

## COUNCIL - 5 April 2022

### MINUTES

Present: The Mayor Cllr K Meeson and Councillors: M Allen, K Allsopp, S Ashraf MBE, K Blunt, M Brain, J Burn, J Butler, S Caudwell, Y Clements, D Cole, I Courts, S Davis, T Diccico, D Gibbin, M Gough, K Grinsell, R Grinsell, B Groom, K Hawkins, T Hodgson, P Hogarth MBE, Mrs D Holl-Allen MBE, R Holt, D Howell, R Long, A Mackenzie, A Mackiewicz, M McCarthy, M McLoughlin, K Meeson, N Moses, J O'Nyons, M Parker, D Pinwell, W Qais, A Rolf, A Sandison, R Sexton, S Sheshabhatte, R Sleight OBE, K Thomas, P Thomas, J Tildesley and M Wilson

#### 1. APOLOGIES

Apologies were received from Cllrs Hamilton \*A Hodgson, L McCarthy \*A Rebeiro Macnaughton and Ryan.

(\* with the Mayor's permission both Councillors joined remotely but did not vote on any items).

#### 2. COUNCIL MINUTES

The minutes of the meeting held on 24 February 2022 were presented for approval.

##### **RESOLVED:**

That the minutes of the meeting held on 24 February 2022 be approved.

#### 3. DECLARATIONS OF PECUNIARY OR CONFLICTING INTERESTS FROM MEMBERS

None received.

#### 4. PETITIONS

From Cllr Allen – We the undersigned call upon SMBC to install a pedestrian crossing on Hurdis Road opposite the entrance to Shirley Park.

From Cllr Clements – Requesting from Elmdon Ward the renaming of Elmdon Park Beacon to The Queen Elizabeth II Platinum Jubilee.

From Cllr Howell – Submitted a petition against HS2 Ltd applying for planning permission to run construction lorries through Balsall Common.

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From Cllr Sleigh OBE – We the undersigned call upon Solihull MBC to work with Royal Mail to return the post box to a location close to the original site at the junction of Land Lane/Elmdon Road, Marston Green B37 7BD.

From Cllr Courts – We the undersigned residents of Hockley Heath oppose the allocation of any of the sites around Hockley Heath in the South Warwickshire Joint Development Plan and oppose any further erosion of the green belt in that area.

From Cllr O’Nyons – We the undersigned, support the campaign to encourage Solihull Council to start footpath improvements around Barn Lane Recreation Ground to link up all the entrances/existing footpaths thereby providing a footpath around the entire park and grassed area.

From Cllr M McCarthy – We the undersigned, Solihull residents of Castle Bromwich, call upon Solihull MBC and Birmingham CC Environmental Officers to agree the re-instatement of access to Tameside Drive HWRC for the residents of Castle Bromwich.

From Cllr Rolf – We the undersigned residents of Blackfirs Lane, Marston Green call upon Solihull MBC to support us by providing signage at the entrance to Blackfirs Lane, to advise goods vehicle drivers that there is no access to Progress Way on Birmingham Business Park via Blackfirs Lane.

From Cllr K Grinsell – Submitted a petition requesting the re-instatement of the Minor Injuries Unit at Solihull Hospital. 8,029 people had signed the petition.

From Cllr K Thomas – Submitted a petition on behalf of residents of Solihull calling for more community police on our streets and a fully functioning police station in the Town Centre.

From Cllr Long- Submitted a petition from residents of Elmdon regarding the lack of community centre services.

### **5. ANNOUNCEMENTS**

#### Election Campaign Compact

The Mayor invited all Group Leaders and independent Members to sign the election campaign compact.

#### First Magazine for Councillors

The Mayor advised of two articles from Solihull Councillors which appeared in the latest First Magazine for Councillors.

#### Nomination for Mayor

The Leader advised Members that he would be nominating Cllr Ken Meeson as Mayor for the next municipal year.

### **6. QUESTIONS AND DEPUTATIONS UNDER STANDING ORDER 9 AND 12**

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No questions or deputations were received.

### 7. QUESTIONS UNDER STANDING ORDER 8 (30 MINUTES)

#### Cllr Rebeiro to Councillor Holt Cabinet Portfolio Holder for Children, Education and Skills

I acknowledge the proactive work of the Council in preparations for supporting Ukrainian refugees to this Borough. How advanced is the Council's engagement with the Borough's Education sector in preparation for the provision of appropriate education and special needs support for young Ukrainian refugees?

The Cabinet Member responded that the Education services are working with the settlement team to ensure effective planning for all children coming into the borough. We have already seen significant numbers of children moving into Solihull through the Hong Kong repatriation and have worked with many schools to increase their capacity so all children have access to a school place; and will continue that approach. Where children with special needs move into Solihull we will be carrying out the necessary assessments to determine the most appropriate provision for them.

Cllr Rebeiro questioned whether there had been a dialogue with the Schools Strategic Accountability Board regarding this matter. The Cabinet Member assured Members that Officers had been in communication with many agencies, including the DfE. The Leader also advised that he had, had a meeting with the refugee minister regarding schools and education and this issue was very much on his radar.

#### Cllr Clements to Cllr Mackiewicz Cabinet Portfolio Holder for Climate Change, Planning and Housing

I noticed in the Cabinet Member's report that a part of Elmdon has been included in the net zero neighbourhood's pilot. Can the Cabinet Member provide more details?

The Cabinet Member advised that SMBC had been successful in applying to the WMCA to include Elmdon in its Sustainable Warmth Programme for 2022/23. Several Local Authorities submitted applications but SMBC and Coventry City Council were the two preferred partners. Elmdon was put forward because it is an area with particularly high levels of fuel poverty, based on the energy efficiency of properties and household income. WMCA will be working with SMBC to put in place a range of retrofit measures that can improve the energy efficiency of properties in the area, as well as connect residents to energy advice and help with fuel bills. Further details can be found in the WMCA press release concerning the delivery of their Sustainable Warmth Programme [An additional three hundred homes in the West Midlands to receive deep retrofit from WMCA.](#)

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SMBC has also been successful in its own application for Sustainable Warmth funding and will be working with the Midlands Energy Hub to deliver a £1.265 million programme in the borough. This will see up to 150 low income, fuel poor households receiving energy efficiency improvements. The scheme will be open to households across the borough but with some directed work in fuel poverty hotspots such as Chelmsley Wood and Shirley.

The Council is also in the process of completing its proposal to include Chelmsley Wood in WMCA's Net Zero Neighbourhood programme. The outcome of this process won't be known until July but if the application is successful then it would bring additional investment and support into the neighbourhood covering housing, community spaces, skills and mobility, for instance.

Cllr Clements questioned how those who would benefit from the investment would be informed and what the time scale was for works. The Cabinet Member advised that a communication and engagement plan had been developed and this would go live after the local election.

### Cllr L McCarthy to Cllr Rolf Cabinet Portfolio Holder for Stronger and Safer Communities

Can the Cabinet Member please tell me how many fixed penalty notices for littering and how many prosecutions for fly tipping have been issued or taken place over the 21/22 financial year please?

In the absence of Cllr McCarthy the Cabinet Member undertook to provide a written response. The written response is detailed below:

Enforcement activity particularly for fly tipping and waste crime is complex and involves prosecutions for serious offences involving organised crime for instance and £400 fixed penalty notices for the less serious offences such as individual bags of household rubbish:

- 6 - £400 fixed penalty notices issued for fly tipping.
- 1 caution letter administered for household duty of care breach.
- 2 x fly tipping prosecutions – The first trial is this Friday 8<sup>th</sup> April two defendants. The second trial has been adjourned and the defendant has agreed to a formal caution that is being administered on Wednesday 6<sup>th</sup> April.
- Pending Prosecutions – 1 case being submitted to Legal for authority to summons.
- 1 vehicle seized for fly tipping later found to be stolen at time of offence.
- 2 Illegal Waste sites used for the depositing of waste – Stop Letters served and Environment Agency now involved with joint enforcement working taking place. One of the fly tipping prosecutions is in relation to this site.
- 2 Multi Agency Checks carried out re Waste Carriers – 1 authorised waste carrier found to be overweight – excess weight removed and Warning letter administered.
- 5 ongoing investigations with viable lines of enquiry – Interviews under caution to be arranged.

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The new contract for the environmental enforcement patrolling officers is now fully up and running. The enforcement staff have mainly been targeted around the borough in areas such as Crooks Lane and Hobbs Moat. Where it has been identified that there are issues. The officers are highly visible and present a distinct deterrent to litterers and have become well known in those areas. Because they are so visible and the number of people out at any one time is smaller than in say the town centre, witnessing littering taking place is hard. This combined with the reduction of smoking on the streets due to the adoption of vapes means that obtaining fixed penalty notices is extremely difficult. The presence of the officers, engagement with the communities they visit, as well as their deterrent effect is all highly beneficial however. Consequently, so far one fixed penalty notice for littering has been served.

With the potential adoption of the Environmental Crime Strategy post-election the number of littering fixed penalty notices and fly tipping enforcement will be reported regularly.

### Cllr Pinwell to Cllr Mackiewicz Cabinet Portfolio Holder for Climate Change, Planning and Housing

I was dismayed to see the appeal decision upheld at the Wyndley Garden Centre in Knowle. This could send a dangerous precedent. Can the Cabinet Member comment on what the Council response will be?

The Cabinet Member advised that following the decision of Planning Committee to refuse the proposal, which in itself followed the recommended refusal of our officers, I share Cllr Pinwell's dismay with the decision made by the Planning Inspectorate. In terms of how we address this decision, I can confirm that we are currently seeking legal advice regarding our options around challenging the decision.

Cllr Pinwell asked whether there was any prospect of constraining the growth of retirement facilities. The Cabinet Member referenced the new draft local plan and P4 (e) which dealt with older person's accommodation.

Cllr Pinwell queried whether the measures in the draft local plan would address the issue that many of the retirement properties were left empty for some time. The Cabinet Member commented that this was a national issue.

### Cllr K Thomas to Cllr Courts Leader of the Council

It's been reported in the media about one of our MPs' membership of the anti-climate change group. Will their views and lack of support have any impact on the Council's delivery of its net zero plan?

The Leader of the Council advised that it has recently been confirmed by two independent organisations, we are one of the leading local authorities when it comes to the climate change and net-zero agenda. At his last decision session, Cllr Mackiewicz received an update on the progress we are making with the NZAP and approved the timetables for reporting, so that all members can see

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the positive improvements that we are delivering, and that we will continue to deliver.

The Leader confirmed that local MP's were supporting the Council's plans on climate change and he went on to detail what work the Council was doing. The Leader also referenced the fact that Cllr Thomas had recently voted against the Council's carbon budget.

Cllr Thomas questioned whether in future years the carbon change budget could be voted on separately. The Leader advised this was unlikely, and rather than vote against Cllr Thomas could have abstained.

### Cllr O'Nyons to the Cabinet Portfolio Holder for Environment and Infrastructure

Would the Cabinet Member please help me find a solution and fix to the flooding which often occurs at Olton Jubilee Park. As the footpath beside Hatchford Brook regularly becomes impassable in places after heavy rainfall rendering it unfit for use especially over the winter months.

The Cabinet Member advised that he was pleased to advise that our Highway Infrastructure officers are currently finalising a design to alleviate the flooding at this location and that this is in our programme for delivery this financial year (2022/23), working in partnership with our parks team to deliver wider environmental benefits alongside the flooding improvements.

### Cllr L McCarthy to Cllr Sleigh OBE Cabinet Portfolio for Resources

What is the Council doing to support the hospitality industry as it tries to recover and rebuild after the impact of Covid?

In the absence of Cllr McCarthy the Cabinet Member undertook to provide a written response. The written response is detailed below:

That since the onset of COVID, the hospitality sector has been supported through business grant schemes and through a series of interventions to build the sustainability of businesses. These have been both place-based and specific to individual businesses. Support has included:

- £27m has been distributed to 1,976 businesses through the Small Business Grants Fund and the Retail, Hospitality and Leisure Business Grants Fund.
- £1.285m has been paid out in grants to 317 businesses as part of the Omicron Hospitality and Leisure Business Grant. A further £387,000 of discretionary funding has been awarded to 131 businesses that were not eligible for the main Omicron grant.
- For the current financial year 2022/23, the Council has recently implemented the Retail, Hospitality and Leisure Business Rates Relief Scheme. This gives 50% relief to business rates bills for those businesses in the retail, hospitality and leisure sectors.
- £384,000 received through the Reopening the High Street and the Welcome Back Fund has been allocated.

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It is important to note that the Council has implemented a number of discretionary grant schemes that have provided significant financial support to local businesses.

Over the course of the pandemic, the Council has engaged in street dressing, commissioned footfall counters to support future funding bids, made public realm improvements, supported local campaigns and events, and developed heritage trails. These activities have been promoted through the Visit Solihull webpage and associated social media channels.

We are also promoting the hospitality sector through the recent Solihull Going for the Win in 2022 event to help businesses get the best from the Commonwealth Games. Future activity includes promoting the opportunities for hospitality from the Queen's Baton Relay in the Borough.

More broadly, the Council has committed funds to recruit staff to support the development of Visit Solihull within the economic development team. This will allow the continuation of some of the activities previously funded through the High Streets Reopening Fund, which will directly benefit the hospitality sector. The newly commissioned economic strategy, due to be completed by September, will set out actions to further support the sector.

### 8. COUNCIL TOPIC OF DEBATE

No Topic of Debate was received.

### 9. NOTICE OF MOTION

#### **Motion from Councillor Courts:**

"The unlawful invasion of Ukraine by the Russian Federation and the escalating humanitarian crisis facing the Country, represents a direct threat to peace and security in Europe.

This Council Resolves to:-

(i) condemn unequivocally the unprovoked Russian invasion of Ukraine and stands in solidarity with the people of Ukraine and their families and friends, including those local to Solihull;

(ii) Stand ready to provide support to those affected by this War and will open our arms to people displaced and affected.

(iii) Work with and support the efforts of our local communities to provide help and comfort to those in need."

Councillor Mackiewicz seconded the motion.

The following amendment was proposed by Cllr Caudwell with the addition of (iv) below and seconded by Cllr Burn.

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*(iv) Call on the Home Office to follow the example of many other countries and drop the requirement for Ukrainian nationals to have completed visa applications before being eligible for evacuation to the United Kingdom*

The amendment was put and lost.

Council **RESOLVED:**

- (i) To condemn unequivocally the unprovoked Russian invasion of Ukraine and stands in solidarity with the people of Ukraine and their families and friends, including those local to Solihull;
- (ii) To stand ready to provide support to those affected by this War and will open our arms to people displaced and affected; and
- (iii) To work with and support the efforts of our local communities to provide help and comfort to those in need.

**Motion from Cllr L McCarthy –in the absence of Cllr L McCarthy the motion was moved by Cllr K Tomas and seconded by Cllr Brain**

“Council recognises the contribution that health care workers have made during the pandemic and beyond. Council is committed to ensuring that all residents have access to appropriate medical care at all times and recognises the impact that the loss of services in Solihull in recent years has had on residents.

Council notes that:

- a) Due to high demand and ongoing technical issues, many residents are unable to secure appointments with their local GPs.
- b) The loss of the A&E, Maternity Unit, and Ambulance Station at Solihull Hospital has left a gap in care provision for residents of the borough.
- c) Ambulance response times in the region are consistently missing their target in recent months.
- d) There is concern that the Minor Injuries Unit has not yet returned in its full capacity to Solihull Hospital.

Council Resolves to:

- (i) Request an extraordinary scrutiny meeting to look at the issues around GP access for patients;
- (ii) Ask the Leader of the Council or the Chief Executive to write to WMAS encouraging the re-opening of the ambulance station at Solihull Hospital;
- (iii) Ask the Leader of the Council or the Chief Executive to write to all relevant partners requesting the full reinstatement of the Minor Injuries Unit at Solihull Hospital.”



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The following amendment was proposed by Cllr Dr Sexton and seconded by Cllr Long.

*“Council recognises the contribution that health care workers have made during the pandemic and beyond. Council is committed to ensuring that all residents have access to appropriate medical care at all times and recognises the impact that the loss of services in Solihull in recent years has had on residents.*

*Council notes that:*

- a) Due to high demand and ongoing technical issues, many residents are unable to secure appointments with their local GPs.*
- b) There is concern that the Minor Injuries Unit has not yet returned in its full capacity to Solihull Hospital.*

*Council Resolves to:*

- (i) Request an extraordinary scrutiny meeting to look at the issues around GP access for patients;*
- (ii) Ask the Leader of the Council or the Chief Executive to write to all relevant partners requesting the full reinstatement of the Minor Injuries Unit at Solihull Hospital.”*

The amendment was accepted by the proposer of the Motion.

The Mayor asked Council to confirm whether they wanted to debate the motion as amended or refer it on.

Council agreed to refer the motion on to the Health and Adult Social Care Scrutiny Board for their consideration in the next municipal year.

### **10. RECOMMENDATION FROM CABINET - DIRECTOR OF PUBLIC HEALTH ANNUAL REPORT 2021: COUNTING THE COST OF COVID**

**Council were invited to receive and approve the Director of Public Health’s annual statutory report the topic of the report was the impact of and response to Covid-19 in Solihull.**

**RESOLVED:**

That the report and next steps that have been set out as part of recovering from and living with Covid-19 be approved.

### **11. REPORT FROM THE LEADER OF THE COUNCIL -THE COUNCIL PLAN 2020 - 2025**

Council approval was sought for the Solihull Council Plan, 2022/23 update.

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### **RESOLVED:**

That the Solihull Council Plan, 2022/23 update be approved.

## **12. RECOMMENDATIONS FROM COMMITTEES**

Council received three recommendations from Cllr Hogarth the Chairman of the Governance Committee: –

### **Audit Committee Terms of Reference**

#### **RESOLVED:**

That the revised Terms of Reference of the Audit Committee attached as Appendix A to the minutes be approved.

### **Financial Regulations Update – March 2022**

#### **RESOLVED:**

That the revised Financial Regulations and other associated guidance documents as set out in Appendices A and B to the report be approved with the revised Regulations to be enforced from April 2022.

### **Independent Remuneration Panel Review of Members' Allowances**

#### **RESOLVED:**

That the Members' Allowances Scheme for 2022-23, as attached at Appendix B to the minutes be approved.

## **13. REPORTS FROM CABINET**

### **Leader of the Council and Lead Member for the Economy**

The Leader of the Council presented his report covering decisions of Cabinet made on 10 February and 10 March 2022, including an update on the Economic Strategy Portfolio he covered and highlighted a number of issues, including options for a police station in Solihull.

### **Deputy Leader of the Council and Lead Member for Partnership and Wellbeing including Solihull Health and Wellbeing Board minutes**

The Deputy Leader presented the minutes of the Solihull Health and Wellbeing Board 1 March 2022 and highlighted a number of issues.

### **Cabinet Member for Resources**

The Cabinet Member presented decisions taken at meetings held on 22 February and 29 March 2022.

### **Cabinet Member for Stronger and Safer Communities**

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The Cabinet Member presented decisions taken at the meeting held on 22 February 2022 and highlighted a number of issues.

### Cabinet Member for Climate Change, Planning and Housing

The Cabinet Member presented decisions taken at the meetings held on 15 February and 23 March 2022.

### Cabinet Member for Children Education and Skills

The Cabinet Member presented decisions taken at the meeting held on 17 February 2022.

Cllr Thomas questioned whether the Cabinet Member was satisfied with the quality of the consultation that had been undertaken in relation to Summerfield Education Centre, given the concerns raised by Lyndon School. The Cabinet Member advised he would discuss this with officers.

### Cabinet Member for Environment and Infrastructure

The Cabinet Member presented decisions taken at the meetings held on 14 February and 17 March 2022 and highlighted a number of issues.

### Cabinet Member for Adult Social Care and Health

The Cabinet Member presented decisions taken at the meetings held on 28 February and 29 March 2022 and highlighted a number of issues.

### Cabinet Member for Leisure Tourism and Sport

The Cabinet Member presented decisions taken at the meeting held on 16 March 2022.

Cllr Gough questioned whether Solihull Shining Stars programme was open to all schools. The Cabinet Member advised that the programme was targeted based on need. Cllr Dr Sexton questioned how programmes such as eat well move more would be effected by the recent announcement to cuts in funding. The Cabinet Member advised this area would be monitored and reviewed across all programmes, but she was not anticipating any adverse impact for the next year. Cllr K Thomas queried whether Bookfest would be returning next year, the Cabinet Member hoped it was.

## **14. MINUTES OF SCRUTINY BOARDS**

The minutes of the following Scrutiny Boards were presented for information:

- a) Resources and Delivering Value 1 March 2022

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- b) Stronger Communities and Neighbourhood Services 16 February and 9 March 2022
- c) Health and Adult Social Care 23 February and 14 March 2022
- d) Children's Services, Education and Skills 3 March 2022
- e) Economic Development and Managed Growth 8 March 2022

### **15. MINUTES OF COMMITTEES**

The minutes of the following Committees were presented for information:

- a) HS2 Implementation Advisory Group – 7 March 2022
- b) Audit Committee 14 February and 14 March 2022
- c) Remuneration Committee 21 March 2022
- d) Governance Committee 29 March 2022

### **16. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS**

The Minutes of the WMCA Overview and Scrutiny 10 January 2022 were noted.

### **17. QUESTIONS BY LEADERS OF POLITICAL GROUPS UNDER SO5 (2) (T)**

There were no questions.

### **18. CHIEF EXECUTIVE URGENT MATTERS**

There were no urgent matters to report.

### **19. QUESTIONS UNDER STANDING ORDER 8**

There were no outstanding questions to deal with.

### **20. EXCLUSION OF THE PUBLIC AND PRESS**

That, pursuant to Section 100A (4) of the Local Government Act 1972, the press and public be now excluded from the meeting for the remainder of the business to be transacted, on the grounds that there would be disclosure to them of exempt information in terms of paragraph 3 of Part 9 of Schedule 12A to the said Act.

### **21. MINUTES**

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The following sets of minutes were received for information:

- a) Resources and Delivering Value Scrutiny Board 1 March 2022
- b) Audit Committee 14 February and 14 March 2022
- c) Stronger Communities & Neighbourhood Services Scrutiny Board 9 March 2022

The meeting ended at 9.02 pm