

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

**9th April, 2019 at 6.00pm
at the Sandwell Council House, Oldbury**

Present: The Mayor (Councillor Edis);
The Deputy Mayor (Councillor Goult);

Councillors Ahmed, Akhter, Ali, Allcock, Allen, Ashman, Bawa, Cherrington, Chidley, Costigan, Crompton, K Davies, P Davies, S Davies, Y Davies, Dhallu, Downing, Eaves, Edis, Edwards, Gavan, E A Giles, E M Giles, L Giles, Goult, Hackett, Hadley, Hartwell, Hevican, L Horton, R Horton, D Hosell, S Hosell, P Hughes, M Hussain, M Y Hussain, Dr Jaron, Jarvis, I Jones, O Jones, S Jones, Khatun, Lewis, Lloyd, Melia, Millard, Moore, Padda, Phillips, Piper, Preece, Rollins, Rouf, Sandars, Shaeen, Singh, Taylor, Tranter, Trow, Underhill, Webb and White.

Apologies: Councillors Carmichael, S Crumpton, Dr T Crumpton, Eling, P M Hughes, B Price, R Price, Shackleton, Tagger and Worsey.

33/19 Declarations of Interest

| Agenda Item | Subject | Member | Interest |
|-------------|--|---------------------|--|
| 7 | Proposal to Depart from the Local Development Plan - Land at Londonderry Playing Fields, Londonderry Lane, Smethwick | Councillor P Hughes | Sandwell Leisure Trust Board Member - left the room and took no part in debate |

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| 7 | Proposal to Depart from the Local Development Plan - Land at Londonderry Playing Fields, Londonderry Lane, Smethwick | Councillor I Jones | Relative employed by Sandwell Leisure Trust – left the room and took no part in debate |
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| 7 | Proposal to Depart from the Local Development Plan - Land at Londonderry Playing Fields, Londonderry Lane, Smethwick | Councillor S Jones | Relative employed by Sandwell Leisure Trust – left the room and took no part in debate |

34/19 Minutes

Resolved that the minutes of the meeting of Council held on 5th March, 2019 be confirmed as a correct record.

35/19 Minute Silence

The Council stood in silent tribute in respect of the terrorist attacks at mosques in Christchurch, New Zealand which had resulted in the deaths of 50 men, women and children.

On behalf of the Council, the Mayor sent heart-felt condolences to the nation of New Zealand, particularly to all the families and friends of those who had lost loved ones in these senseless attacks.

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36/19 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 Hamstead Miners Memorial Event.

The Mayor also thanked everyone for their Easter egg donations, in particular Morrisons who had donated fifty eggs. The eggs would be distributed to looked after children in Sandwell.

The Mayor invited the Leader of the Council, along with Trade Union representatives, to sign three Charters, as follows:-

The Apprenticeship Charter - Sandwell Council had an excellent track record of recruiting, managing and retaining apprentices and recognised the value in retaining knowledge and skills wherever possible and the considerable investment that was made by apprenticeship programmes. Apprentices were a key part of the Council's Future Talent strategy. The Charter outlined how we would manage, support, develop and train apprentices and ensured that key principles were promoted across the Council.

In addition, the Council and its partners were committed to delivering their joint vision for Sandwell in 2030, by ensuring that everyone benefitted from economic growth and that people were supported into good quality and skilled employment. It was recognised that this Charter could ultimately be signed up to by all our partners and employers in the borough to form a truly, Sandwell-wide Apprenticeship Charter.

The Domestic Abuse Charter - domestic abuse had a devastating impact on individuals and their families. Being a good employer not only meant supporting employees at work, but also offering support during difficult periods in their lives. Sandwell Council was committed to ensuring support was available to employees who were victims or survivors of domestic abuse and had therefore developed a Domestic Abuse Charter in conjunction with Trade Unions. The charter outlined a number of ways that Sandwell pledged to support employees who were experiencing domestic abuse.

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The Construction Charter - Sandwell Council was responsible for the procurement of contracts to support a host of construction projects. As a result of this, the Council and its Trade Unions had developed and agreed a Construction Charter, that outlined how the Council promoted and encouraged its contractors and their supply chains to operate.

The Charter reinforced the Council's commitment to ensuring the highest standards in respect of health and safety, standards of work, training and terms and conditions of employment for those who worked on behalf of the Council.

The Council awarded many construction contracts with partners and had a role to play in encouraging and helping to drive continuous improvements in their employment practice. Many were excellent employers and the Charter would help to ensure excellent practices were embedded with all the Council partners and contractors.

As this was the last meeting prior to the local elections, the Mayor and the Leader took the opportunity to thank those members who were not standing in the elections for their service to Sandwell and to wish them all well for the future.

37/19 Petitions Under Standing Order No. 5

No petitions were received under Standing Order No. 5.

38/19 Questions Under Standing Order No. 6

No questions were received under Standing Order No. 6.

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Proposal to Depart from the Local Development Plan - Land at Londonderry Playing Fields, Londonderry Lane, Smethwick

At the meeting of the Planning Committee held on 13th March 2019, consideration was given to planning application DC/19/62642 which sought approval for a new leisure centre development at land at Londonderry Playing Fields, Londonderry Lane, Smethwick. The scheme had been submitted by the Council and the site was Council owned.

The Council proposed to build a leisure centre to include a 10 lane competition 50m swimming pool, competition diving pool, community pool, spectator seating, sports hall(s), fitness suite, studios and other complementary uses, with associated outdoor football pitch and informal play space, together with temporary works to enable the site to first serve as a venue for the Birmingham Commonwealth Games 2022.

Upon reviewing Sandwell's sports and leisure facilities in 2016, the 'Sandwell Sport and Leisure – Built Facilities Strategy' published in January 2018 noted that the quality of both Langley and Smethwick swimming centres was poor. Additionally, there was an 11% unmet demand in swimming provision in Sandwell, a lack of competition swimming facilities in the West Midlands, and a shortage of large sports halls in Sandwell, with existing provision of varying quality.

Nine alternative sites for the facility were considered by the Council. These sites were discounted on the grounds of being unsuitable in location, as well as having ownership and legal constraints. The application site was chosen as it was of a suitable size, would be capable of accommodating the specification of the development and was readily available to undertake the requisite works within the prescribed timeframe.

The site was allocated in the Local Plan as an area of community open space. However, the improvement of the outdoor pitches and informal open space could outweigh the partial loss of the existing playing fields. Additionally, the site could also become operational without compromise to the vitality or viability of existing centres in the Borough.

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Planning Committee approved the planning application with conditions. As the site was currently allocated as community open space within the Site Allocations and Delivery Development Plan Document, it was necessary for the Council to consider whether or not to grant an exception to its policy to allow the application to proceed.

In response to questions from members, the Cabinet Member for Regeneration and Economic Investment responded as follows:-

- nine sites had been considered, however, this site was considered to be the most appropriate;
- the existing facilities were currently being subsidised, however, it was expected that the new centre would operate at a surplus and contribute to continued leisure provision in the Borough;
- a meeting was being arranged by officers in Highways with Transport for West Midlands with regard to the transport plan. During the Commonwealth Games it was expected that visitors would be transported to the venue. The car park was sufficient to accommodate the facility once the Games were finished and proposals for the Queens Head junction were being prepared with improvements being put in place prior to the Games. There were also anticipated improvements to Galton Bridge and Rolfe Street Stations;
- an air quality survey would be carried out;
- the site was accessible for those with disabilities and complex needs;
- there was not currently a football team using the site, however, the proposals included the creation of a pitch to the rear of the site;
- the enhancements were outlined in the application which included the creation of a new urban park/children's play area maximising the green space around the site.

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It was moved, seconded and, with the exception of two members abstaining to vote:

Resolved that an exception to the Local Plan be allowed in respect of planning application DC/19/62642, Land at Londonderry Playing Fields, Londonderry Lane, Smethwick (Demolition of existing freestanding changing room building and proposed erection of leisure centre (Class D2) including a 10 lane competition 50m swimming pool, competition diving pool, community pool, spectator seating, sports hall(s), fitness suite, studios and other complementary uses, with associated outdoor football pitch and informal play space, parking, utilities and landscaping provisions, together with temporary works to enable the site to first serve as a venue for the Birmingham Commonwealth Games).

40/19 **Proposal to Depart from the Local Development Plan - Land at Unit 8 Powke Lane Industrial Estate, Powke Lane, Rowley Regis**

At the meeting of the Planning Committee held on 13th March 2019, consideration was given to planning application DC/18/62397 which sought approval for a new karate centre and operational works at Unit 8, Powke Lane Industrial Estate, Powke Lane, Rowley Regis.

Planning Committee approved the planning application with conditions. As the site was currently allocated for employment uses within the Site Allocations and Delivery Development Plan Document, it was necessary for the Council to consider whether or not to grant an exception to its policy to allow the application to proceed.

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It was moved, seconded and unanimously:

Resolved that an exception to the Local Plan be allowed in respect of planning application DC/18/62397, Land at Unit 8 Powke Lane Industrial Estate, Powke Lane, Rowley Regis (Proposed partial change of use at ground floor, and change of use at first floor with extension to create a Karate centre (D2 use class, assembly and leisure)).

41/19 **Proposal to Depart from the Local Development Plan - Land at Seven Stars Road, Oldbury**

Planning Committee, on 13th March 2019, gave consideration to planning application DC/18/62516 which sought approval for a new industrial/warehouse development at Seven Stars Road, Oldbury.

Planning Committee approved the planning application with conditions. As the site was currently allocated as housing within the Site Allocations and Delivery Development Plan Document it was necessary for the Council to consider whether or not to grant an exception to its policy to allow the application to proceed.

It was moved, seconded and unanimously:

Resolved that an exception to the Local Plan be allowed in respect of planning application DC/18/62516, Land at Seven Stars Road, Oldbury (Proposed industrial/warehouse development for B2 or B8 with ancillary office space, landscaping, associated parking and external works).

42/19 **Ethical Standards and Member Development Committee Annual Report 2018-19**

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 Ethical Standards and Member Development Committee, Councillor Lewis, presented the annual report of the Ethical Standards and Member Development Committee for 2018-19.

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The Localism Act 2011 introduced significant changes to the ethical framework, including the removal of the requirement for a national code of conduct and statutory standards committee and set out a light touch framework for a new ethical regime. The Act placed an obligation on the Council to have a code of conduct and promote and maintain high standards of Elected Member conduct.

Whilst there was no requirement to have a standards committee, standards issues and casework must still be dealt with. As part of addressing the Council's statutory obligation to promote high ethical standards, the Council retained its standards committee and broadened its remit to include elected member development.

During 2018-19, the Ethical Standards and Member Development Committee met on three occasions and considered the following:

Member Development Programme

The revised Member Development Programme had been designed to assist members to lead their own development and would ensure that they developed/acquired the requisite knowledge, experience and skills to succeed in their various councillor roles.

The Council sought to build upon its successes as a member-led Council and recognised that to do so all elected members had an important role to play. It was recognised that elected members could be appointed to various roles during their period of office (whether one or over several terms). The Member Development Programme was purposely designed to facilitate discussions and debate with all elected members and would specifically consider the roles of Chair, Vice Chair, committee member and representatives on an outside body.

Elected members had undertaken annual personal development plans and many undertook a wide range of training and other forms of development courses. However, there was a need to ensure the needs of members were better understood so the development programme was clearly aligned to those needs and delivered in a manner that members found engaging, thought-provoking and informative.

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A joined-up Member Development Programme had therefore been developed to engage all members so that their needs could be properly examined and met. The programme would challenge and inform members so they were equipped to meet the requirements of the 2030 Vision. The programme would be supported by facilitators, member peers (as far as possible) and use of member networks locally, regionally and nationally.

A Member Development Programme brochure had been produced which set out the areas of development, learning and support that Elected Members had requested and detailed all essential learning, requested learning, member wellbeing and resilience and support arrangements requested by Members.

Throughout this and next municipal year various development, learning and training sessions would be organised for Members based on the areas of focus detailed in the brochure. A quarterly bulletin would be issued to Elected Members providing details of up and coming events.

Committee on Standards in Public Life

The Ethical Standards and Member Development Committee had a duty to promote high ethical standards amongst members. As well as complying with legislation and guidance, the Committee needed to demonstrate learning from issues arising from local investigations and case law. The Ethical Standards and Member Development Committee was kept informed of any issues arising out of the Annual Report from the Committee on Standards in Public Life as they may also add to learning at the local level.

The Committee on Standards in Public Life launched a stakeholder consultation on the Local Authority Ethical Framework and the Monitoring Officer and the Standards and Member Development Committee responded to the consultation on behalf of the Council. The report was published on 30th January 2019.

Review of Personal Safety of Elected Members

The Ethical Standards and Member Development Committee, through its Working Group, had commenced a review of Elected Member safety.

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The Committee recognised that a full review of member safety had not been undertaken for some time and given the changes in member roles, the demands placed upon them and recent tragic events and incidents involving those in public office, it was considered appropriate for a review to be undertaken to ensure the wellbeing and safety of members.

The Committee recognised that elected members in Sandwell prided themselves on wanting to ensure they remained accessible to their Ward residents but also acknowledged that some members had been subjected to unacceptable behaviour and abuse when undertaking their various councillor roles.

Whilst the review would look at best practice, it would ensure that all elected members were afforded the opportunity to contribute to the review and its outcomes.

The review would help to ensure an informed approach was taken to identify all reasonable and proportionate measures necessary to ensure elected members were able to undertake their duties and roles safely and with confidence.

A full report would be considered by the Ethical Standards and Member Development Committee on this matter once the review was complete.

43/19 Minutes and Policy/Strategic Recommendations of the Cabinet

The Council received the minutes of the meeting of the Cabinet held on 20th March 2019.

44/19 Minutes of the Audit and Risk Assurance Committee

The Chair of the Audit and Risk Assurance Committee, Councillor Preece, presented the minutes of the meeting of the Audit and Risk Assurance Committee held on 21st March 2019.

No questions were asked of the Chair.

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45/19 **Minutes of the Ethical Standards and Member Development
Committee**

The Chair of the Ethical Standards and Member Development Committee, Councillor Lewis, presented the minutes of the meeting of the Ethical Standards and Member Development Committee held on 19th March 2019.

No questions were asked of the Chair.

(The meeting ended at 7.05pm)

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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| <p>Contact Officer: Trisha Newton Democratic Services Unit 0121 569 3193</p> |
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