

# Agenda Council

**You are hereby summoned to attend a meeting of the Sandwell Metropolitan Borough Council, to be held on Tuesday, 28 March 2023 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**

- |          |  |                |
|----------|--|----------------|
| <b>1</b> | <b>Apologies for Absence</b>   | <b>9 - 10</b>  |
|          | To receive apologies for absence (if any).   |                |
| <b>2</b> | <b>Declarations of Interest</b>  | <b>11 - 12</b> |
|          | Members to declare any interests in matters to be discussed at the meeting.          |                |
| <b>3</b> | <b>Minutes</b>   | <b>13 - 26</b> |
|          | To confirm as a correct record, the minutes of the meeting held on 21 February 2023. |                |
| <b>4</b> | <b>Urgent Business</b>   | <b>27 - 28</b> |
|          | To consider any urgent business (with prior approval by the Mayor).                  |                |
| <b>5</b> | <b>Announcements</b>   | <b>29 - 30</b> |
|          | To receive announcements from the Chief Executive and the Mayor.                     |                |



6      **Petitions**      31 - 32

To receive petitions under Standing Order No. 8.

7      **Written Questions**      33 - 36

To consider written questions under Standing Order No. 9 from

- (a)      Elected Members
- (b)      Members of the Public

to:-

- (i)      the Mayor;
- (ii)     the Leader of the Council;
- (iii)    any other member of the Cabinet;
- (iv)    any person appointed to preside at a committee, sub-committee or panel;
- (v)    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);
  - (vi)    a nominated member appointed by the Council to the Board of Sandwell Leisure Trust;
  - (vii)   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	<b>Pay Policy 2023 and Gender Pay Gap Reporting</b>	37 - 50
	To consider the Pay Policy 2023 and Gender Pay Gap Report.	
9	<b>Section 41 of the Local Government Act 1985 Update</b>	51 - 92
	To receive updates from the Council's lead representatives on:-	
	(a) Transport for the West Midlands;	
	(b) West Midlands Police and Crime Panel;	
	(c) West Midlands Combined Authority.	
10	<b>Annual Report of the Ethical Standards and Member Development Committee 2022-2023</b>	93 - 112
	To receive the annual report of the Ethical Standards and Member Development Committee.	
11	<b>To receive the minutes of Cabinet</b>	113 - 138
	To receive the minutes of the meeting of the Cabinet held on 15 February 2023.	
12	<b>To receive the minutes of Budget and Corporate Scrutiny Management Board</b>	139 - 148
	To receive the minutes of the meetings of the Budget and Corporate Scrutiny Management Board held on 2 February and 1 March 2023.	

13      **To receive the minutes of the Ethical Standards and Member Development Committee**      149 - 160

To receive the minutes of the meeting of the Ethical Standards and Member Development Committee held on 7 March 2023 and consider the recommendation arising from the meeting in relation to:-

(a)      DBS Checks for Elected Members.

14      **To receive the minutes of the General Purposes and Arbitration Committee**      161 - 166

To receive the minutes of the meeting of the General Purposes and Arbitration Committee held on 14 March 2023 and consider the recommendation arising from the meeting in relation to:-

(a)              Nominations for Mayor 2023/24

And, in connection with (a), receive and consider:-

(b)              Nominations for Deputy Mayor 2023/24.

15      **To receive the minutes of the Audit and Risk Assurance Committee**      167 - 174

To receive the minutes of the meeting of the Audit and Risk Assurance Committee held on 19 January 2023.

16      **Notices of Motion**

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

16(a) **Motion to explore the introduction of an Additional Licensing Scheme for Houses of Multiple Occupation across Sandwell**

**Proposer: Councillor Dunn**  
**Seconder: Councillor Wilkes**

“That this Council recognises that Houses of Multiple Occupancy (HMOs) with under five occupants is difficult to monitor due to the lack of requirements needed when registering with Local Authorities and is therefore having an impact on the wellbeing of residents within our community.

As a result, this Council moves that the Cabinet Member for Housing commissions a report to the next meeting of Cabinet, which outlines the feasibility of having an Additional Licensing Scheme, for all HMOs within Sandwell Metropolitan Borough, which runs alongside the Mandatory Licensing Scheme, pursuant to Section 56 of the Housing Act 2004 and report the findings of this Report to the next Full Council Meeting, which falls in the next Municipal Year.”

16(b) **DBS Legislation Review**

**Proposer: Councillor Allcock**  
**Seconder: Councillor Crompton**

The work the Disclosure and Barring Service (DBS) does is vital to safeguarding initiatives across the UK and they undertake millions of checks every year.

However, a legal loophole that allows dangerous individuals to potentially bypass these measures exist. By simply changing one's name by deed poll, the link to an individual criminal record is broken.

By law, people convicted of sex offences or those on the sex offenders' register must inform the police if they change their name and failure to do so can lead to a 5-year prison sentence. If the individual in question decides to change their name without informing the police, they could potentially disappear and bypass the DBS process.

Also during the development of the Sandwell Council's DBS check protocol, it has become apparent that the "Enhanced Disclosure" criteria is somewhat vague in respect to the duties undertaken by Councillors. The reality is that we do not know what level of exposure to vulnerable persons we will have whilst carrying out our duties and Enhanced checks that offer greater level of scrutiny and assurance may be declined by DBS.

This Council requests that the Leader of the Council, with cross party support, write to the Minister for Safeguarding, Sarah Dines MP to close this loophole in the legislation and consider the role of a Local Councillor as automatic qualification for Enhanced Checks as part of the planned Government review.

16(c) **Dog Waste**

**Proposer: Councillor W Gill**

**Seconder: Councillor Chapman**

"This Council recognises the impact of dog mess in our local communities and the concerns that residents raise about the issue, particularly in hot-spot areas like in parks and on popular dog walking routes.

This Council recognises and reaffirms its duty to ensure Sandwell's streets are safe and clean.

This Council requests that the executive work with Serco to explore the option of introducing more bins onto our local housing estates, parks and nature reserves, to encourage people to pick up and dispose of their dog waste – and encourages the Council’s communications department to continue to emphasise the importance of clearing up after your pets.

That this Council requests that the Cabinet Member explores the option of a local database of ‘dog dna’ to trace, fine and bill any people who leave their dog waste on our streets as this has proven in other areas of both the United Kingdom and the western world to significantly reduce the amount of dog waste reported to local authorities.”

#### 16(d) **West Bromwich Albion**

**Proposer: Councillor Trumpeter**  
**Seconder: Councillor William Gill**

“That this Council recognises the benefit of having local sports teams like West Bromwich Albion in our community.

And it is acknowledged that fans have concerns surrounding the majority shareholder and the use of club funds, but this Council welcomes the steps taken by central government to introduce a white paper which will help reform football governance.

Finally, this Council will commit to work proactively with groups like Action for Albion along with West Midlands Police to assist in any necessary road closures and management of the ongoing lawful protests that fans are engaging in.”

17 **Additional urgent item - Appointments to Committees and Boards**

175 - 178

To consider revisions to the appointments to Committees and Boards.



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All Members of Council

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