

Minutes of Council

**Tuesday 29 October 2024 at 6.26pm
at Sandwell Council House, Oldbury**

Present: Her Worshipful The Mayor, Councillor Khatun (Chair);
Deputy Mayor, Councillor Steve Melia;

Councillors K Allcock, M Allcock, Bhamra, Bhullar, Carmichael, Chambers, Chidley, Choudhry, Cotterill, Davies, Dhariwal, Dhatt, Dunn, Fenton, Fitzgerald, Gavan, E A Giles, E M Giles, J Giles, L Giles, S Gill, W Gill, Hackett, Haq, Hartwell, Hemingway, Hinchliff, Horton, Hughes, Hussain, Iqbal, Jalil, Jeffcoat, Johnston, Kalebi-Nyamongo, Kaur, Khan, Kordala, Loan, Maycock, Mayo, Millard, Millar, Moore, Muflihi, Owen, Kaur, Piper, Preece, Rahman, Randhawa, A Singh, J Singh, N D Singh, Smith, Taylor, Tipper, Tromans, Trumpeter, Uddin, Uppal, Webb, Weston, Wilkes and Williams.

Officers: Shokat Lal – Chief Executive; Mike Jones – Assistant Director Legal and Assurance and Monitoring Officer; Suky Suthi-Nagra – Democratic Services Manager; Anthony Lloyd – Democratic Services Officer and Kennedy Brown – Sergeant at Arms.

73/24 **Apologies for Absence**

Apologies for absence were received from Councillors Ashraf, Crompton, Lewis and Shaeen

74/24 **Declarations of Interest**

There were no interests declared at the meeting.

75/24 **Minutes**

Resolved that the minutes of the ordinary and extraordinary meetings of Council, held on 23 July 2024 and 17 September respectively, are approved as a correct record and signed by the Chair.

76/24 **Announcements**

Council received announcements in relation to the Mayor's recent engagements which included a Council staff "dine with the Mayor" event which had been successful.

The Mayor also announced the "Child Friendly Sandwell" initiative which aimed to ensure that every child in Sandwell could thrive, feel valued, and be heard and embodied the Council's commitment to fostering a nurturing environment for young residents.

The Leader of the Council and the Leader of the Opposition Group were both invited to speak on the Child Friendly Sandwell initiative. The Leader expressed the Council's strong commitment to the rights of children to encourage active participation in shaping the world around them.

77/24 **Written Questions**

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

78/24

Scrutiny Annual Report 2023-2024

Council received the Scrutiny Annual Report 2023-2024.

The report highlighted the work carried out by the Council's Scrutiny Boards for 2023-24.

79/24

Audit and Risk Assurance Committee Annual Report 2023-2024

Council received the Audit and Risk Assurance Committee Annual Report 2023-2024.

The report highlighted the work of Audit and Risk Assurance Committee for 2023-2024.

80/24

Reports from the Council's representative on the West Midlands Fire and Rescue Authority, Transport for West Midlands, Police and Crime Panel and West Midlands Combined Authority

Council received an update on the work of the West Midlands Fire and Rescue Authority, Transport for West Midlands, the Police and Crime Panel and the West Midlands Combined Authority from the members nominated to present such reports pursuant to Section 41 of the Local Government Act 1985.

Approval to submit the Sandwell Local Plan to the Secretary of State for Housing Communities and Local Government for Examination in Public under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012

Consideration was given to the Local Plan, the key planning document for the Borough, set out how the development needs for the Borough would be addressed through site allocations, identifying the infrastructure needed to support this, addressing climate change and protection for green spaces. The Local Plan contained the policies against which all planning applications were assessed as well as being the framework that supported bids for Government funding for regeneration.

The Sandwell Local Plan would replace the suite of documents that made up the adopted Local Plan for the Borough. These included the Black Country Core Strategy (2011), Sandwell Site Allocations & Delivery Plan (2012) and Area Action Plans for Smethwick (2008), Tipton (2008), and West Bromwich (2012).

Following the initial Issues and Options consultation in early 2023, the Council consulted on a Draft Sandwell Local Plan in November/December 2023. Organisations, consultants, landowners, developers, the public and anyone else were invited to make representations on the Draft Plan and the responses to that consultation informed the 'Publication' version of the plan which was approved by Cabinet on 11 September 2024 (see Cabinet Minute No. 94/24).

Following closure of the Publication Plan consultation period, Council was required to submit the Local Plan and all its supporting documentation along with all duly made representations to the Secretary of State for Examination in Public (EIP) by an appointed independent inspector. The Inspector's role was to determine whether the plan was "sound" and thus capable of being formally adopted by the Council.

Resolved that the Executive Director - Place is authorised to submit, following publication and consultation, the Sandwell Local Plan, Sustainability Appraisal, and all other appropriate documents, including any duly made representations, to the Secretary of State for Housing, Communities and Local Government for Examination in Public under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

82/24

Cabinet Recommendations to Full Council

At its meeting held on 11 September 2024 (see Cabinet Minute No. 93/24), Cabinet recommended to Council that the 2024-2025 Housing Revenue Account Capital Programme be varied and increased by £17.768m to reflect the reprofiling of the Capital Budget and the increased costs of delivery in relation to refurbishment of the following low and high blocks: Alfred Gunn House, Darley House, The Lakes and Thorn Close.

Full Council was the primary decision-making body of the Council and was responsible for major strategic decisions known collectively as the policy framework.

Resolved that the 2024-2025 Housing Revenue Account Capital Programme is varied and increased by £17.768m to reflect the reprofiling of the Capital Budget and the increased costs of delivery.

83/24

Proposed departure from the development plan at land adjacent 76 Brades Road, Oldbury

It was reported that the Planning Committee, at its meeting held on 4 September 2024, had granted conditional approval in relation to planning application DC/24/69248, which sought

approval for an outline residential development.

The Committee approved the planning application with conditions, and to the application being referred to Council as a departure from the Development Plan.

The site was initially allocated employment uses 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 make an exception to the Development Plan in respect of planning application DC/24/69248 – Proposed residential development (outline application with all matters reserved).

84/24

Revisions to Committees, Boards and Other Bodies

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

Resolved:-

- (1) that the revisions to appointments to committees, boards and other bodies, as set out in Appendix A, is approved with immediate effect; and;
- (2) that the Health and Wellbeing Board Constitution, as detailed in Appendix B, is approved.

85/24

Notices of Motions

The Council considered the following motions received under Standing Order No. 12:-

85/24(a)

Animal Welfare

It was moved by Councillor Carmichael and seconded by Councillor Hartwell:-

“Council notes that:

- Animal welfare and human welfare are linked; by improving, protecting, and enhancing animal welfare, we cultivate a compassionate and kind community, and together we can create a sustainable future for every being.
- Responsible pet ownership is essential for fostering a compassionate and responsible community.
- Protecting wildlife and natural habitats is crucial for maintaining biodiversity and ecological balance.
- Actively supporting animal welfare causes, making the best use of education and prevention, ensures the respectful treatment of pets and other animals.
- A unified approach involving collaboration among various stakeholders is necessary for effective animal welfare and environmental policies.
- Reviewing the Animal Welfare Charter will ensure that it stays effective and current and will provide a clear and comprehensive framework for local animal welfare standards, practices and accountability locally.

Council believes that:

- Educational programmes and public awareness campaigns are needed to inform residents about proper pet care and responsibilities.

- Litter poses a significant threat to wildlife and natural habitats, requiring measures such as community clean-up events and education.
- High-welfare food procurement promotes high welfare farming practices and sustainability, benefiting both animals, the environment and local economies.
- Collaborating with local animal welfare organisations can provide resources and support for initiatives aimed at reducing and preventing animal cruelty, as well as promoting pet adoption.
- Establishing a local animal welfare task force would facilitate collaboration and policy development among local government, animal welfare organisations, and community members and ensure that the Animal Welfare Charter is current.

Council therefore calls on Cabinet to establish a cross-party Local Animal Welfare Taskforce that will:

1. Promote responsible pet ownership in Sandwell through endorsement and participation, directly or indirectly, in local animal welfare educational programmes and public awareness campaigns.
2. Protect wildlife and natural habitats by addressing litter and advocating for wildlife welfare, including regular community clean-up events and online educational campaigns, and working with partners.
3. Champion high-welfare food procurement by endorsing ethical farming practices and advocating for a sustainable food supply, as stated in the Animal Welfare Charter.
4. Actively support animal welfare causes by collaborating with local animal welfare organisations, providing resources, and promoting adoption from shelters and rescues.
5. Commit to a unified approach to establishing a local animal welfare task force for collaboration and policy development, involving local government, animal welfare organisations, and community members.

6. Meet within one month of passing this resolution to constitute a terms of reference and agree other details”.

The motion was put to the vote and carried.

85/24(b) **The importance of a weekly bin collection for Sandwell residents**

It was moved by Councillor Kordala and seconded by Councillor Trumpeter:-

“Council notes that any change to waste collection services may potentially lead to significant disruption and inconveniences for local residents, especially those with larger families in Sandwell.

Council further notes that existing contract arrangements with SERCO provide a weekly household waste and recycling service in Sandwell. Any steps to move away from a weekly collection may not be in the best interest of local residents and must be carefully considered before decisions are made.

Council also acknowledges a previous leaflet issued by the Leader during February 2024 pledging that bin collections were remaining weekly, and expresses disappointment that proposals are now included for consultation within the Medium-Term Financial Strategy as part of the budget process for 2025/26.

Council therefore calls on the Leader and Cabinet to:

1. Withdraw any proposals to move to Alternate Weekly Collections.
2. Affirm commitment to continued separate weekly collections household waste and recycling service.
3. Bring forward proposals for a borough-wide communications campaign to increase levels of recycling, reduce residual waste

with the objective of delivering savings in expenditure on waste management.”

In accordance with Standing Order No. 13, Councillor Allcock moved an amendment, which was duly seconded by Councillor Fenton:-

““Council notes that any change to waste collection services may potentially lead to significant disruption and inconveniences for local residents in Sandwell, especially those households with larger families, medical needs or with children in nappies. It is noted any proposals for change must and will ensure that the specific needs of all our residents continue to be met.

Council further notes that existing contract arrangements with SERCO provide a weekly household waste and recycling service in Sandwell. Any steps to move away from a weekly collection may not be in the best interest of local residents and made will be carefully considered before decisions are made.

Council also notes that any decision made must be balanced and consideration must be given to Sandwell being one of the worst recycling performers in the country and, that if the amounts of residual waste remain high and recycling low, up to £3.4 million will be incurred to purchase carbon credits to dispose of waste.

Council also acknowledges that when the Leader was asked in a Full Council Meeting by the Leader of the Opposition about removing weekly bin collections she stated that nothing will be ruled out and that in a previous leaflet issued by the Leader during February 2024 pledged that bin collections were remaining weekly.

Council notes with disappointment that proposals are now having to be included for consultation within the Medium-Term Financial Strategy (MTFS) as part of the budget process for 2025/2026 but the Councils budget (MTFS) has a funding gap of £20 million

pounds. A decision to Alternate Weekly Collections could save up to £4 million pounds for other services.

Council therefore calls on the Leader and Cabinet to:

1. Continue with the consultation to give residents the opportunity to have a say on any proposals to move to Alternate Weekly Collections.
2. Establish a cross party working group to ensure that residents get the best possible service.
3. Bring forward proposals for a borough-wide communications campaign to increase levels of recycling, reduce residual waste with the objective of delivering savings in expenditure on waste management.”

In accordance with Standing Order 14 (3), the amendment was put to a named vote as follows:-

For

Councillors K Allcock, M Allcock, Bhamra, Carmichael, Chambers, Chidley Choudhry, Cotterill, Davies, Dhariwal, Dhatt, Fenton, Fitzgerald, Gavan, E A Giles, E M Giles, J Giles, L Giles, S S Gill, Hackett, Haq, Hartwell, Hemingway, Hinchliff, Horton, Hughes, Hussain, Iqbal, Jalil, Johnston, Kalebe-Nyamongo, Kaur, Khan, Katun, Loan, Maycock, Mayo, Melia, Millar, Millard Moore, Muflihi, Owen, Pall, Piper, Preece, Rahman, Randhawa, A Singh, J Singh, N D Sigh, Smith, Taylor, Tipper, Tromans, Uddin, Webb, Wilkes and Williams.

Against

Councillors Dunn, W Gill, Jeffcoat, Kordala, Trumpeter and Weston.

Abstentions

None

On being put to the vote, the amendment was carried, and Council moved to consider the substantial motion. The motion was put to the vote and carried.

85/24(c) **Removal of Winter Fuel Allowance**

It was moved by Councillor Dunn and seconded by Councillor Weston:-

“Council notes the Government announcement of July 2024 confirming withdrawal of the Winter Fuel Payment from all pensioners not receiving pension credit or other eligible benefits, beginning this winter (2024). This change will affect around 10,000,000 pensioners across the country, including many pensioners in Sandwell.

Council further notes that, even after reductions in the energy price cap earlier this year, this decision will mean millions of pensioners facing higher bills from October 2024, despite prices falling for all other households.

Council acknowledges research undertaken by Age UK showing some 800,000 pensioners across the country are eligible for Pension Credit but do not claim it. These pensioners are likely to be disproportionately affected by the withdrawal of the payment. This research also estimates that around 2,000,000 pensioners need the payment to help meet their winter fuel costs, but the restrictive eligibility of the revised scheme will leave them struggling to pay their bills.

Council therefore requests the Leader and Cabinet:

1. Write to the Chancellor of the Exchequer outlining the terms of this Motion, affirming this Council’s opposition to the withdrawal of the winter fuel payment to pensioners that need it to meet their

energy costs in the Sandwell Borough, and requesting the Chancellor of the Exchequer consider an expansion of eligibility include all pensioners living in properties that fall into Council Tax bands A-D.

2. Extend an invitation to Leaders of all Political Groups on the Council to co-sign this letter to show consensus.

3. Arrange a public information campaign to raise awareness of the withdrawal of winter fuel payment to most pensioners and encourage those who may be eligible, to apply for pension credit, as well as provide further advice to those affected residents about available support, to help them pay their energy bills.”

In accordance with Standing Order No. 13, Councillor Taylor moved an amendment, which was duly seconded by Councillor Pall:-

“Council notes the Government announcement of July 2024 confirming withdrawal of the Winter Fuel Payment from all pensioners not receiving pension credit or other eligible benefits, beginning this winter (2024). This change will affect around 10,000,000 pensioners across the country, including many pensioners in Sandwell.

Council further notes that, even after reductions in the energy price cap earlier this year, this decision will mean millions of pensioners facing higher bills from October 2024, despite prices falling for all other households.

Council acknowledges research undertaken by Age UK showing some 800,000 pensioners across the country are eligible for Pension Credit but do not claim it. These pensioners are likely to be disproportionately affected by the withdrawal of the payment. This research also estimates that around 2,000,000 pensioners need the payment to help meet their winter fuel costs, but the

restrictive eligibility of the revised scheme will leave them struggling to pay their bills.

Council further acknowledges that the government confirmed that the Household Support Fund will be extended for a further six months and this council will allocate monetary support for a minimum of 1400 pensioners on low incomes and receive Council Tax Reduction who are not eligible for pension credits and won't receive a winter fuel payment.

Council therefore requests the Leader and Cabinet:

1. Write to the Chancellor of the Exchequer outlining the terms of this Motion, and setting out the support the council will offer in monetary value to a minimum 3,800 pensioners from the Household Support Fund needed to meet their energy costs in the Sandwell Borough and requesting the Chancellor look at alternative measures to support pensioners resident in properties that fall into Council Tax bands A-D.
2. Extend an invitation to Leaders of all Political Groups on the Council to co-sign this letter to show consensus on the support to be offered from the Household Support Fund to a minimum 3,800 Sandwell pensioners.
3. Arrange a public information campaign to raise awareness of the withdrawal of winter fuel payment to most pensioners and encourage those who may be eligible, to apply for pension credit as well as inform by letter any pensioners who will receive a payment from the Household Support Fund to help with winter fuel payments this year 2024.”

On being put to the vote, the amendment was carried, and Council moved to consider the substantial motion. The substantial motion was put to the vote and carried.

85/24(d) **Changes to National Planning Policy Framework**

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

“Council notes the publication of a new draft National Planning Policy Framework (NPPF) by the Government that has wide ranging ramifications for local planning authorities, including Sandwell, on matters relating to housing targets and green belt.

Council notes with concern that whilst authorities such as our neighbours at Dudley, Wolverhampton, Bromsgrove, South Staffordshire and Wyre Forest’s housing need has increased, inner-city areas such as Birmingham and London have had their need substantially reduced. Furthermore, the draft NPPF proposes that these targets become mandatory for all local authorities.

Council believes that the proposed changes are an attack on the principle that local authorities are best placed to determine housing need and decide where new homes should be built. If implemented, the changes could render a ‘brownfield first’ development policy impossible due to the requirement to review green belt boundaries combined with the ability of Government-appointed planning inspectors to reject local plans that do not identify green belt land for development where housing targets cannot be achieved.

Council therefore calls on the Leader and Cabinet to:

1. Writes to the Deputy Prime Minister and Secretary of State for Housing, Communities and Local Government setting out the terms of this Motion and asking for justification for any proposed new housing targets that would be applied to and may disproportionately affect

Sandwell compared to inner-city areas such as Birmingham and London.

2. Respond to the consultation on the new draft NPPF and reject the imposition of topdown housing targets and dispute the new methodology for calculating housing need that shifts housing targets.

The motion was put to the vote and lost.

85/24(e) **Road Safety**

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

“Council notes the everyday impacts across Sandwell from the actions of a small minority of car drivers – these are seen in speeding, scrambler and off-road bikes, and through pavement parking. This impacts the young and old alike, as well as our disabled resident. Responsibility for tackling these issues is split between the Council and Police, as well as the need to encouraging changes in behaviours.

Council further notes recent statements made by the Secretary of State for Transport encouraging the use of 20 miles per hour limits of residential roads to improve pedestrian, bike and road user safety across all communities.

Council welcomes plans for the extension of the Metro from Wednesbury to Dudley and beyond, and the approach of the new West Midlands Mayor toward the management and funding of bus services across the region.

Council further welcomes opportunities to grow Sandwell’s local cycle lane network and safe pedestrian routes with the aim of encouraging people into alternative sustainable transport

solutions, which in turn will help support improved health outcomes and air quality.

Council places on record its continued support, subject to appropriate funding from Government to expand our network of cycle lanes and safe routes for pedestrians, and to celebrating our canal network and green spaces.

Council therefore calls on the Leader and Cabinet to:

1. Write to the Mayor of the West Midlands Combined Authority, Richard Parker, setting out the terms of this Motion and seeking the introduction at the earliest opportunity of powers to enable local authorities to tackle pavement parking outside London and to give additional powers to ensure the safe use of electric scooters, e-bikes and bikes; and
2. continue existing working to explore old and new ways to improve road safety.

The motion was put to the vote and carried.

Meeting ended at 8.46pm.

Contact: democratic_services@sandwell.gov.uk

Appendix A

Committee/Board	Revision/nomination
Safer Neighbourhoods and Active Communities Scrutiny Board	Councillor Cotterill to Replace Councillor Owen.
Health and Adult Social Care Scrutiny Board	Councillor William Gill to replace Councillor Kordala.
Economy, Skills, Transport and Environment Scrutiny Board	Councillor Amardeep Singh to replace Councillor Dhatt

Organisation	Term of Office	Current Representative(s)	Nomination(s)
Black Country Consortium LTD	Until Annual Meeting of Council 2025	N/A	Leader of the Council - Councillor Kerrie Carmichael

Appendix B



SANDWELL HEALTH AND WELLBEING BOARD CONSTITUTION

Introduction

The Health and Wellbeing Board is a formal statutory committee of the local authority, established under Section 194 of the Health and Social Care Act 2012 as a forum where political, clinical, professional and community leaders from across the health and care system come together to improve the health and wellbeing of our local population and reduce health inequalities.

The Board is treated as if it were a committee appointed by the local authority under section 102 of the Local Government Act 1972. (Section 194(11) However, to facilitate the membership of the specified officers the Local Authority (Public Health, Health and Well-being Boards and Health Scrutiny) Regulations 2013 disapply Section 104(1) of the LGA 1972 (which prohibits officers from being members of local authority committees).

Whilst the Board has limited formal powers; it plays an important role in encouraging integrated working between health and social care commissioners, including partnership arrangements such as pooled budgets, lead commissioning and integrated provision. It also has a statutory responsibility to produce:-

- Joint Strategic Needs Assessment (JSNA) which provides a wide source of information and data for health, care and wellbeing planning and commissioning, customised to the needs of the area and developing over time, and inform the development of a Joint Health and Wellbeing Strategy;
- Joint Health and Wellbeing Strategy (JHWS) sets out the vision, priorities and actions agreed at the Board to improve the health, care and wellbeing of local communities and reduce inequalities for all ages;
- a pharmaceutical needs assessment (PNA) for the area.



1 Membership and Voting Rights

1.1 The Health and Social Care Act (Section 194(2)) sets out the Board's core membership as follows:-

- the Director of Adult Social Services;
- the Director of Children's Services;
- the Director of Public Health;
- a representative of the Local Healthwatch organisation;
- a representative of the local Integrated Care Board (formally known as Clinical Commissioning Group);

beyond this, membership is at the discretion of the local authority.

1.2 Councillor representatives are nominated by the Leader and appointed by the Council. (Section 194(3)(a) The political balance arrangements do not apply to Councillor representation on the Board.

1.3 The Chair of the Board shall be appointed by the Council from amongst the Councillor representatives.

1.4 The Vice-Chair of the Board shall be appointed by the Board from amongst its membership.

1.5 Healthwatch shall appoint one representative, and two named substitutes. (Section 194(5))

1.6 The Black Country Integrated Care Board (ICB) shall appoint two members, and one named substitute. (Section 194(6)).

1.7 The Board may appoint such additional persons to be members of the Board as it thinks appropriate. (Section 194(8))

1.8 The local authority must consult the Board before making any appointments to



the Board after its establishment. (Section 194(9))

Membership of Sandwell's Board can be found at Appendix 1.

2. Quoracy

2.1 The Board shall be quorate when the following individuals are present:-

- 1 Councillor representative (with voting rights)
- 1 Director representative
- 1 Healthwatch representative
- 1 ICB representative

2.2 Healthwatch Sandwell may nominate two named substitutes at the start of each Municipal Year to attend in the event that the substantive member is unable to attend.

2.3 Where a meeting is inquorate, the meeting may go ahead, to discuss information items only, and the minutes of the meeting shall be qualified with a statement that the meeting was inquorate.

3. Meetings and Public Attendance

3.1 The Board will meet at least quarterly. Extraordinary meetings may be called by the Chair as and when appropriate.

3.2 Meetings of the Board will be open to the public and subject to the Access to Information Procedure Rules at Part 4 of the Council's Constitution.



- 3.3 The agenda, reports and previous meeting minutes will be available on the Council’s modern.gov website at least five working days in advance of each meeting.
- 3.4 Members of the public may submit questions in relation to items on the published agenda in writing, no later than three working days before the day of the meeting. A response will be tabled at the meeting, and provided to the questioner in writing. Where it is not possible to table a response at the meeting, the written response will be provided to the questioner as soon as possible after.

4. Sub-Committees

The Board may establish sub-committees to advise the Board with respect to any matter relating to the discharge of its functions.

5. Decision Making

- 5.1 All decisions of the Board shall be taken in accordance with the Council’s Procedure Rules set out in Part 4 of the Council’s Constitution.
- 5.2 Six members may request that the names of those voting for and against any decision and those abstaining shall be recorded.
- 5.3 Any member may request that their vote (for or against) or their abstention shall be recorded.

6 Disorderly Conduct

If any member of the Board, or member of the public, persistently disregards the ruling of the person chairing the meeting, by behaving improperly or



offensively or deliberately obstructs the business of the meeting, the person chairing the meeting may direct that person or those persons leave the meeting or that the meeting be adjourned for a specified period.

