

**Minutes of the Meeting of
Sandwell Metropolitan Borough Council**

4th April, 2017 at 6.00pm
at the Sandwell Council House, Oldbury

Present: The Mayor (Councillor Webb);
The Deputy Mayor (Councillor Downing);

Councillors Ahmed, Allcock, Allen, Ashman, Bawa, Carmichael, Cherrington, Costigan, Crompton, S Crompton, Dr T Crompton, K Davies, P Davies, S Davies, Y Davies, Dhallu, Eaves, Edis, Edwards, Eling, Frear, Garrett, Gavan, E A Giles, Gill, Goult, Hackett, Hadley, Haque, Hartwell, Hevican, Hickey, L Horton, R Horton, D Hosell, S Hosell, P M Hughes, Hussain, Dr Jaron, Jarvis, I Jones, O Jones, S Jones, Lewis, Lloyd, Marshall, Meehan, Melia, Millard, Moore, Phillips, Preece, Rouf, Sandars, Shackleton, Shaeen, Tagger, Taylor, Tranter, Trow, Underhill, White and Worsey.

Apologies: Councillors E M Giles, P Hughes, Khatun, Piper, B Price, R Price and Sidhu.

39/17 **Minutes**

Resolved that the minutes of the meeting held on 7th March, 2017 be confirmed as a correct record.

40/17 **Mayor's Announcements**

Details of Mayoral engagements since the last meeting of the Council had been circulated to members.

In particular, the Mayor made reference to the staff and children of Albert Pritchard School, Wednesbury who had visited the Mayor's Parlour on many occasions.

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The Mayor had opened the new Lidl distribution centre in Wednesbury and wished to place on record her thanks to Lidl for investing in Sandwell.

Prior to the meeting, there had been a children's service event for elected members and the Mayor wished to thank staff involved in the exhibition and for their hard work throughout the year.

As this was her last meeting as Mayor, Councillor Webb wished to place on record her thanks to the civic staff and the staff at Highfields.

41/17 **Petitions Under Standing Order No. 5**

No petitions were received under Standing Order No. 5.

42/17 **Questions Under Standing Order No. 6**

No questions were received under Standing Order No. 6.

43/17 **Annual Report of the Planning Committee for 2016**

In accordance with the Council's arrangements for the principal member with responsibility for key Council functions to report periodically to the Council on the activities of the relevant committee or decision making body, the Chair of the Planning Committee, Councillor Frear, presented the annual report of the Planning Committee for 2016.

The overall number of planning applications received during 2016 showed an increase, compared with 2015.

The large percentage of applications approved in part reflected the openness of the service in encouraging developers and prospective applicants to engage in pre-application discussions which were currently provided free. This approach gave a message that the Council, despite the existing economic difficulties, was very much open for business and ready to facilitate development opportunities.

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In addition to planning applications, the Development Management Team had dealt with around 500 complaints regarding alleged breaches of planning control. Officers remained aware of the fact that the credibility of the planning system as a whole rested on the ability to take timely and appropriate enforcement action.

A further 150 sites had also been investigated by officers as potentially requiring tidy up work using the main powers available under Section 215 of the Town and Country Planning Act 1990 (this power allowed the local planning authority to deal with privately owned land or buildings, the condition of which was adversely affecting the amenity of a particular area). This area of work had grown in recent years on the back of the Council's Grot Spots programme. Officers continued to strive to build on the good work to date and the partnerships already created both within the Council and with outside bodies such as the Police, Fire Service and rehabilitation groups.

The local planning authority was monitored closely by the Government regarding the time taken to determine planning applications. Applicants had a right to appeal to the Planning Inspectorate if their application was not dealt within the prescribed time. The Planning service had consistently continued to exceed these performance targets throughout 2016. The on-going commitment of all staff, coupled with the assistance of Planning Committee, had helped to achieve this.

Planning Committee was integral to the Council achieving the Government's performance targets with regard to the time taken to determine planning applications and the local planning authority was monitored closely by the Government.

With the threat of poorly performing local planning authorities being put in special measures by the Government, the ability to deal with planning applications in an effective and efficient manner was particularly pertinent. The continued support and pragmatism shown by Committee members proved invaluable for planning officers to continue to achieve the high performance and customer satisfaction levels that they had to date.

Resolved that the Planning Committee Annual Report for 2016 be received.

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Annual Report of the Standards Committee 2016/17

The Chair of the Standards Committee, Councillor Lewis, presented the annual report of the Standards Committee for the 2016/2017 municipal year.

The Localism Act 2011 required authorities to adopt arrangements for dealing with complaints about breaches of the Member Code of Conduct. Following a review of the arrangements by the Standards Committee to strengthen processes, the Council approved revised arrangements for Sandwell Council on 17th January, 2017.

The Committee had also revised the Social Media Policy to include more detail to clarify what acting in an official capacity meant. The increase in the use of social media by the public and members had created a new medium of communication. Although this was advantageous as it allowed members to communicate efficiently and cost effectively to a wider range of audiences, care had to be taken to ensure that members did not breach the Code of Conduct through statements posted on social media.

The Council had a statutory duty under the Localism Act 2011 to promote and maintain high standards of conduct by members. To comply with this duty the Council had to appoint Independent Persons. The Protocol made clear the role of the Independent Persons and their relationship with the authority and others and set out the methods by which different parties may consult with the Independent Persons.

Resolved that the Standards Committee Annual Report for 2016/2017 be received.

45/17

Report from the Lead Member on the West Midlands Fire and Rescue Authority

Councillor Edwards, the member nominated pursuant to Section 41 of the Local Government Act 1985 to report on the activities of the West Midlands Fire and Rescue Authority, presented an update on the work of the Fire Authority.

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Particular reference was made to:-

- in February 2017, West Midlands Fire and Rescue Authority agreed a net revenue budget for 2017/18 of £94.8 million, financed mainly through core funding from Government (£54.7 million) and precepts collected through Council Tax (£39.3 million);
- Council Tax was increased by 1.99% over the preceding year, even with this increase, the Authority still set a lower Council Tax than any other Fire and Rescue Authority in the country;
- by 2019/20, core funding provided by the Government would have been reduced by 50% (£38 million) since the reductions began in 2011;
- a four year settlement offer had been secured from Government by the provision of a service efficiency plan for 2016/17 to 2019/20, producing further core funding reductions as follows:-

2016/17 £3.278m
2017/18 £3.985m
2018/19 £1.691m
2019/20 £0.690m

representing a reduction of core funding over the four year period 2016/17 to 2019/20 of 15% (£9.4 million). These figures were included in the total cuts mentioned above of £38 million during the period 2011/12 to 2019/20;

- total capital requirements by the Fire Authority in 2017/18 and 2018/19 were £20.84 million. This was being funded from earmarked reserves. The main call on this investment would be fire station replacements; with Coventry and Aston rebuilds currently underway. There was also a need to fund the vehicle replacement programme;

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- in 2019/20 available capital would fall to £3.181. As a consequence, there would be a capital funding shortfall of around £3 million per year from 2020/21 onwards to meet anticipated replacement of essential capital assets, i.e. vehicles and equipment, not allowing for the funding impact of introducing any new schemes into the capital programme, such as further station redevelopments and refurbishments;
- the Government's Policing and Crime Bill received assent on 31st January 2017 and provided for Police and Crime Commissioners to assume governance of fire and rescue services. The Bill extended the same provision to elected Mayors in devolved areas like the West Midlands;
- an independently chaired Government Working Group was set up to look at the potential change under the Bill. Taking into account the findings of the Group, feedback from the survey carried out in January and December and the views of the Authority, the West Midlands Fire and Rescue Authority agreed unanimously to establish a route to future governance with the West Midlands Combined Authority and elected Mayor. On 3rd March 2017, the West Midlands Combined Authority unanimously supported this approach and had since publically recognised the contribution that West Midlands Fire Service could make to developing public service reform and health intervention and prevention;
- with regard to performance, accidental fires in dwellings were below target but arson fires and casualties were above target. Arson attacks in commercial properties and on vehicles were significantly over target. Planning Enforcement Officers in Sandwell had worked really well with the Fire Service to do something with derelict properties which remained empty and were the scene of many arson fires causing difficulties for the service and significant damage;
- during the eleven month period, almost 300 people were rescued or led to safety from fires by firefighters. Fire crews attended 2,269 road traffic collisions and extricated 262 people from vehicles. In incidents like these West Midlands Fire Service response times, which remained the best in the country, were critical to survivability.

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In response to a question as to whether the Fire Authority could continue to cope, Councillor Edwards gave assurances that, despite a significant reduction in funding, the Fire Authority continued to make transformational changes and was doing more with less funding. Response times had reduced and there was a complete range of services in place, helped by the co-operation of staff and unions who were prepared to remain flexible. However, should the budget reductions continue beyond 2020, the situation may be different.

46/17

Minutes and Policy/Strategic Recommendations of the Cabinet

The Council received the minutes of the meetings of the Cabinet held on 1st March and 22nd March, 2017.

In response to a question regarding concerns raised at the previous meeting around the Sandwell ticket, the Cabinet Member for Regeneration and Economic Investment confirmed that concerns had been raised with National Express West Midlands that the Sandwell ticket was not available to a considerable number of Sandwell residents. The opportunity had also been taken to highlight concerns with regard to the consultation process and a response was awaited.

In response to a question regarding the proposed transit site in Sandwell, the Cabinet Member for Regeneration and Economic Investment confirmed that a planning application had been submitted and, subject to approval, it was expected that the site would be operational towards the end of July/early August.

The Council considered the recommendation of the Cabinet on the following matters of strategic significance:-

46/17(a)

Revised Unauthorised Encampments Corporate Policy

Resolved that the revised Unauthorised Encampments Corporate Policy be approved.

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47/17 **Summary of Matters Considered at the Budget and Corporate Scrutiny Board**

On behalf of the Chair of the Budget and Corporate Scrutiny Board, Councillor Underhill presented the summary of matters considered at the meeting of the Board held on 23rd February, 2017.

No questions were asked of Councillor Underhill.

48/17 **Summary of Matters Considered at the Jobs, Economy and Enterprise Scrutiny Board**

The Chair of the Jobs, Economy and Enterprise Scrutiny Board, Councillor S Jones, presented the summary of matters considered at the meeting of the Board held on 8th March, 2017.

No questions were asked of the Chair of the Board.

49/17 **Minutes of the Audit Committee**

On behalf of the Chair of the Audit Committee, Councillor Preece presented the minutes of the meeting of the Audit Committee held on 23rd March, 2017.

No questions were asked of Councillor Preece.

50/17 **Minutes of the General Purposes and Arbitration Committee**

The Chair of the General Purposes and Arbitration Committee, Councillor Dhallu, presented the minutes of the meeting of the General Purposes and Arbitration Committee held on 20th March, 2017.

No questions were asked of the Chair.

The Council considered the recommendation of the Committee on the nomination for the office of Mayor, together with a proposal with regard to the nomination for Deputy Mayor.

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Resolved:-

- (1) that Councillor Ahmadul Haque be nominated for the office of Mayor of the Borough of Sandwell for the 2017/2018 Municipal Year;
- (2) that Councillor Susan Eaves be nominated for the office of Deputy Mayor of the Borough of Sandwell for the 2017/18 Municipal Year.

51/17 **Minutes of the Standards Committee**

The Chair of the Standards Committee, Councillor Lewis, presented the minutes of the meeting of the Standards Committee held on 24th March, 2017.

No questions were asked of the Chair.

52/17 **Key Decisions of the Chief Officer Terms and Conditions Committee**

The Leader presented the key decisions of the meeting of the Chief Officer Terms and Conditions Committee held on 23rd March, 2017 at which approval had been given to the appointment of Darren Carter to the position of Executive Director – Resources, Chris Ward to the position of Director – Education, Skills and Employment and Stuart Lackenby to the position of Director – Prevention and Protection.

No questions were asked of the Leader.

53/17 **Governance (Committee and Scrutiny Board Structure) 2017/18**

At its meeting on 22nd March 2017, the Constitution Working Group considered the findings of an advisory group, convened by the Leader to advise on any changes that needed to be considered to address deficiencies in the current structure, or areas of duplication, and to ensure that governance structures were fit for purpose in meeting current and future challenges.

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The Constitution Working Group welcomed and endorsed the advisory group's view that changes to the Council's Committee and Scrutiny Board structure, sought to:

- make the structure more streamlined, clear and consistent;
- focus member involvement on strategic decision-making; and
- tighten up (in terms of methodology) and open out (in terms of transparency) decision-making, scrutiny and performance management.

Changes required to terms of reference as a result of the revision to the structure would be submitted to the Annual Meeting of Council.

In proposing the structure, the Leader confirmed that the Licensing Committee would comprise of fifteen members, in accordance with the Licensing Act 2003.

Resolved:-

- (1) that the revised Committee and Scrutiny Board structure be approved to take effect from the municipal year 2017/2018;
- (2) that any changes to terms of reference be submitted for approval at the Annual Meeting of Council on 16th May, 2017.

54/17

Thanks to the Council

Councillor Webb wished to place on record her thanks to officers and members of the Council for their help, support advice throughout the year.

(The meeting ended at 6.44pm)

Contact Officer: Trisha Newton Democratic Services Unit 0121 569 3193

This meeting was webcast live and is available to view on the Council's website (<http://sandwell.public-i.tv/core/portal/home>).

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