

Agenda Council

You are hereby summoned to attend a meeting of the Sandwell Metropolitan Borough Council, to be held on Tuesday, 13 December 2022 at 6.15 pm (or on the rising of the Extraordinary Meeting of Council) for the purpose of transacting the following business:-

The Mayor of Sandwell, Councillor Richard Jones, in the Chair

1 Apologies for Absence

To receive apologies for absence (if any).

2 Declarations of Interest

Members to declare any interests in matters to be discussed at the meeting.

3 Minutes

15 - 32

To confirm as a correct record, the minutes of the extraordinary and ordinary meetings of Council held on 8 November 2022.

4 Urgent Business

To consider any urgent business (with prior approval by the Mayor).

5 Mayor's Announcements

33 - 34

To receive announcements from the Mayor.



6 Petitions

To receive petitions under Standing Order No. 8.

7 Written Questions

35 - 36

To consider written questions under Standing Order No. 9 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 Jalil);
 - (iii) Transport for the West Midlands (Councillor Webb);
- (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.

- | | | |
|----|---|-----------|
| 8 | Sandwell Council Improvement Plan | 37 - 108 |
| | To consider the Sandwell Council Improvement Plan updates. | |
| 9 | Governance Review - Proposed Changes to the Council's Constitution | 109 - 310 |
| | To consider proposed changes to the Council's Constitution. | |
| 10 | Proposed departure from the Development Plan at Leabrook Road, Wednesbury | 311 - 316 |
| | To consider a departure from the Development Plan. | |
| 11 | Performance Champions - Progress Report | 317 - 328 |
| | To receive a progress report from Performance champions. | |
| 12 | Constitution and Political Balance of Committees and Boards | 329 - 334 |
| | To consider the political balance for the remainder of the municipal year. | |
| 13 | To receive the minutes of Cabinet | 335 - 420 |
| | To receive the minutes of the meeting of the Cabinet held on 16 November 2022 and consider the recommendation arising:- | |
| | (a) Review of Garden Waste Collection. | |
| 14 | To receive the minutes of the Budget and Corporate Scrutiny Management Board | 421 - 428 |
| | To receive the minutes of the Budget and Corporate Scrutiny Management Board held on 29 November 2022. | |

- 15 **To receive the minutes of the Audit and Risk Assurance Committee** 429 - 436

To receive the minutes of the Audit and Risk Assurance Committee held on 29 September 2022.

- 16 **To receive the minutes of the General Purposes and Arbitration Committee** 437 - 440

To receive the minutes of the General Purposes and Arbitration Committee held on 24 November 2022 and consider the recommendations arising:-

- (a) Review of Polling Places and Polling Stations 2022/23;
- (b) Nomination for Honorary Alderwoman (see Extraordinary Meeting of Council).

- 17 **To receive the minutes of the Ethical Standards and Member Development Committee** 441 - 444

To receive the minutes of the Ethical Standards and Member Development Committee on 1 November 2022.

- 18 **Notice of Motions**

To consider the following motions received under Standing Order No. 12:-

18(a) Opt-out HIV Testing

Proposer: Councillor Chapman
Seconder: Councillor Dunn

This council notes that:

1. The government has committed to ending new HIV transmissions in England by 2030.
2. As part of the roadmap to reaching zero by 2030, the HIV Commission recommended that opt-out HIV testing

become routine across the health service.

3. As part of the HIV Action Plan 2022-25, the Government made £20 million available from NHS England for opt-out testing in areas classified by the UK Health Security Agency to be areas of 'very high prevalence' on HIV and 'high prevalence' areas in London.
4. Sandwell is part of the next tier, as an area of high prevalence of HIV outside of London, with between 2-5 people per 1000 living with HIV.
5. In the Adult HIV Testing Guidelines, the British Association of Sexual Health and HIV and the British Association of HIV recommends HIV testing for all individuals who have not previously tested who are:
 - a. Accessing healthcare in areas of high HIV prevalence (2–5 per 1000) and undergoing venepuncture (a blood test);
 - b. Accessing healthcare in areas of extremely high HIV prevalence (>5 per 1000), whether or not they are undergoing venepuncture for another indication.
6. Opt-out testing has been successful. In the first 100 days of opt-out HIV testing in London, Manchester, Brighton and Blackpool, 102 people were newly diagnosed with HIV and a further 60 found who were lost to care.
7. Opt-out testing has also been effective in diagnosing hepatitis B and C. In 100 days, 328 people have been newly diagnosed with Hepatitis B and 137 newly diagnosed with Hepatitis C.

8. Opt-out HIV testing is an effective tool for addressing inequalities and works for people who don't traditionally access other ways of testing. People of Black African heritage, women and older people who are more likely to be diagnosed late are also more likely to be diagnosed through opt-out testing than other methods (for example in sexual health services or through postal testing).

This Council believes:

1. Finding undiagnosed people in Sandwell will be central to meeting the target of ending new HIV transmissions by 2030.
2. Anyone leaving A&E in Sandwell without knowing their HIV status is a missed opportunity.

This council resolves to request the Leader to:

1. Write to the Secretary of State for Health to ask for funding for opt-out testing for Sandwell and all other high prevalence areas.
2. Propose that opt-out testing is discussed at the next meeting of NHS Black Country ICS and that work is undertaken to explore implementing this across Sandwell.
3. Approach our local MPs, community groups and stakeholders, and leaders of other high prevalence areas in the Black Country and Birmingham to mobilise a campaign to bring opt-out HIV testing to the area.

18(b) Housing Safety

Proposer: Councillor W Gill

Seconded: Councillor Fisher

That this Council places on record that we are deeply saddened by the death of Awaab Ishak and is committed to ensuring that lessons are learnt to ensure that such a tragedy cannot happen again.

Therefore, this Council resolves to:

- Recognises the duties it has in the Housing Act 2004 to improve the housing quality for both social and private tenants.
- Commit to ensuring that all people in the Borough do not live in poor quality housing.
- Use the powers it has to ensure that all accommodation in Sandwell, whether private or social, is of high safety and quality standards.
- Commit to carry out a review of housing conditions in Sandwell and supply the Department for Levelling Up, Housing and Communities with an assessment of damp and mould issues affecting privately rented properties.
- Assess action that may need to be taken in relation to damp and mould issues affecting privately rented properties in the Borough and supply the Department for Levelling Up, Housing and Communities with this assessment.
- Welcome the government's plans to enable a rigorous new regime that holds all landlords to account for the

decency of their homes and the service they provide.

- Prioritise enforcement of housing standards and ensure that there is a strong and up-to-date plan to ensure there is adequate enforcement capacity to drive up standards in the private rented

18(c) Safe working, transport and enforcement.....

**Proposer: Councillor Suzanne Hartwell
Seconded: Councillor Hinchliff**

Shift work is widespread in many industries particularly hospitality, as well as health and care workers, and many National Health Service workers – all are expected to work or have a degree of late night working.

Late night working increases at this time of year (December). For those who work in retail, these workers are often women or students who work part time or to avoid child care costs.

Many workers of all genders and ages are increasingly worried of attack but especially women who are afraid of attack and sexual assault/harassment.

We would like to acknowledge the tremendous job that our local officers do to protect the residents of Sandwell but there are many weaknesses with enforcement of the law against sexual assault and harassment - this is appalling and together with the reduction of officers over the last decade which is an absolute disgrace makes this a difficult combination for women to feel safe.

This councils call upon the Leader to write to the Mayor of the West Midlands Combined Authority and ask him to provide assurances on the following:

- To make sure improvement to late night and off-peak transport by making sure time schedules are relevant, kept to and that cancellations are at a minimum with just reason.
- Because of the Cost of Living Crisis, ensure fares are kept to a minimum at an affordable level so as not to exclude the low paid such as nurses.
- Not to cut services in areas where it is known that late working is absolute or possible such as retail or hospitals
- Ensure all drivers and other public transport workers are trained to be aware of what Sexual Harassment is and know what to do in the event that it happens.
- Liaise with Trade Unions as necessary to prevent strike action that would stop transport

And to write to Simon Foster – the Police and Crime Commissioner:

- Requesting that he makes representations to the government on strengthening the law regarding sexual harassment, and to lobby the government for more officers to strengthen enforcement in Sandwell to prevent any rise in harassment.

18(d) Cost of Living Emergency

Proposer: Councillor Carmichael
Seconder: Councillor Piper

In April 2022 this Labour administration brought a motion to this council regarding


the Cost-of-Living Crisis. Since then, we have had a further TWO budgets and seen inflation rise to the highest it has been in forty years. This council now finds itself looking at discretionary services as part of its budget cuts.

This council thanks our officers for all the additional work already done to support residents in this crisis and to also note that we know that the council is doing all it can to protect our vulnerable residents including.

- Signposting of benefits and other support
- Exploring all ways to ensure that grants received go to the most vulnerable
- Providing extra funding to food banks, school voucher scheme, Ukraine hosts
- Setting up a Cost of Living Webpage and the recent set-up of a cost-of-living WhatsApp service
- Setting up Sandwell's warm spaces and supplying grants to organisations

This council believes that there is still more that will need to be done to help out our residents and this council resolves to:

- Escalate our established Cost of Living Crisis status and declare a 'Cost of Living Emergency' this highlighting the massively difficult situations many residents are facing
- Continue to explore ways in the councils' budget to ensure our most vulnerable receive help, even though we recognise the governments cuts over the last decade.
- Convene a cost-of-living summit in this council and invite partners, businesses, organisations, trade unions, MPs to help this council address the situation.



Kim Bromley-Derry CBE DL
Managing Director Commissioner
Sandwell Council House
Freeth Street
Oldbury
West Midlands

Distribution

Councillor R Jones

Councillors Abrahams, Ahmed, Akhtar, Akpoteni, Allcock, Allen, Anandou, Ashman, H Bhullar, Bostan, Carmichael, Chambers, Chapman, Chidley, Choudhry, E Costigan, Crompton, Davies, Dhallu, Dhariwal, Dunn, Fenton, Fisher, Gavan, Giles, E A Giles, L Giles, E M Giles, G Gill, M Gill, S Gill, W Gill, Hackett, Hartwell, Hinchliff, Hughes, A Hussain, Z Hussain, Jalil, O Jones, S Jones, Kalari, Kaur, Kausar, Khatun, Lewis, Mabena, Mayo, McVittie, Melia, Millard, Millar, Moore, Owen, Padda, Piper, Preece, Rahman, Randhawa, Rollins, Shaeen, Simms, N Singh, V Smith, Taylor, Trumpeter, Uddin, J Webb, Wilkes and Williams

Contact: democratic_services@sandwell.gov.uk

Information about meetings in Sandwell



If you are attending the meeting and require assistance to access the venue, please contact Democratic Services (democratic_services@sandwell.gov.uk).



If the fire alarm sounds, please follow the instructions of the officers present and leave the building by the nearest exit.



Only people invited to speak at a meeting may do so. Everyone at the meeting is expected to be respectful and listen to the discussion.



Agendas with reports with exempt information should be treated as private and confidential. It is your responsibility to ensure that any such reports are kept secure. After the meeting confidential papers should be disposed of in a secure way.



This meeting may be recorded and broadcast on the Internet. If this is the case, it will be confirmed at the meeting and further information will be provided.



You are allowed to use devices for the purposes of recording or reporting during the public session of the meeting. When using your devices they must not disrupt the meeting – please ensure they are set to silent.



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



All agenda, reports, minutes for Sandwell Council's meetings, councillor details and more are available from our website (<https://cmis.sandwell.gov.uk/cm5/>)