

COUNCIL - 7 February 2023

MINUTES

Present: Councillors: A Adeyemo, M Brain, A Burrow, J Butler, M Carthew, S Caudwell, Y Clements, I Courts, T Diccico, B Donnelly, A Feeney, S Gethen, D Gibbin, M Gough, K Grinsell, R Grinsell, B Groom, J Hamilton, A 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, S Rymer, A Sandison, R Sexton, S Sheshabhatte, Mrs G Sleight, R Sleight OBE, K Thomas, J Tildesley, A Wilson and M Wilson

Officers:

Apologies: Councillors: S Ashraf MBE, K Macnaughton, L McCarthy and J Ryan

1. APOLOGIES.

Apologies were received from Cllrs Ashraf, L McCarthy, Macnaughton and Ryan.

With the Mayor's permission Cllrs Allen, Hawkins and Rebeiro joined the meeting virtually.

2. COUNCIL MINUTES

RESOLVED:

That the minutes of the meeting held on 6 December 2022 be agreed.

3. DECLARATIONS OF PECUNIARY OR CONFLICTING INTERESTS FROM MEMBERS

Cllr Sleight advised that he was referenced in Item 15 on the agenda Overview and Scrutiny Committee WMCA.

Cllr Mackiewicz advised that he had recently visited a battery charging facility but did not discuss any planning matters with them.

4. PETITIONS

The following petition were submitted:

- 1) Cllr R Grinsell presented a petition on behalf of 230 local residents requesting Traffic Calming measures on Streetsbrook Road.
- 2) Cllr Qais presented a petition on behalf of 60 residents of Buryfield Road requesting the Cabinet Member for Environment and Infrastructure to extend

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the 20mph speed limit to the entire length of Buryfield Road due to the excessive speed by motorists using the highway.

- 3) Cllr Howell presented a petition on behalf 361 people expressing their disappointment with HS2 Ltd.'s failure to honour the spirit and word of their commitments to the community, there are 2 issues requiring urgent attention:
 - a) HS2 have failed to provide design options for consultation for the Balsall Common viaduct as promised to the House of Commons select committee; and
 - b) The destruction of the Kenilworth Greenaway between Berkswell Station and Waste Lane. It was claimed by HS2 Ltd that this was to provide a haul route because a separate haul route was not possible. We note despite the Greenway being clear cut by the early works contractor, the main contractor has built a separate haul route to the immediate west and appears to be using that route and not the clear-cut Greenway. Three specific actions were called for as detailed in the petition.
- 4) Cllr Carthew presented a petition by local residents requesting Traffic Calming on Streetsbrook Road.
- 5) Cllr O'Nyons presented a petition on behalf of residents for the removal of the Dovehouse/Rover bus stop from the front of their properties.

5. ANNOUNCEMENTS

The Mayor made a number of announcements which in summary included:

- The Mayor thanked Members for their good wishes during his recent illness and thanked the Deputy Mayor Cllr Tildesley for covering a number of Mayoral engagements.
- The Mayor referenced a number of faith and cultural events he had attended within the Borough.
- The Mayor presented Council with a picture created by Wayne Thompson, an ex-soldier, who with the support of the British Legion had taken up art therapy, to aid his recovery from injury.
- The Mayor had recently visited Solihull Riding Club on the opening of the Solihull Equestrian Academy.

The Leader of the Council briefed Members on actions taken in relation to Children's Services over recent months.

6. QUESTIONS AND DEPUTATIONS UNDER STANDING ORDER 9 AND 12

The following deputations were received:

Cllr David Cole from Kingshurst Parish Council on being introduced by Cllr K Grinsell wished to thank the Council for the support provided following the

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accident at Babbs Mill lake which had claimed the lives of Samuel, Finlay, Jake and Thomas, and extended his condolences to the family and friends of the four boys. Cllr Courts responded to the deputation.

Cllr Gough introduced 3 representatives of Our Voices Heard, Conor, Jake and Anthony who shared their experiences of Special Educational Needs in the borough. Cllr Gough responded to the deputation.

Ms Melanie Williams on being introduced by Cllr Long raised issues being experienced by overgrown and dangerous trees belonging to SMBC, which impinged on the boundary line of properties in Maywell Drive. Ms Williams also submitted a petition on the same issue. Cllr Hawkins responded to the deputation.

7. QUESTIONS UNDER STANDING ORDER 8 (30 MINUTES)

Cllr Feeney to Cllr Hawkins Cabinet Portfolio Holder for Environment and Infrastructure

Over the last several months, officers and the Cabinet Member have attended Lanchester Park in Castle Bromwich to view its condition. Solihull has many excellent Green Flag parks, and Lanchester Park deserves this accolade. Can the Cabinet Member advise if officers can bring forward a plan to bring the Lanchester up to the Green Flag standard enjoyed by other parks in Solihull?

The Cabinet Member advised that he had discussed the issue with Officers from the Public Realm team, and they are happy to work with Members to progress Lanchester Park for future Green Flag Accreditation. Officers would be in contact with Ward Members shortly to discuss plans and support the community in attaining a green flag for the park

Cllr Donnelly to Cllr Hawkins Cabinet Portfolio Holder for Environment and Infrastructure

We appreciate restoring £50,000 to the displacement parking fund, but can the Cabinet Member answer how much would be needed to meet the residual issues this funding does not cover?

The Cabinet Member advised that there were sixty-one unfunded sites currently on the Parking Displacement Programme, the indicative costs to implement all of these measures would be circa £980,000. Cllr Donnelly questioned whether signage could be used to deter parking. The Cabinet Member advised that this had been tried before but would ask Officers to look at this again.

Cllr Adeyemo to Cllr DiCicco Cabinet Portfolio Holder for Adult Social Care and Health Portfolio

Many local dentists have stopped taking on NHS patients and some dental practices are pulling out of NHS dentistry altogether. What support is there for

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local people who need urgent dental treatment but are not registered with a dentist?

The Cabinet Member advised that dentistry was currently the responsibility of NHS England but there were plans in place to delegate responsibility to a more local level to Integrated Care Boards. Health and Social Care Scrutiny receive regular updates from the ICB Chief Executive and team and access to dentistry has been noted as an issue at these meeting. Members may want to consider using this route to understand the latest position and impact on local services.

Cllr Adeyemo reference poorer families who could not afford private dental fees and questioned whether the Council could provide support. The Cabinet Member repeated that the ICB were looking at this issue at a more local level.

Cllr Caudwell to Cllr Diccico Cabinet Portfolio Holder for Adult Social Care and Health

How can this Council, in its roles as both a local planning authority and a statutory provider of adult social care, ensure that what is proposed by care home developers actually meets our residents' needs, and does not harm existing care?

In response the Cabinet Member advised that in its roll as local planning authority the Council can only have regard to material planning matters, while this includes need it cannot have regard to specific elements such as care workforce pressure's. As a result, all planning applications have to be assessed on their own merits and against the policies of the adopted Solihull local plan and national guidance. This primarily focuses on policies of design, suitability for housing in general, infrastructure contributions and green belt policy where relevant. National planning guidance states that the need to provide housing for older people is critical. Care home applications in the green belt have been refused where they have greater impact on openness then the existing development. Applications on brownfield land however are more likely to be recommended for approval where no planning harm can be demonstrated. Development proposals for care homes are accompanied by an assessment need which is considered by Council officers as part of determining the planning application. When there is a planning application, planners will consult with commissioners in the adult social care directorate as a formal consultee. The draft local plan introduces the new policy P4(e), housing for older and disabled people. This will help the Council in its roles as local planning authority and a statutory provider of adult social care to better ensure that what is proposed by care home developers meet residents needs and does not harm existing care.

Cllr Caudwell questioned what support the Cabinet Member could provide local services (GP's, dentists and pharmacies) who struggle with the additional demand on services? The Cabinet Member advised the Council's position would be strengthened once the Local Plan was adopted and policy P4(e) would strengthen the Council's ability to ensure need is meet.

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Cllr Caudwell referenced legislation coming in relating to the fair cost of care and went on to question how this would affect provision in place in Solihull today. The Cabinet Member advised that the Council would take this into consideration when providing high standards of care and help the most vulnerable as we do now.

Cllr Thomas to Cllr Hawkins Cabinet Portfolio Holder for Environment and Infrastructure

The Solihull Connected transport strategy includes the outcome "our transport system will get people and goods to where they need to be." Residents in Lyndon want to travel to Solihull, but TfWM arbitrarily changed the destination of the A16 to Acocks Green. 95% of users of the S16 service indicated they would not use the replacement service. When I raised this with TfWM, the response I got was Lyndon (other parts) already has 2 bus services to Solihull, elderly passengers should consider ring and ride and if people don't use the new service, we will remove it. The complete lack of customer service in this response appalled me and I do not think it in anyway exemplifies our transport strategy. What steps will you take with TfWM to address this issue and ensure the objectives of our transport strategy are delivered?

The Cabinet Member advise that the provision of local bus services and the associated customer services standards do not fall under the remit of my portfolio, but I can confirm this function sits with the West Midlands Combined Authority and their delivery team at Transport for West Midlands. Nevertheless, I will share a copy of your enquiry with our representative on the West Midlands Transport Delivery Committee, Cllr R Grinsell, who I am sure will take up your concerns with the appropriate officers.

The Cabinet Member also confirmed that he would ask Cllr R Grinsell to provide Cllr Thomas with a written report, once a response to the enquiry was received.

Cllr Sheshabhattar to Cllr Hawkins Cabinet Portfolio Holder for Environment and Infrastructure

How many potholes are currently awaiting repair and how does this compare to the same time last year?

The Cabinet Member advised that in February 2022 there were twenty-six open orders for pothole repairs, these were all completed within the required timeframe of 7 or 28 days. There are currently seven open orders for pothole repairs, these will all be completed within the required timeframe.

Cllr Sheshabhattar reported that potholes were not repaired in a timely manner or to a good standard, as repeat calls were made to the same spot for further repair. The Cabinet Member advised that the Council had fully embedded the Department for Transport's risk based approach to highway maintenance, and this approach looked at the risk associated with a defect and through a matrix a timeframe for its repair determined. The Cabinet Member acknowledged it was

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not cost effective to keep repairing work, but work is inspected and depending on the seriousness of the pothole, defects are repaired.

Cllr Thomas to Cllr Hawkins Cabinet Portfolio Holder for Environment and Infrastructure

The reliability of the A9 has been very poor, leaving elderly residents stood in the cold for over an hour (repeatedly) and making children late for school (repeatedly). I am aware TfWM are now having regular meeting with the bus provider focused on improving the service. To encourage/maintain bus patronage, it is important services are reliable. What actions are you taking to ensure lessons are learnt from this, so that new services are launched with an acceptable service level?

The Cabinet Member acknowledged there were issues with this service. The service was commissioned and put into operation at very short notice. The service has been monitored and it was noted that the operator has made improvements to the service. A journey that has failed to operator is deducted from the Stagecoach contract payment. The Cabinet Member recognised the need for punctual and reliable service. He advised he would be meeting representatives from Stagecoach in the near future.

The Cabinet Member advised he would update Members on the outcome of these discussions.

Cllr Sheshabhattar to Cllr Diccico Cabinet Portfolio Holder for Adult Social Care and Health

From picking up ever more spent Nitrous Oxide cans, the use of the gas recreationally is clearly increasing. What is the Cabinet Member doing to protect the health of the young people, who may be unaware of the health risks associated with using the gas?

The Cabinet Member advised that he had raised the issue of increased use of nitrous oxide as a recreational drug and related littering with the Director of Public Health and the Health and Well-being Board. A paper has been requested to report on the actions being taken by the council to address the problem. This report will be presented at the next Health and Well-being Board meeting (14/03/23). Additionally, the Council has been working with Solihull Integrated Addiction Services (SIAS), the UK Health Security Agency, community groups and voluntary groups to develop an education programme which raises young people's awareness of the harm that can be caused. Further information will be available in schools, the Council website and a borough wide campaign aimed at young people no longer in school. The Council is in dialogue with the West Midlands Police and Crime Commissioner and the health service as this is a key theme in the 'Harm to Hope' strategy regionally and locally, which aims to reduce the harms from alcohol and drugs.

Cllr Long to Cllr Hawkins Cabinet Portfolio Holder for Environment and Infrastructure

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I receive many complaints from Damson Parkway residents about dangerous and inconsiderate parking whenever there is a match at the Moors' Stadium; this is despite an apparent Parking Plan. The problems were particularly acute at last Tuesday evening's match. Whilst many will welcome the potential move of the WASP's rugby team to the stadium, local residents are concerned about risk of further disruption. Please can the Cabinet Member provide an update on the potential WASPs move and also reassurance to residents that, whether such a move happens or not, the Council will ensure the parking plan is better enforced."

The Cabinet Member advised that the RFU would be making further announcements regarding WASPs on 14 February. The Cabinet Member confirmed that to support the current match day parking plan the Council's Civil Parking Enforcement Officers attend every home game. However, it should be noted that the local residential streets have no parking restrictions that our officers can monitor or take action and therefore, spend most of their time keeping Damson Lane and Parkway free from parked vehicles. The issues concerning obstructing access to property or the movement of traffic along the residential streets are types of motoring offence requiring Police enforcement powers. I will also ask Officers to refer your concerns to the Safety Advisory Group who will oversee the planning of future football and rugby matches taking place at the stadium.

Cllr Long requested that better communication be undertaken to inform away fans regarding parking, more enforcement action is undertaken by the police and there is better signage. The Cabinet Member advised this would be brought to the club's attention.

Cllr Carthew to Cllr Courts Leader of the Council

Residents consistently complain to me about local issues where Solihull and Birmingham Councils both pit responsibility for work on each other in areas where the Borough boundaries meet. Is the West Midlands Combined Authority doing anything to help this Council and its neighbours communicate more effectively to help to fix these cross boundary issues?

The Leader advised that he was not aware of any complaints regarding cross boundary issues. Historically the Council has worked closely with neighbours on a range of issues both bilaterally and via the WMCA. The Leader was aware of issues around Darington Rd and officers were in regular contact with officers in Birmingham regarding the maintenance of the public realm. Residents should be encouraged to report anti-social behaviour to the police.

Cllr Carthew raised the issue of the acquisition of social housing by SCH. The Leader advised Cllr Carthew speak to Officers and then the appropriate Cabinet Member could respond.

8. COUNCIL TOPIC OF DEBATE

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No topic of debate was received.

9. NOTICE OF MOTION

The following motion was submitted by Cllr McLoughlin and seconded by Cllr Caudwell:

“This Council welcomes the work done and progress made against the Net-Zero Action Plan. We also welcome work done on solar mapping identifying the potential for large scale locally generated and owned clean, green and more affordable power. We recognise the contribution renewable energy will make towards our Net-Zero target, countering the rise in energy prices, and reducing demand for energy from regimes we do not support.

We note the current solar mapping progress in Coventry and Birmingham for large private and public sector south facing and flat roofs, including car parks. We also note Solihull’s position in comparison to other Local Authorities and aspire towards more installed capacity and improved performance against the national average.

We welcome progress made in improving the energy performance of buildings within the Borough. We recognise the need to improve our housing stock and would expect housing in Solihull to perform at or above the national average for homes with an Energy Performance Certificate of C or higher.

This Council **RESOLVES** to:

- (i) Take a proactive role in identifying and promoting opportunities for renewable community energy provision in Solihull;
- (ii) Investigate the potential for collective purchase schemes for renewable energy and insulation;
- (iii) Work to ensure reputable providers maintain a standard of work that is fit for purpose and delivers the stated benefits to the bill payers;
- (iv) Begin installing photovoltaic panels on all suitable Council owned buildings at the soonest available opportunity; and
- (v) Bring to the soonest available decision session of the Cabinet Portfolio Holder for Climate Change Planning and Housing the viability and timescales for each of the resolutions.”

An amendment was put by Cllr Mackiewicz which was seconded by Cllr McLoughlin which read:

“This Council welcomes the work done and progress made against the Net-Zero Action Plan. We also welcome work done on solar mapping identifying the potential for large scale locally generated and owned clean, green and more affordable power. We recognise the contribution renewable energy will make

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This Council RESOLVES to:

- Take a proactive role in identifying and promoting opportunities for renewable community energy and commercial renewable energy provision in Solihull;
- Investigate the potential for collective purchase schemes for renewable energy and insulation;

- Promote the Government endorsed quality scheme 'Trustmark' to help ensure households have access to accredited and regulated suppliers;
- Begin installing photovoltaic panels on all suitable Council owned buildings at the soonest available viable opportunity;
- Bring to the March 29th decision session of the Cabinet Portfolio Holder for Climate Change Planning and Housing an update on the current state of work;
- Encourage the use of brownfield land for renewable energy, recognising that Green Belt land will come under pressure due to the character of the Borough;
- Make sure promoters are aware that Very Special Circumstances will need to be robustly demonstrated for any Green Belt proposals, including how alternative solutions, including brownfield land, have been considered and why any proposed site is the most appropriate. Any local community benefits should also be clearly identified.

The amendment was debated and voted on and became the substantive motion. The substantive motion was then debated and voted on.

RESOLVED:

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- Make sure promoters are aware that Very Special Circumstances will need to be robustly demonstrated for any Green Belt proposals, including how alternative solutions, including brownfield land, have been considered and why any proposed site is the most appropriate. Any local community benefits should also be clearly identified.

10. LEADER'S REPORT - APPOINTMENT OF ACTING CHIEF EXECUTIVE AND HEAD OF PAID SERVICE

The Leader presented his report seeking Council approval to make an acting appointment to the role of Chief Executive (Head of Paid Service), and to appoint an Electoral Registration Officer and Returning Officer of the Council. In doing so the Leader expressed his thanks to the previous Chief Executive Nick Page for his service to the Council.

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RESOLVED:

- (i) That the acting up appointment of Paul Johnson to the role of Chief Executive be approved and in accordance with Section 4 of the Local Government and Housing Act 1989, Paul Johnson be designated as statutory Head of Paid Service with immediate effect pending the recruitment of a permanent replacement;
- (ii) That Paul Johnson is appointed with immediate effect as the Returning Officer for local elections in accordance with Section 35 of the Representation of the People Act 1983; and
- (iii) That Paul Johnson is appointed with immediate effect as the Council's Electoral Registration Officer in accordance with Section 8 of the Representation of the People Act 1983.

11. RECOMMENDATIONS FROM COMMITTEES

Audit Committee 9 January 2023 Minute 7 Treasury Management Strategy 2023/24 To 2032/33 (page 138)

Proposed: Cllr Richard Long

Seconded: Cllr Kathryn Thomas

RESOLVED

The meeting of the Council approved:

- (i) The Treasury Management Strategy 2023/24 to 2032/33 (Appendix A) including the Debt and Investment Strategy and Treasury and Prudential indicators contained within Page 37 Agenda Item 7 and specifically;
 - o The Authorised Limit Prudential Indicator detailed within paragraph 3.2.2 of Appendix A;
 - o The further Prudential Indicators for 2023/24 to 2032/33 contained within the extract from the Corporate Capital Strategy 2023/24 to 2032/33 (Appendix B);
 - o The Minimum Revenue Provision (MRP) Policy Statement contained within the extract from the Corporate Capital Strategy 2023/24 to 2032/33 (Appendix B).

Remuneration Committee 19 January 2023 Minute 5 Pay Policy Statement 2023 (page 178)

Proposed: Cllr Bob Sleigh OBE

Seconded: Cllr Karen Grinsell

RESOLVED

The meeting of the Council approved the Council's Pay Policy Statement for 2023.

12. REPORTS FROM CABINET

The Council received a summary of decisions, reports and dealt with any subsequent questions in relation to the following Cabinet Portfolios:

Leader of the Council and Lead Member for the Economy

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The Leader presented his report, there was a question on the interest in void properties in the town centre and plans for the former M&S site in Mell Square. The Leader informed Council that since the acquisition of Mell Square the void rate had dropped significantly and interest in taking up space was strong. In regards to the former M&S Site the Leader cautioned his response without being able to receive advice on what he could say but drew attention to the media reports of the recent change in strategy by M&S towards town centre shops and reminded Members that they were on a long lease and responsible for paying the rent.

Deputy Leader of the Council and Lead Member for Partnerships and Wellbeing

The Deputy Leader presented her report, there was a question relating to the statistics on the increase in requests for information, advice and guidance from residents relating to the cost-of-living pressures they were facing and whether there was enough resource to meet demand. A member thanked the Deputy Leader for the information on the installation of sprinklers and highlighted the case mentioned in the report as evidence that they do in fact work and save lives. A question was asked in relation to primary care access as well as about the number of foodbanks not joining the Council's foodbank network.

Cabinet Member for Resources

The Cabinet Member presented his report, there were no questions.

Cabinet Portfolio Holder for Communities and Leisure

The Cabinet Member presented her report, there were no questions.

Cabinet Portfolio Holder for Climate Change Planning and Housing

The Cabinet Member presented his report, there were questions relating Local Plan, what the Council could do to increase the usage of Electric Vehicle Charging Points and whether there was the possibility of offering a wholesale cost of electricity to users of Electric Vehicle Charging Points.

Cabinet Portfolio Holder for Children and Education

The Cabinet Member presented his report. There were no questions.

Cabinet Portfolio for Environment and Infrastructure

The Cabinet Member presented his report. There were no questions.

Cabinet Portfolio Holder for Adult Social Care and Health

The Cabinet Member presented his report. There was a question relating to the location of Family Hub in Elmdon, the number of people who had responded on item 1.4.4, how we can ensure more residents can benefit from the service and whether we can extend the Moped trial in other areas of the Council.

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13. MINUTES OF SCRUTINY BOARDS

RESOLVED

The minutes of the Scrutiny Boards were presented for information and received unanimously.

14. MINUTES OF COMMITTEES

RESOLVED

The minutes of Committees were presented for information and received unanimously.

15. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

Cllr M McCarthy moved for information only the West Midlands Combined Authority Overview and Scrutiny Minutes. There were questions relating to bus providers, investment zones and consultations on changes to the bus services. The Leader of the Council encouraged members to take up these issues directly with Members who attend the board.

RESOLVED

Council received the minutes of the West Midlands Combined Authority Overview and Scrutiny Board.

Cllr P Hogarth MBE moved for information only the West Midlands Fire and Rescue Authority Annual report. There were no questions.

RESOLVED

Council received the West Midlands Fire and Rescue Authority Annual report.

16. QUESTIONS BY LEADERS OF POLITICAL GROUPS UNDER SO5 (2) (T)

There were no questions.

17. ACTING CHIEF EXECUTIVE URGENT MATTERS

There were no urgent matters.

18. QUESTIONS UNDER STANDING ORDER 8

All Questions dealt with under Item 7 on the agenda.

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19. EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED

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.

20. PRIVATE MINUTES

The Private Minutes were presented for information only.

RESOLVED

Council agreed the private minutes of the Health and Adult Social Care Scrutiny Board.

Time Not Specified