

Agenda Council

You are hereby summoned to attend a meeting of the Sandwell Metropolitan Borough Council, to be held on Tuesday, 7 December 2021 at 6.00 pm for the purpose of transacting the following business:-

The Deputy Mayor of Sandwell, Councillor R Jones, In the Chair

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| 1 | To receive apologies for absence (if any). | 11 - 12 |
| 2 | Declarations of interests in any matters to be discussed at the meeting. | 13 - 14 |
| 3 | To confirm as a correct record, the minutes of the meeting of Council held on 12 October 2021. | 15 - 30 |
| 4 | To consider any urgent business (with prior approval by the Deputy Mayor). | |
| 5 | To receive announcements from the Deputy Mayor. | 31 - 32 |
| 6 | Election of Leader of the Council | 33 - 38 |
| | To consider the election of the Leader of the Council. | |
| 7 | Petitions | 39 - 40 |
| | To receive petitions under Standing Order No. 5. | |



To consider written questions under Standing Order No. 6 to:-

- (a) the Mayor;
- (b) the Leader of the Council;
- (c) any other member of the Cabinet;
- (d) any person appointed to preside at a committee, sub-committee or panel;
- (e) the members of the Council nominated pursuant to Section 41 of the Local Government Act 1985, on the discharge of the functions of the following Joint Authorities:-
 - (i) West Midlands Combined Authority (the Leader);
 - (ii) West Midlands Fire and Rescue Authority (Councillor C Padda);
 - (iii) Transport for the West Midlands (Councillor Akhter);
- (f) a nominated member appointed by the Council to the Board of Sandwell Leisure Trust;
- (g) ***a member of the Council who is, as a result of action taken by or on behalf of the Council, a member or director of any company.***

9	Constitution and Political Balance of Committees and Boards and Appointment to Vacancies on Committee, Boards and Other Bodies	49 - 54
	To approve the political balance of the committees, boards and other fora for the remainder of the 2021-22 municipal year.	
10	Treasury Management Mid-Year Review	55 - 76
	To consider the Treasury Management Mid-Year Review.	
11	Proposed Departures from the Development Plan	
11.1	At land to rear of Bakshish House, Rood End Road, Oldbury (Planning Application DC/21/65491)	77 - 82
11.2	At Locarno Works, Locarno Road, Tipton (Planning Application DC/21/65623) To consider exceptions to the Development Plan in respect of planning applications.	83 - 88
12	Appointment of Independent Person for Standards Matters	89 - 92
	To consider the extension of an appointment of an Independent Person.	
13	To receive the minutes and recommendations of Cabinet	93 - 208
	To receive the minutes of the meeting of the Cabinet held on 29 September, 20 October and 3 November 2021 and to consider any policy and/or strategic recommendations arising from the meetings:-	
	(a) Proposal to Declare the Whole of Sandwell as a Smoke Control Area (Revoking and replacing the existing 51 SCAs).	

- 14 **To receive the minutes of Budget and Corporate Scrutiny Management Board** 209 - 218

To receive the minutes of the meeting of the Budget and Corporate Scrutiny Management Board held on 21 September and 17 November 2021.

- 15 **To receive the minutes of Audit and Risk Assurance Committee** 219 - 224

To receive the minutes of the Audit and Risk Assurance Committee held on 16 September 2021.

- 16 **Notice of Motions**

To consider the following motions received under Standing Order No. 7:-

- 16.1 **Unlocking the Potential of Local High Streets**
Proposer: Councillor Hughes
Seconder: Councillor L Giles

“THIS COUNCIL BELIEVES that healthy High Streets are essential for community cohesion, civic pride, employment, shopping, services and leisure. But many shops and businesses were struggling even before the COVID-19 pandemic! According to the Office of National Statistics, between 2015 – 2018, High Street Retail Employment fell in more than $\frac{3}{4}$ of local authorities. Also, even before the pandemic, more than 50% of all UK consumers were shopping online.

THIS COUNCIL NOTES that Retail is among the sectors most affected by the COVID-19 pandemic, with Retail Workers being on the frontline of the crisis throughout. During 2020, the almost complete shutdown of non-essential shops hit businesses hard, whilst the need for

social distancing also changed the way many businesses operate - all leading to reduced footfall. In many cases, the pandemic has accelerated what has been a longer trend of lower footfall and changing shopping habits. Indeed, a decade ago, the 'Portas Review' acknowledged that, if High Streets are to adapt and survive, their form and function needs to change radically.

THIS COUNCIL WELCOMES the willingness of Government to acknowledge the problems and come forward with initiatives in response to these challenges such as the furlough scheme, COVID support business loans, and the High Street Taskforce. However, as the Treasury Select Committee stated in 2019, the current system of Business Rates places an unfair burden on "bricks and mortar" businesses compared to online ones, and the Business Rate system needs radical overhaul.

THIS COUNCIL REQUESTS THE LEADER TO:

- Write to the Government to urge them to undertake an urgent review of Business Rates in order to support high street businesses to recover from the pandemic; and level the playing field between on-line and High Street businesses, to make it fair and sustainable for all.

And invites the Executive to consider:

- Sign up to the Co-operative Party's Unlock the High Street Campaign and explore what local action can be taken now to revive Sandwell's High Streets, whilst Business Rates are reviewed.
- Sign up to the Co-operative Party's campaign to Devolve Funding (e.g. the Towns Fund, Levelling Up Fund, UK Shared Prosperity Fund and other national funding

pots), to give Local Communities, Councils and Regions the ultimate say on how such funding is spent in their area.

- Explore the creation of Community Improvement Districts to reconnect communities with the levers that drive economic development in Sandwell's Town Centres, to create an equal partnership of business and community organisations, in order to galvanise action at a local level.
- Make public any data held by Sandwell Council on ownership of high street properties (in an accessible format), so that community groups seeking to buy empty shops through a community share offer have the information they need to do so.
- Make full use of Section 215 Planning Enforcement powers where empty units are attracting antisocial behaviour and/or creating an eyesore on the High Street
- Contact Landlords of vacant premises proactively (working with Chambers of Commerce, Landlord Associations and BID managers) to explore and/or encourage alternative rental models (e.g. turnover rather than market rent) to enable new Co-operatives, SMEs, Social Enterprises and Community Businesses to set up and open their doors on Sandwell's High Streets."

16.2 Fireworks

Proposer: Councillor Moore

Seconder: Councillor Fenton

"This Council resolves to require all public firework displays within the local authority's boundaries to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people; to actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks; and requests that

the Leader of the Council writes to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays; and to encourage local suppliers of fireworks to stock 'quieter' fireworks for public display."

16.3 Waste Partnership Contract

Proposer: Councillor W Gill

Seconder: Councillor Chapman

"That this Council recognises there has been a failure from the Council to fulfil their waste collection and consequently their waste disposal services,

That this Council acknowledges that there has further been a failure to provide a street cleansing service.

That this Council concedes that there has been a significant failure in communication on their part regarding informing residents about the disruption to the waste collection service.

That this Council moves to resolve by way of an launching an immediate review into the current waste partnership contract and considers the potential of re-tendering of the contract whereby the services of waste collection, waste disposal and street cleansing are separated.

And further that this Council moves to freeze Council Tax for the next financial year at their current rates for all residents of this borough as way on an apology for the inconvenience caused by the disruption, the lack of communication and the failure to provide a basic service like waste collection which the good people of Sandwell pay for."

16.4 DBS Checks for Elected Members

Proposer: Councillor Fisher
Seconded: Councillor Abrahams

“That this Council recognises that due to the roles and responsibilities of being a councillor it would be in the best interest of this Council and members of the public that all elected members are vetted.”

With a DBS, Sandwell Council can check a person’s criminal background without violating their privacy.

The DBS searches through an individual’s record for both spent and unspent convictions, cautions, warnings, and reprimands and the date of the offence recorded on the Police National Computer (PNC)

The advantages of getting Cllr’s to undergo a DBS is to help mitigate the risk of criminal behaviour happening.

The cost of an average DBS is £30 and takes around 14 days. Discussions on whether Sandwell Council should cover the cost of this will need further discussions.

I can confirm that Sandwell Conservatives have already introduced this, and all 10 Conservative Councillors have already completed a DBS check, and these are available for public viewing. The cost is covered by those individuals, so no cost to the Council or taxpayer.

The benefits are:

Security - DBS checks give peace of mind, that elected members don’t have any convictions.

Safety - The safety of the council is improved when elected members have undergone DBS checks. This is especially

true in roles that involve being around vulnerable groups, handling sensitive information or dealing with finances. DBS checks can also help the council highlight people with violent tendencies.

Regulation Compliance – Some positions that members may be elected to, may bring them in contact with Children and vulnerable adults.”



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Distribution
All Members of the Council

Contact: democratic_services@sandwell.gov.uk

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Members who cannot attend the meeting should submit apologies by contacting Democratic Services (democratic_services@sandwell.gov.uk)



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