

Minutes of Council

**Tuesday 31 January 2023 at 6pm
In the Council Chamber – Sandwell Council House, Oldbury**

Present: His Worshipful The Mayor, Councillor R Jones;
Deputy Mayor, Councillor Taylor;

Councillors Abrahams, Ahmed, Akpoteni, Allen, Anandou, Ashman, Carmichael, Chapman, Chidley, Choudhry, Crompton, Dhallu, Dunn, Fenton, Fisher, Gavan, E A Giles, E M Giles, L Giles, G Gill, M Gill, S Gill, Hackett, Hartwell, Hinchliff, Hughes, A Hussain, Jalil, O Jones, S Jones, Kalari, Kaur, Khatun, Lewis, Mabena, Mayo, McVittie, Melia, Millar, Millard, Moore, Owen, Padda, Piper, Preece, Rahman, Randhawa, Rollins, Shaeen, Simms, Singh, Smith, Trumpeter, Uddin, Webb and Wilkes.

Also Present: Lesley Hagger - Independent Chair – Sandwell Children’s Safeguarding Partnership.

Officers: Kim Bromley- Derry - Managing Director Commissioner; Surjit Tour – Director of Law and Governance and Monitoring Officer; Elaine Newsome – Service Manager – Democracy; Suky Suthi- Nagra - Democratic and Member Services Manager; Stephnie Hancock – Deputy Democratic Services Manager; Trisha Newton – Deputy Democratic Services Manager; Connor Robinson – Democratic Services Officer; John Swann – Democratic Services Officer; Kennedy Brown – Sergeant at Arms.



1/23

Minute Silence

The Council observed a minute silence to mark the passing of former councillor and alderman Babu Singh Bawa.

Members paid tribute to former councillor Babu Singh Bawa and expressed their thanks for all the hard work and dedication he had put into Sandwell throughout his life.

The Mayor led members in extending condolences to his family and friends.

2/23

Apologies for Absence

Apologies for absence were received from Councillors Akhtar, Allcock, Bhullar, Bostan, Costigan, Davies, Dhariwal, J Giles, W Gill, Z Hussain, Kausar and Williams.

3/23

Declarations of Interest

Minute No.	Subject	Member	Interest
18/23(a)	Motion against the Government's anti-strike legislation	Councillors Kaur, Mayo, Preece and R Jones	Work for NHS
		Councillors Gavan, S Jones, O Jones, McVittie, Millard	Relative works for NHS



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Minute No.	Subject	Member	Interest
		Councillor Chapman	Related to a member of a trade union
		Councillor Jalil	Governor of NHS Foundation Trust
		Councillor Choudhry	Governor – Women’s & Children’s Hospital
		Councillor Hinchliff	Union member and teacher

4/23 **Minutes**

Resolved that the minutes of the extraordinary meeting and ordinary meeting of Council held on 13 December 2022 be approved as a correct record and signed by the Chair.

5/23 **Additional Item of Business**

There were no additional items of business to consider.

6/23 **Mayor’s Announcements**

Details of Mayoral and Deputy Mayoral engagements since the last meeting of Council had been circulated to members.



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The Mayor welcomed Chris Jones and noted his success in delivering the Sandwell Aquatic's Centre, a key facility during the Birmingham 2022 Commonwealth Games. The Council recognised his achievements delivering leisure services across the Borough and congratulated Chris for receiving an MBE in the New Year Honours list.

The Mayor also extended his thanks and that of the Council to Kim Bromley-Derry for the hard work and support he provided to Sandwell Council in his capacity as Managing Director Commissioner. The Mayor welcomed the incoming Chief Executive, Shokat Lal who was due to commence employment with the Council on 6 February 2022.

7/23 **Petitions**

No petitions were received under Standing Order No, 5.

8/23 **Written Questions**

Questions received under Standing Order No. 6 were asked of the relevant members and responses received.

9/23 **Sandwell Children's Safeguarding Partnership Annual Report 2021/ 2022**

The Children and Social Work Act 2017 and Working Together 2018 introduced new flexible arrangements for safeguarding children.

The agencies and organisations from each local authority area named in legislation to lead the local multi-agency safeguarding arrangements (MASA) had collectively agreed to be known as Sandwell Children's Safeguarding Partnership (SCSP), had formalised and published the MASA for the area which came into effect as of April 2019.



The Independent Chair presented the annual report which set out actions undertaken as a result of arrangements, including child safeguarding practice reviews, and how these had been effective.

10/23 **Council Tax Base 2023/2024**

The Council Tax Base must be calculated in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012.

The regulations set out the methodology to be used by authorities when calculating their Council Tax Base which should be set between 1 December and 31 January prior to the financial year to which it referred.

At its meeting on 18 January 2023, Cabinet considered the Council Tax Base for 2023/24 and recommended approval to Council.

Resolved:-

- (1) that the Council Tax Base for 2023/2024 be set at 76,764.73;
- (2) that the Section 151 Officer be authorised to adjust the Council Tax Base as required following approval of the 2023-2024 Council Tax Reduction Scheme by Council on 21 February 2023.

11/23 **Treasury Management Mid- Year Review 2022/2023**

At its meeting on 18 January 2023, Cabinet considered the Treasury Management Mid-Year Review and Minimum Revenue Provision Policy and recommended approval to Council.



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The recommendations complied with the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management and ensured the Council's Minimum Revenue Provision Policy was prudent.

Resolved that the Treasury Management Mid-Year Review 2022/23 and revised Minimum Revenue Provision Policy be approved.

12/23

Proposed departure from the Development Plan at Brook Road, Oldbury

At its meeting on 11 January 2023, Planning Committee gave approval to planning application DC/20/64505, which sought approval for 13 dwellings at Brook Road, Oldbury.

The open space was audited in 2013 and found to be of low value to the public for recreational use and that adequate open space was provided within the Oldbury area. This led to the land being disposed of by the Council. The proposal provided good quality housing development which would assist in meeting Sandwell's five-year housing land supply and was acceptable in design terms. It was considered on balance, that the proposal was acceptable and a departure from the Development Plan be allowed on this occasion.

Resolved that approval be given to an exception of the development plan in respect of planning application DC/20/64505, proposed development of 13 dwellings at Brook Road, Oldbury.



13/23

Proposed departure from the Development Plan at London Street, Smethwick

At its meeting on 11 January 2023, Planning Committee gave approval to planning application DC/22/67165, which sought approval for erection of a residential led, mixed use building of between 7 and 14 storeys to include 392 dwellings and 555sqm commercial floorspace, drinking establishments and hot food takeaway, plus associated amenity space, access, parking and demolition of existing buildings, at London Street, Smethwick.

The site was allocated for employment use and formed part of the Grove Lane Masterplan and other residential development was located nearby. Therefore, it is considered that the site, with appropriate mitigation, was a suitable location for new housing. Furthermore, the use of conditions and planning obligations would ensure that the scheme was acceptable in all other respects.

Resolved that approval be given to an exception to the Development Plan in respect of planning application DC/22/67165, erection of a residential led, mixed use building of between 7 and 14 storeys to include 392 dwellings and 555sqm commercial floorspace, drinking establishments and hot food takeaway, plus associated amenity space, access, parking and demolition of existing buildings, at London Street, Smethwick.

14/23

Revisions to Appointments to Committees and Boards

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

Resolved that Councillor Hinchliff be appointed as Chair of the Children's Services and Education Scrutiny Board and Councillor Chidley as Vice Chair of the Board.



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15/23 **Minutes of Cabinet**

The minutes of the meetings of the Cabinet held on 7 and 21 December 2022 were received.

16/23 **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 December 2022 and 12 January 2023 were received.

17/23 **Minutes of the Audit and Risk Assurance Committee**

The minutes of the meeting of the Audit and Risk Assurance Committee held on 15 November 2022 were received.

18/23 **Notice of Motions**

The Council proceeded to consider motions received under Standing Order No. 7.

18/23(a) **Motion against the Governments Anti- Strike Legislation**

Councillors Chapman, Choudhry, Gavan, Hinchliff, Jalil, O Jones, R Jones, S Jones, Kaur, Mayo, McVittie, Millard and Preece left the Council Chamber and did not participate in any of the debate or voting on this item.

(Deputy Mayor in the Chair)



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

“This council expresses concern about the government’s anti-strike, anti-trade union legislation aimed at forcing people to go to work against their will after they have organised and democratically voted for legitimate industrial action. Many people who live in Sandwell actually work in Sandwell and have joined unions across a range of professions that are potentially impacted by the governments proposed legislation changes. These professions work across Health, Fire and Rescue, transport and education sectors. Our residents in these professions voted to have their voice heard, on such matters as pay, working conditions, safe working practices and fire and rehire.

The government’s proposed law would give a Secretary of State the power to define “minimum service levels” in certain sectors such as those in health, fire and rescue, education and transport where Sandwell people work. This would mean that Sandwell workers would be required to maintain that level during a strike or forfeit employment rights, including legal protection against unfair dismissal leaving them insecure in their job, and fearing the consequence of any action taken. Workers should have a freedom of choice and yet this right will be restricted in this legislation.

The government should ensure proper negotiation and not put Sandwell workers at risk of losing their right of collective bargaining in the workplace.

Sandwell Council resolves:

- To carry on listening and to keep an open dialogue with all unions to continue to understand the issues that Sandwell workers face
- And requests that the leader writes to all of the Sandwell MP's and request that they listen to the right honourable John Spellar who has recently expressed concern about the Governments actions and ask that they all lobby government to work with all unions and not against them.”



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In accordance with Standing Order No. 14, Councillor L Giles called for the matter to be put to the vote and the required support to the request was achieved. The motion was put to a named vote as follows:-

For:

Ahmed, Akpoteni, Allen, Ashman, Carmichael, Chidley, Crompton, Dhallu, Fenton, E A Giles, E M Giles, L Giles, G Gill, M Gill, S Gill, Hackett, Hartwell, Hughes, A Hussain, Khatun, Lewis, Mabena, Melia, Millar, Moore, Owen, Padda, Piper, Rahman, Randhawa, Rollins, Shaeen, Simms, Singh, Smith, Taylor, Uddin and Webb.

Against:

Abrahams, Anandou, Dunn, Fisher, Kalari, Trumpeter and Wilkes.

Abstentions:

None

The motion was carried, and it was RESOLVED accordingly.

(Mayor in the Chair)

18/23(b) **To Preserve and Protect Thimblemill Baths Building**

The motion had been withdrawn.



18/23(c) **More funding for Road Safety Measures**

It was moved by Councillor Anandou and seconded by Councillor Kalari:-

“The Council takes road safety seriously and supports the importance of road safety measures to protect road users and pedestrians. Council therefore requests that the Cabinet Member for Environment Services reviews:

- the adequacy of road safety/traffic calming measures particularly at accident spots across the Borough, such as Oldbury Town, Wolverhampton Road/ Queensway Junction, the Perryhill Road/ Castle Road junction and Castle Road/ Hadzor Road junction; and
- how funding is prioritised/allocated within Highways team to enable these measures to be implemented more quickly.”

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

19/23 **Decisions of the Ethical Standards Sub Committee**

In accordance with the decisions of the Ethical Standards Sub Committee from its meeting held on 16 December 2022, Councillor Melia issued an apology to Council in respect of conduct and asked the Leader of the Council to consider his resignation from committees he was appointed to.

Meeting ended at 8pm

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