

Minutes of Council

**Tuesday, 30 January 2024 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;

Councillors, Akpoteni, K Allcock, M Allcock, Carmichael, Chidley, Davies, Dhariwal, Dunn, Dhatt, Fenton, Fisher, Fitzgerald, E M Giles, J Giles, L Giles, S Gill, W Gill, Hackett, Hartwell, Hinchliff, Hughes, Jalil, Johnston, Kalebe-Nyamongo, Kaur, Khan, Khatun, Kordala, Lewis, Loan, Maycock, Mayo, Melia, Millar, Millard, Moore, Muflihi, Owen, Padda, Pall, Preece, Rahman, Randhawa, Rollins, J Singh, Shaeen, N Singh, Smith, Tipper, Tromans, Trumpeter, Uddin, Webb, Wilkes, Williams and Younis.

Officers: Shokat Lal – Chief Executive; Mike Jones – Assistant Director Legal and Assurance and Monitoring Officer; Suky Suthi-Nagra – Democratic Services Manager; Stephnie Hancock -Deputy Democratic Services Manager, Connor Robinson – Democratic Services Officer, Anthony Lloyd – Democratic Services Officer and Ruth Darby – Lead Officer – Mayoralty and Member Development.



1 Apologies for Absence

Apologies for absence were received from Councillors Anandou, Abrahams, Ashraf, Bhullar, Crompton, Choudhry, Crompton, Hussain, Piper, Taylor, Uppal and Weston.

2 Declarations of Interest

There were no interests declared at the meeting.

3 Minutes

Resolved that the minutes of the extraordinary and ordinary meetings of Council held on 12 December 2023 are approved as a correct record and signed by the Chair.

4 Announcements

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

The Council was informed that Councillor Bill Gavan had been awarded an MBE in recognition of the passionate work he had carried out during and after the HIV epidemic in the early 1980s. continuously campaigning for equality culminating in being co-founder of Birmingham Pride.

The Mayor had attended several engagements relating to supporting young people in the borough such as the New Year/New Start event which was provided by Connexions Sandwell. Additionally, the Mayor presented graduation certificates to 14 multi-utility graduate apprentices from the Doocey Group.

It was also highlighted that Sandwell had recently received a visit from His Royal Highness, The Duke of Edinburgh, for the formal opening of the brand new Shireland CBSO Academy. The Academy was committed to ensuring every young person had access to a high-quality music education.

The Mayor and Deputy Mayor had attended the Holocaust Memorial Day Service which was held at Highfields.

The Mayor expressed his gratefulness following donations to the Mayor's chosen charities: Age UK Supporting Dementia in Sandwell and BUDS.

The Chief Executive announced the decision of Cabinet on 17 January 2024 to commit the Council to work towards gaining Child Friend Borough accreditation from UNICEF. The Cabinet Member for Children and Education also addressed the Council in relation to the commitment.

Finally, the Chief Executive expressed his sadness in response to the sudden passing of West Midlands Chief Fire Officer, Wayne Brown. Following tributes from the Council's representative on the West Midlands Fire Authority, a one-minute silence was observed

5 Written Questions

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

6 Treasury Management Mid-Year Review 2023/2024

The CIPFA Code of Practice on Treasury Management - revised 2021 (The Code) required the Council to receive reports on Treasury Management including the Annual Treasury Management Strategy and MRP Policy Statement before the start of each financial year as well as a Mid-Year Review and an Annual Outturn Report detailing activities during the previous year.

Resolved that Council approve the Treasury Management Mid-Year Review 2023/24, as set out in [Appendix A](#), including revisions to the following indicators:

- (1) Authorised Limit from £913.142m to £891.638m;
- (2) Operational Boundary from £544.113m to £573.252m; and
- (3) Capital Financing Requirement from £896.581m to £876.638m

7 Appointment of Independent Person for Standards Matters

In accordance with the Localism Act 2011, arrangements were required to put in place the appointment by the Council of at least one Independent Person whose views had to be sought and taken into account by the Council before it made its decision on an allegation against an elected member that it had decided to investigate.

The appointment of Mr Richard Phillips was due to expire on 10 March 2024. Mr Phillips had indicated that he was happy to continue in the role for a further four-year period. Any future extensions to existing Independent Person appointments would be delegated to the Monitoring Officer for approval.

Resolved:-

- (1) that the extension of the appointment of Mr Richard Phillips as Independent Person for Standards Matters is approved for a further four-year period ending 11 March 2028;
- (2) that the Assistant Director Legal and Assurance and Monitoring Officer is given delegated authority to approve any further extensions to contracts for Independent Persons for Standards Matters.

8 Proposed departure from the Development Plan at Land West Of Bridge Street North, Smethwick, B66 2BJ

Planning Committee had granted conditional approval at its meeting held on 29 November 2023 in relation to planning application DC/23/67863 - Proposed change of use from general industrial to treatment, remediation and recovery facility for contaminated soils, construction, demolition and excavation of waste with 1 No. soil treatment shed and 4 No. office/meeting rooms, 1 No. mess drying room, toilet block, store, weighbridge unit, picking station, decontamination unit, clean material area and 2 No. holding tanks and covered post treatment areas, oversized processing area, parking and the creation of a new vehicular access - Temporary planning permission for 3 years.

The site was initially allocated for housing; therefore, 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 is given to an exception to the local development plan in respect of planning application DC/23/67863 - Proposed change of use from general industrial to treatment, remediation and recovery facility for contaminated soils, construction, demolition and excavation of waste with 1 No. soil treatment shed and 4 No. office/meeting rooms, 1 No. mess drying room, toilet block, store, weighbridge unit, picking station, decontamination unit, clean material area and 2 No. holding tanks and covered post treatment areas, oversized processing area, parking and the creation of a new vehicular access - Temporary planning permission for 3 years at Land West Of Bridge Street North, Smethwick, B66 2BJ.

9 Political Balance of Committees and Boards

Council considered the political balance of the committees, boards and other fora for the remainder of the 2023-2024 municipal year.

Resolved that the political balance of the committees, boards and other fora for the remainder of 2023-24 as set out in [Appendix A](#) is approved

10 Revisions to Committees, Boards and Other Bodies

Council considered revisions to the appointments to committees, boards and other bodies.

Resolved that the revisions to appointments to committees, boards and other bodies, as set out in [Appendix A](#), is approved with immediate effect.

11 Notices of Motion

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

11/24(a) **Support the introduction of Bus Franchising in the West Midlands**

It was moved by Councillor Hackett and seconded by Councillor Millard:-

“Council notes that bus passengers in Sandwell are rightly frustrated with many bus services operated by various providers across Sandwell, with many services proving to be unreliable.

Council further notes that trust in local transport is at an all-time low with passenger numbers and satisfaction falling and prices rising.

Council welcomes the opportunity bus franchising in the West Midlands presents, which could see the West Midlands Combined Authority given powers to decide routes, fares, frequency, hours and days of operation providing greater control over our bus services for communities right across Sandwell and the wider West Midlands.

Council therefore calls on the Combined Authority Mayor or any successor to commit to exploring all options for bringing in bus franchising across the whole West Midlands region to ensure our bus services are run in the interests of passengers and not solely based on profit.”

The motion was put to the vote and was carried.

11/24(b) **Dependent Carers Allowance**

It was moved by Councillor Smith and seconded by Councillor Hemingway:-

“Council notes the increasing challenge seen locally and nationally at increasing and maintaining the diversity of elected members in local government. This requires a consistent approach to resolving the challenges different groups of people face. The payment of allowances to elected members who are parents and carers helps to bring a wider range of people into public office and supports them in remaining there.

Council further notes that data from The Fawcett Society report Does Local Government Work for Women? and the Local

Government Information unit (LGiU) makes clear that women councillors experience more barriers to holding office. These barriers include unpaid caring responsibilities, the timing of meetings and a lack of flexibility in how councils do business. Women councillors experience these barriers much more than their male counterparts. This has created an imbalance in local government throughout the country.

Council is justly proud of our record in supporting diversity and inclusion and encouraging people from all backgrounds to aspire to and assume public office and positions of leadership.

Council notes the recent report and recommendations from the Independent Remuneration Panel that Sandwell Council extend our existing member allowances scheme to include wider dependent carer responsibilities as well as removing the requirement to use the Council House Workplace Nursery.

Council therefore resolves to call on the Governance and Constitution Review Committee to bring forward proposals to amend and update our Dependent Carers Allowance Scheme, taking note of the recommendations from the Independent Remuneration Panel and in line with the recommendation from the Fawcett Society as well as best practice from existing schemes around the country.”

The motion was put to the vote and was carried.

11/24(c) **Re-instating of a Justice Centre in Sandwell**

It was moved by Councillor Webb and seconded by Councillor Tipper:-

“Council considers the justice system a fundamental pillar of democracy that works to protect and advance the principles of justice, and should work for everyone in Sandwell as well as for the wider Black Country.

Council notes the 2016 decision of Government to close the Justice Centre in Sandwell. Sandwell residents are disproportionately affected by this, not having direct public transport to each of the other Black Country authority’s remaining justice centres. Other more direct forms of transport are made difficult through financial and social circumstances.

Council notes with concern that there are record number of cases being delayed in the West Midlands in the Criminal Courts but there are also cases are mounting up in the Family Courts. Wolverhampton Crown Court has 900 cases waiting to be heard including cases of murder and manslaughter.

Council further notes with concern that a range of other cases such as work-related death and causing death and injury through dangerous driving are not being scheduled to be heard until 2025. This means meaning that some families could have had to wait 8 years for their cases to be heard. This is too long, and families should have access to justice in a timely manner.

Council therefore calls on the Leader and Chief Executive to write to the Lord Chancellor and Secretary of State for Justice setting out the terms of this Motion and calling on the Secretary of State to take steps to reopen a justice centre within Sandwell at the earliest opportunity.”

The motion was put to the vote and was carried.

11/24(d) **A borough of Six Equal Towns!**

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

“Council recognises that Sandwell is made up of 6 towns and whilst each town is unique and distinct, we share far more that unites us than divides and are stronger together. In turn, residents across the Borough need to be assured that all towns of our Borough are always treated equally.

Council notes that the towns of West Bromwich and Smethwick have received far more investment than all other towns in our Borough. Tipton, in particular, has received particularly less investment funding compared to the other towns as evidenced on the Council's regenerating Sandwell website.

Council recognises that all of our High Streets and Town Centres require balanced funding and attention to prosper. Council therefore calls on the Leader and Cabinet to level up our towns and support our high streets and town centres by considering introducing a policy that ensures all Council-owned car-parks near town centres, or High Streets like Great Bridge, have free parking for a period of 3 hours to support small businesses and make it even easier for people to shop in Sandwell.”

The motion was put to the vote and was lost.

Meeting ended at 8.40pm following an adjournment between 6.18pm and 6.54pm

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