader of the Council (Councillor Bird) – or nominee

Bus Lane Adjudication Service and Joint Committee

Councillors Clarke and Illmann-Walker

Forest of Mercia Advisory Group

Councillors Harris, Phillips, D. Shires

Groundwork West Midlands (Black Country) Local Trust

Councillor S. Fitzpatrick

New Horizons

Councillor Thomas and one officer

Visionary Investment Enhancing Walsall Ltd.

Councillors A. Andrew, Russell, Towe

Walsall Adult and Community College

Councillors S. Coughlan, McCracken, Towe

Walsall Citizens Advice Bureau

Councillors Jeavons, Rochelle

Walsall Community Transport

Councillor Ditta

Walsall Education Business Partnership

Councillors Thomas, Towe

Walsall Society for the Blind

Councillors Martin, Jukes

West Midlands Planning and Transportation Sub-Committee

Councillors Ansell, Douglas-Maul, Jeavons

West Midlands Superannuation Committee, Investment Advisory Sub-Committee and Joint Consultative Panel

Councillor Ali (voting) and Councillor Chambers

Local Government Association – Urban Commission

The following nominations were made to the above:

Councillor Douglas-Maul
Councillor S. Coughlan

The nominations were put to the vote and it was:

Resolved

That Councillor Douglas-Maul be appointed to the Urban Commission of the Local Government Association for the municipal year 2012/13.

Birmingham Airport Holdings Limited

The following nominations were made to the above:

Councillor Bird
Councillor Nazir

The nominations were put to the vote and it was:

Resolved

That Councillor Bird be appointed to Birmingham Airport Holdings Limited for a period of 2 years expiring in June 2014.

Black Country Museum Trust

The following nominations were made to the above:

Councillor Harris
Councillor Illmann-Walker

The nominations were put to the vote and it was:

Resolved

That Councillor Harris be appointed to the Black Country Museum Trust for the municipal year 2012/13.

Housing Groups

The following nominations were received as set out in the list circulated:

Bloxwich	Councillor J. Fitzpatrick
Darlaston	Councillor Chambers
Willenhall	Councillor D. Coughlan

The following nominations were made to the following Housing Groups

Aldridge Brownhills	Councillor R. Andrew Councillor Wade
Central Walsall	Councillor Arif Councillor Russell

Following the nominations being put to the vote it was:

Resolved

That the following members be appointed to Housing Groups for the municipal year 2012/13:

Aldridge Brownhills	Councillor R. Andrew
Bloxwich	Councillor J. Fitzpatrick
Central Walsall	Councillor Russell
Darlaston	Councillor Chambers
Willenhall	Councillor D. Coughlan

Investigation of Air Pollution Standing Conference

The following nominations were made to the above:

Councillor Harris
Councillor Illmann-Walker

The nominations were put to the vote and it was:

Resolved

That Councillor Harris be appointed to the Investigation of Air Pollution Standing Conference for the municipal year 2012/13.

Joint Committee for Civil Parking Enforcement of Parking and Traffic Regulations

The following nominations were made to the above:

Councillors Ansell (prime)
Councillor Azam (deputy)
Councillor Jeavons (prime)
Councillor Hussain (deputy)

The nominations were put to the vote and it was:

Resolved

That Councillors Ansell (prime) and Councillor Azam (deputy) be appointed to the Joint Committee for Civil Parking Enforcement of Parking and Traffic Regulations for the municipal year 2012/13.

Steps to Work (Walsall) Limited

The following nominations were made to the above:

Councillor McCracken
Councillor Burley

The nominations were put to the vote and it was:

Resolved

That Councillor McCracken be appointed to Steps to Work (Walsall) Limited for the municipal year 2012/13.

Walsall and Wolverhampton Transport Users Advisory Committee

The following nominations were made to the above:

Councillor Ansell
Councillor Illmann-Walker

The nominations were put to the vote and it was:

Resolved

That Councillor Ansell be appointed to Walsall and Wolverhampton Transport Users Advisory Committee for the municipal year 2012/13.

Walsall Museum and Art Galleries Development Trust

The following nominations were made to the above:

Councillor Harris
Councillor Russell

The nominations were put to the vote and it was:

Resolved

That Councillor Harris be appointed to Walsall Museum and Art Galleries Development Trust for the municipal year 2012/13.

West Midlands (Metropolitan Area) Road Safety Partnership Board

The following nominations were made to the above:

Councillor Ansell
Councillor Worrall

The nominations were put to the vote and it was:

Resolved

That Councillor Ansell be appointed to the West Midlands (Metropolitan Area) Road Safety Partnership Board for the municipal year 2012/13.

River Trent Regional Flood and Coastal Committee

The following nominations were made to the above:

Councillor Ansell
Councillor Jeavons

The nominations were put to the vote and it was:

Resolved

That Councillor Ansell be appointed to the River Trent Regional Flood and Coastal Committee for the municipal year 2012/13.

West Midlands Police and Crime Panel

The following nominations were made to the above:

Councillor Ali
Councillor S. Coughlan

The nominations were put to the vote and it was:

Resolved

That Councillor Ali be appointed as the named substitute on the West Midlands Police and Crime Panel for the municipal year 2012/13.

(b) Charities

Resolved

That the following members be appointed to serve on the undermentioned charities for the period stated:

C.C. Walker Charity

Councillors Harrison and Phillips for a period of 4 years expiring on 21st May 2016.

Harper, Marsh and Crumps Almshouses

Councillor Chambers for 2012/13

Henry Boys Almshouses

Councillor S. Coughlan for 2012/13

Roger Hinton's Charity

The Mayor and Deputy Mayor for 2012/13

St. Giles Walsall Hospice

Councillor Phillips for 2012/13

Merrions Wood Trust

The following nominations were made to the above:

Councillor Martin
Councillor Illmann-Walker

The nominations were put to the vote and it was:

Resolved

That Councillor Martin be appointed to Merrions Wood Trust for a period of 4 years expiring on 24th May 2016.

Pelsall (Staffs) Mining Accident Fund

The following nominations were made to the above:

Councillor Bennett
Councillor Cassidy

The nominations were put to the vote and it was:

Resolved

That Councillor Bennett be appointed to the Pelsall (Staffs) Mining Accident Fund for the balance of the 5 year period expiring on 14th September 2014.

Shelfield Playing Fields Charity

The following nominations were made to the above:

Councillor Rattigan
Councillor Worrall

The nominations were put to the vote and it was:

Resolved

That Councillor Rattigan be appointed to Shelfield Playing Fields Charity for the balance of the period expiring on 18th December 2012.

(c) Advisory and statutory bodies

That the following members be appointed to serve on the undermentioned advisory and statutory bodies for the municipal year 2012/13:

Adoption Panel

Councillor J. Fitzpatrick

Standing Advisory Council for Religious Education

Councillors Barker, Ditta, J. Fitzpatrick, S. Fitzpatrick, Rochelle, Turner
1 member to be nominated by Conservative group

Walsall Admission Forum

Councillors Martin and Thomas

Fostering Panel

The following nominations were made to the above:

Councillor Arif
Councillor Phillips

The nominations were put to the vote and it was:

Resolved

That Councillor Arif be appointed to the Fostering Panel for the municipal year 2012/13.

19. Board composition and membership of Walsall Housing Group

The report was submitted.

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

- (1) That Council approve whg's request to change the composition of the Board, reducing the number of Council representatives on the Board from 3 to 1.
- (2) That Council nominates a Council member to represent Walsall Council and sit on the Board of whg.
- (3) That authority be given to that nominated representative to attend the General Meeting of whg at which the Special Resolution to amend the Memorandum and Articles of Association of whg is proposed and vote in favour of the proposed Special Resolution to amend the Memorandum and Articles of Association of whg.

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

That the Council does not approve the request of WHG to amend the composition of its Board from three Council representatives to one and asks WHG to consider the following Board structure:

- 10 directly elected tenants
- 1 Council nominee
- 1 independent member

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

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

Resolved (unanimously)

That the Council does not approve the request of WHG to amend the composition of its Board from three Council representatives to one and asks WHG to consider the following Board structure:

- 10 directly elected tenants
- 1 Council nominee
- 1 independent member

The meeting terminated at 7.45 p.m.

Mayor:

Date: