

Minutes of Council

**Tuesday, 25 July 2023 at 6.00 pm
at Council Chamber - Sandwell Council House, Oldbury**

Present: His Worshipful The Mayor, Councillor Gavan (Chair);
Deputy Mayor, Councillor E M Giles;

Councillor Abrahams, Akpoteni, K Allcock, M Allcock, Anandou, Carmichael, Chapman, Chidley, Choudhry, Crompton, Dhariwal, Dhatt, Dunn, Fenton, Fisher, J Giles, L Giles, S Gill, W Gill, Hartwell, Hinchliff, Hughes, Hussain, Jalil, Johnston, Kalari, Kalebe-Nyamongo, Kaur, Khan, Khatun, Lewis, Loan, Maycock, Mayo, Melia, Millar, Millard, Moore, Muflihi, Owen, Padda, Pall, Piper, Rahman, Randhawa, Shaeen, J Singh, N Singh, Smith, Taylor, Tipper, Tromans, Trumpeter, Uppal, Webb, Wilkes, Williams and Younis.

Also Present: Honorary Alderman Prestidge.

Officers: Shokat Lal – Chief Executive; Surjit Tour – Director of Law and Governance and Monitoring Officer; Elaine Newsome – Services Manager – Democracy; Trisha Newton – Deputy Democratic Services Manager; Connor Robinson – Democratic Services Officer; John Swann – Democratic Services Officer; Charmain Hines - Business and Member Support Officer; Kennedy Brown – Sergeant at Arms.

83 Apologies for Absence

Apologies for absence were received from Councillors Ashraf, Bhullar, Davies, Fitzgerald, Hemingway, Kordala, Preece, Rollins and Weston.

84 Declarations of Interest



Councillor Smith declared an other interest in the matter referred to at Minute No. 91/23; Proposed Departure from Development Plan – Lower High Street, Rowley Regis as she lived in close proximity to the location.

85 Minutes

Resolved that the minutes of the meeting of Council held on 13 June 2023 be approved as a correct record and signed by the Chair.

86 Urgent Business

There were no urgent additional items of business to consider.

87 Announcements

The Mayor apologised for conduct at the previous extraordinary meeting of Council held on 18 July 2023.

The Mayor presented the Modern Slavery Statement 2023 which was subsequently signed by both the Leader of the Council and the Chief Executive and outlined the success of efforts to create a 'Slavery- Free Sandwell'.

The Mayor also thanked everyone involved in the opening of the Sandwell Aquatics Centre to the public and outlined the benefits of having a world-class facility in the Borough.

The Mayor gave details of Mayoral and Deputy Mayoral engagements that had taken place.

88 Petitions

No petitions were received under Standing Order No. 8.

89 Written Questions

Questions received under Standing Order No. 9. were asked of the relevant members and responses received.

90 Proposed Departure from Development Plan - Turners Hill, Rowley Regis

Planning Committee had granted conditional approval at its meeting held on 28 June 2023 in relation to planning application DC/22/66968 for demolition of the existing Wheatsheaf public house and construction of 3 storey detached building consisting of 20 self-contained apartments with parking to rear on 1 Turners Hill, Rowley Regis.

Part of the site was situated within the Rowley Regis Strategic Open Space under the Site Allocations and Delivery Development Plan Policies Map. It was necessary for the Council to consider whether or not to grant an exception to adopted policy to allow the application to proceed.

Resolved that approval be given to an exception to the Development Plan in respect of planning application DC/22/66968 for demolition of the existing Wheatsheaf public house and construction of 3 storey detached building consisting 20 No. self-contained apartments with parking to rear on 1 Turners Hill, Rowley Regis.

91 Proposed Departure from Development Plan - Lower High Street, Rowley Regis

Planning Committee had granted conditional approval at its meeting held on 28 June 2023 in relation to planning application DC/23/67785 - proposed 3 storey community skills hub building with two detached outbuildings for storage, substation, plant room, new vehicular access and gates to front, car parking, cycle storage, enclosed skip/refuse bays, boundary fencing, landscaping and associated works – Lower High Street, Rowley Regis.

Whilst the site was allocated for residential development, the site itself was situated on the edge of the centre sandwiched between the Lidl Store and a commercial builder's yard on Lower High Street. Given these factors, it was considered that a commercial use was better suited to this location than a housing site. It was

necessary for the Council to consider whether or not to grant an exception to adopted policy to allow the application to proceed.

Resolved that approval be given to an exception to the Development Plan in respect of planning application DC/23/67785 - Proposed 3 storey community skills hub building with 2 No. detached outbuildings for storage, substation, plant room, new vehicular access and gates to front, car parking, cycle storage, enclosed skip/refuse bays, boundary fencing, landscaping and associated works – Lower High Street, Rowley Regis.

(Councillor Smith left the Council Chamber during consideration of this item and did not participate in any of the debate or voting on this item.)

92 Annual Report of Licensing Committee 2022-2023

Council received the Annual Report of the Licensing Committee 2022/ 23.

The report highlighted the work of the Licensing Committee and Licensing Sub Committees for 2022/23.

93 Annual Report of the Planning Committee 2022-2023

Council received the Annual Report of the Planning Committee 2022/ 23.

The report highlighted the work of the Planning Committee for 2022/23, including the determination of planning applications.

94 Appointments to Committees, Boards and Other Bodies and Revision to Terms of Reference

Council considered revisions to the appointments to committees, boards and other bodies and the Terms of Reference for the General Purposes and Arbitration Committee.

Resolved:-

- (1) that the revised appointments to committees, boards and other bodies, as set out at Appendix A, be approved;
- (2) that the revised Terms of Reference for the General Purposes and Arbitration Committee, as set out at Appendix B, be approved;

95 To receive the minutes of Cabinet

The minutes of the meeting of the Cabinet held on 7 June 2023 were received.

96 To receive minutes of the Budget and Corporate Scrutiny Management Board

The minutes of the meetings of the Budget and Corporate Scrutiny Management Board held on 6 and 29 June 2023 were received.

97 To receive the minutes of the Audit and Risk Assurance Committee

The minutes of the meeting of the Audit and Risk Assurance Committee held on 5 June 2023 were received.

98 Notices of Motion

The Council proceeded to consider the following motions received under Standing Order No. 12.

98/23(a) Call for a ban on disposable single-use barbecues

It was moved by Councillor Rollins and seconded by Councillor Padda:-

“This Council believes that the Government should take action on banning the sale and use of disposable barbecues to prevent further devastating grass fires and habitat destruction.

Last summer, we saw a number of fire incidents across the country including at Swan Pool and Sheepwash amongst others, as well as

the devastating fire at neighbouring Lickey Hills Country Park seeing the destruction of 5 hectares of valuable heathland.

We acknowledge the measures that the Government has put in place around user responsibility and packaging instructions, however, firmly believe that this does not go far enough.

The disposal of these barbecues remains a challenge for our staff, who encounter their remnants on a regular basis, and while we acknowledge that local authorities can impose restrictions through Public Space Protection Orders, effectively monitoring and enforcing this across our extensive parkland and green spaces would be nearly impossible.

We appreciate that a number of retailers have voluntarily chosen to cease selling disposable barbecues, including independent retailers close to our parks, however these items are still widely available

In addition, we are fully committed to reducing waste and in particular, single use items wherever possible and it is imperative that we tackle this issue collectively.

This Council calls on the Leader of the Council to write to the Minister of State for Crime, Policing and Fire to call for the ban on disposable single- use barbecues.

In addition, to commence a public awareness campaign on the risks and dangers of disposable barbecues and a campaign to local retailers to cease the sale of disposable barbecues.”

In accordance with Standing Order No.13, Councillor Fisher moved the following amendment to the Motion, seconded by Councillor W Gill:-

“This Council believes that the Government should take action on banning the sale and use of disposable barbecues to prevent further devastating grass fires and habitat destruction.

Last summer, we saw a number of fire incidents across the country including at Swan Pool and Sheepwash amongst others, as well as the devastating fire at neighbouring Lickey Hills Country Park seeing the destruction of 5 hectares of valuable heathland.

We acknowledge the measures that the Government has put in place around user responsibility and packaging instructions, however, firmly believe that this does not go far enough.

The disposal of these barbecues remains a challenge for our staff, who encounter their remnants on a regular basis, and while we acknowledge that local authorities can impose restrictions through Public Space Protection Orders, effectively monitoring and enforcing this across our extensive parkland and green spaces would be nearly impossible.

We appreciate that a number of retailers have voluntarily chosen to cease selling disposable barbecues, including independent retailers close to our parks, however these items are still widely available.

In addition, we are fully committed to reducing waste and in particular, single use items wherever possible and it is imperative that we tackle this issue collectively.

This Council calls on the Leader of the Council to write to the Minister of State for Crime, Policing and Fire to call for the ban on disposable single-use barbecues and to write to the Police and Crime Commissioner Simon Foster for his support in policing this.

We also call on the Cabinet member for Leisure and Tourism to explore the most appropriate route, whether it is by changing the by-laws or public space protection orders so that it includes “campfires and BBQs are prohibited as these also pose a risk to our parks and open spaces.

In addition, to commence a public awareness campaign on the risks and dangers of disposable barbecues, which will also include placing “No campfires or BBQs signs in all Sandwell parks” and a campaign to local retailers to cease the sale of disposable barbecues.”

The amendment was accepted, the amended motion was put to the vote and, having been carried, it was RESOLVED accordingly.

98/23(b) Tipton Flood Defence Strategy

It was moved by Councillor W Gill and seconded by Councillor Wilkes:-

“That this council recognises the impact on people and businesses in Tipton following the recent flash floods across the town.

And this council therefore recognises and reaffirms its duty to improve flood defences across Tipton.

And this council invites the executive to create Tipton Flood Defence Strategy placing an emphasis on improving on drainage efficiency.”

In accordance with Standing Order No.13, Councillor Millard moved the following amendment to the Motion, seconded by Councillor Hughes:-

“That this council recognises the impact that flooding can have on property, infrastructure and the health and wellbeing of our residents in our 6 towns by the recent flash floods. Flash floods are caused by extremely heavy rainfall in a short amount of time and summer thunderstorms that can happen in any town across the borough.

And this council therefore recognises and reaffirms its duty to follow the Borough Wide Policy, set out within The Black Country Local Flood Strategy for Flood Risk Management (LFRMS) for all towns in Sandwell.

It is important that the executive ensures that emphasis is placed on improving drainage efficiency by committing to more frequent monitoring of gullies in areas that are at risk. And, that the council continues to work with partner agencies such as the Environmental Agency and Severn Trent to develop solutions that reduce the risk of flooding across the borough including flood defences across Tipton.”

The amendment was accepted, the amended motion was put to the vote and, having been carried, it was RESOLVED accordingly.

98/23(c) Police Stations Proposal

The motion was withdrawn.

98/23(d) Shadow Cabinet

It was moved by Councillor Fisher and seconded by Councillor W Gill:-

“That this council recognises the benefit of a strong opposition in promoting accountability and scrutiny within the authority.
This council recognises the benefits of a shadow cabinet and its role in promoting accountability.

This council calls on the Governance and Constitution Committee to investigate the feasibility of a shadow cabinet and to report back to this Council on their findings at the next full council meeting.”

In accordance with Standing Order No.13, Councillor Piper moved the following amendment to the Motion, seconded by Councillor Carmichael:-

“That this council recognises the benefit of a strong opposition in promoting accountability and scrutiny within the authority.

This council calls on the Governance and Constitution Committee to investigate the feasibility of a shadow cabinet and to report back to this Council on their findings at the next full council meeting.”

The amendment was accepted, the amended motion was put to the vote and, having been carried, it was RESOLVED accordingly.

Meeting ended at 7.11pm

Contact: democratic_services@sandwell.gov.uk