

DUDLEY METROPOLITAN BOROUGH
MINUTES OF THE PROCEEDINGS OF THE COUNCIL
AT THE ANNUAL MEETING HELD ON
THURSDAY, 19TH MAY, 2005 AT 6.00 P.M.

PRESENT:-

Councillor Knowles (Mayor)
Councillor Kettle (Deputy Mayor)
Councillors Adams, Ali, Mrs. Ameson, Mrs. Aston, Attwood, Banks, Blood, Body, Boys, Bradney, Burt, Caunt, Mrs. Collins, Cotterill, Mrs. Coulter, Mrs. Cowell, Ms. Craigie, Crumpton, G.H. Davies, J. Davies, M Davis, Debney, Donegan, Mrs. Dunn, Evans, Mrs. Faulkner, Finch, Ms. Foster, Fraser-Macnamara, Harley, Ms. Harris, Ms. Hart-Bowman, Islam, Jackson, James, Johnston, Jones, Mrs. Jordan, Male, Mrs. Martin, Miller, Mrs. Millward, Mottram, Musk, Miss Nicholls, Ms. Partridge, Mrs. Patrick, Mrs. Pearce, Rahman, Mrs. Ridley, Rogers, Ryder, Mrs. Shakespeare, Simms, Southall, Sparks, Stanley, Taylor, Tomkinson, A Turner, K Turner, Mrs. H Turner, Tyler, Mrs. Wilson, C. Wilson, C.L. Woodall, J. Woodall and Wright; together with the Chief Executive and other Officers.

1 **VIDEO RECORDING**

In accordance with Council Procedure Rule 24.5, the Council gave its consent to a video recording of this meeting being made.

2 **PRAYERS**

The Bishop of Dudley, the Right Reverend David Walker, led the Council in prayer.

3 **ELECTION OF MAYOR**

It was moved by Councillor Caunt, seconded by Councillor Fraser-Macnamara and

RESOLVED

That Councillor Ian Kettle be elected Mayor of the Borough for the 2005/06 Municipal Year.

Councillor Kettle then made and subscribed to the Statutory Declaration of Acceptance of Office and took the Chair.

4 ELECTION OF DEPUTY MAYOR

It was moved by Councillor Caunt, seconded by Councillor Fraser-Macnamara and

RESOLVED

That Councillor John Woodall be elected Deputy Mayor of the Borough for the 2005/06 Municipal Year.

5 ADJOURNMENT OF MEETING

The meeting adjourned at 6.10 p.m. in order to enable the re-robing of the Mayor and Deputy Mayor and the retiring Mayor.

The meeting re-convened at 6.22 pm.

Councillor John Woodall then made and subscribed to the Statutory Declaration of Acceptance of the Office of Deputy Mayor.

6 ADDRESS BY THE MAYOR

The new Mayor addressed the Council, expressing his thanks to the Council and others on his election. In so doing he, along with other members, paid tribute to the retiring Mayor and Mayoress.

7 TRIBUTES TO THE RETIRING MAYOR AND MAYORESS/
PRESENTATION OF BADGES

Following tributes to the retiring Mayor and Mayoress, Councillor Malcolm Knowles and Mrs. Shirleyanne Knowles, respectively, the Mayor presented them with past Mayor's and past Mayoress' badges.

Councillor Knowles then addressed the Council, thanking the retiring Mayoress, Members, officers and others for the support that had enabled him to carry out his duties effectively during the year.

8 MINUTES

RESOLVED

That the minutes of the meeting of the Council held on 18th April, 2005 be approved as a correct record and signed.

MAYOR'S ANNOUNCEMENTS

(a) The Mayoress and the Deputy Mayoress

The Mayor announced that the Mayoress for the 2005/06 Municipal Year would be Mrs. Joan Kettle and the Deputy Mayoress would be Mrs. Audrey Woodall.

(b) The Mayor's Chaplain

The Mayor announced that the Mayor's Chaplain for the 2005/06 Municipal Year would be the Reverend Tony Attwood.

(c) The Mayor's Charity

The Mayor announced that the Mayor's Charities that would be supported in the 2005/06 Municipal Year would be Orbis – Saving Sight Worldwide and the Support Group for Pain Relief Unit at Russells Hall Hospital.

(d) The Mayoress at Home

The Mayor announced that the Mayoress at Home would take place at Himley Hall on dates and times to be agreed. These would be notified at a later date.

(e) Civic Service and Parade

The Mayor announced that the Civic Service and Parade would be held on Sunday, 19th June, 2005, with the parade stepping off from Ednam Road at 10.45 a.m. The service would be held at 'Top Church', the Parish Church of St. Thomas and St. Luke, at 11.30 a.m.

APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received on behalf of Councillors Burston and Vickers.

DECLARATIONS OF INTEREST

No declarations of a personal or prejudicial interest, in accordance with the Members' Code of Conduct, were received in respect of any item to be considered at this meeting.

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ELECTION OF THE LEADER FOR 2005/06 MUNICIPAL YEAR

It was moved by Councillor Fraser-Macnamara, seconded by Councillor Mrs. Martin and

RESOLVED

That Councillor Caunt be elected Leader of the Council for the 2005/06 Municipal Year.

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APPOINTMENT OF THE CABINET FOR 2005/06 MUNICIPAL YEAR

It was moved by Councillor Caunt, seconded by Councillor Fraser-Macnamara and

RESOLVED

- (1) That the number of Members appointed to the Cabinet for the 2005/06 Municipal Year and the names of the Members to serve for that year, be approved as follows:-

Councillors Caunt, Adams, Evans, Fraser-Macnamara, Jones, Mrs. Martin, Miller, Mrs. Millward, Mrs. Shakespeare and Vickers.

- (2) That the names of the Labour and Liberal Democrat Group nominees to attend meetings of the Cabinet, to speak but not to vote, be received as follows:-

Labour Group

Councillors Ali, Crumpton, G.H. Davies, Ms. Foster, Sparks and C.L. Woodall.

Liberal Democrat Group

Councillors Mrs Patrick and Tyler.

- (3) That the assignment of Cabinet Portfolios and the names of the corresponding Group spokespersons be received, as follows:-

<u>Portfolios</u>	<u>Leader and Cabinet Members</u>	<u>Labour Group Spokes- person</u>	<u>Liberal Democrat Group Spokesperson</u>
	Councillors		
Policy	Caunt	Sparks	Tyler
Social Services	Miller	Ali	Mrs. Collins
Environment	Mrs. Shakespeare	Tomkinson	Burt
Lifelong Learning	Vickers	Mrs. Ridney	Hart-Bowman
Personnel and Legal and Property	Mrs. Martin	Ms. Foster	Tyler
Transportation	Adams	Mottram	Tyler
Housing	Evans	G. H. Davies	Ms Craigie
Finance	Mrs. Millward	Crumpton	Burt
Economic Regeneration	Jones	Ms. Harris	Mrs. Patrick
Leisure	Fraser-Macnamara	C.L. Woodall	Tyler

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APPOINTMENT AND MEMBERSHIP OF COMMITTEES 2005/06 AND OTHER RELATED MATTERS

It was moved by Councillor Caunt, seconded by Councillor Fraser-Macnamara and

RESOLVED

- (1) That, except for the Standards Committee and Area Committees, the composition and membership of Committees for the 2005/06 municipal year be determined in accordance with the political balance requirements of Sections 15 and 16 of the Local Government and Housing Act, 1989 as set out below:-

Composition of Committees for 2005/06

<u>COMMITTEE</u>	<u>NUMBER OF SEATS</u>			
	<u>Total</u>	<u>Conserv- ative</u>	<u>Labour</u>	<u>Liberal Democrat</u>
Select Committee on Community Safety	11	6	4	1
Select Committee on Culture and Recreation	9	5	3	1
Select Committee on Economic Regeneration	11	6	4	1
Select Committee on the Environment	9	5	3	1
Select Committee on Good Health	11	6	4	1
Select Committee on Lifelong Learning*	11	6	4	1
Appointments	9	6	3	0
Audit	9	5	3	1
Development Control	9	5	3	1
Disciplinary/Dismissal/ Grading Appeals	9	6	3	0
Licensing and Safety	15	8	5	2
Social Services (Appeals)	5	3	2	0
Taxis	9	5	3	1
Tree Preservation Orders	9	5	4	0
Standards**	6	2	2	2

* Excluding Non-Elected Members

** Excluding the two Independent Members

Membership Of Committees

Select Committee on Community Safety

<u>Conservative (6)</u>	<u>Labour (4)</u>	<u>Liberal Democrat (1)</u>
Councillors	Councillors	Councillors
Blood Burston Mrs. Dunn Harley A. Turner Mrs. H. Turner	Cotterill Ms. Foster Male Finch	Ms. Craigie

Select Committee on Culture and Recreation

<u>Conservative (5)</u>	<u>Labour (3)</u>	<u>Liberal Democrat (1)</u>
Councillors	Councillors	Councillors
Attwood Kettle Mrs. Pearce Simms Southall	Crompton Mrs. Jordan C.L. Woodall	Tyler

Select Committee on Economic Regeneration

<u>Conservative (6)</u>	<u>Labour (4)</u>	<u>Liberal Democrat (1)</u>
Councillors	Councillors	Councillors
Mrs. Cowell Jackson Knowles Rogers K. Turner C. Wilson	Body J Davies Ms. Harris Mottram	Mrs. Patrick

Select Committee on the Environment

<u>Conservative (5)</u>	<u>Labour (3)</u>	<u>Liberal Democrat (1)</u>
Councillors	Councillors	Councillors
Banks Mrs. Cowell Stanley Mrs. H. Turner C. Wilson	Body Ms Partridge Tomkinson	Mrs. Collins

Select Committee on Good Health

<u>Conservative (6)</u>	<u>Labour (4)</u>	<u>Liberal Democrat (1)</u>
Councillors	Councillors	Councillors
Boys Mrs. Faulkner Harley Musk Miss Nicholls K. Turner	Ali Mrs. Aston Islam Rahman	Burt

Select Committee on Lifelong Learning

<u>Conservative (6)</u>	<u>Labour (4)</u>	<u>Liberal Democrat (1)</u>
Councillors	Councillors	Councillors
Boys Mrs. Dunn Mrs. Pearce Rogers Ryder Wright	Mrs. Coulter Johnston Rahman Mrs. Ridley	Ms Hart-Bowman

VOTING MEMBERS

Parent Governor Representatives

Primary Schools - vacancy
Secondary Schools – S R Smith
Special Schools - vacancy

Church Representatives

Worcester Diocesan Board of Education – Mrs Capell
Archdiocese of Birmingham - Mr. A.M.P. Hatton

NON-VOTING MEMBERS

Teacher Representatives

Primary Education - Mrs. S. Hewitt-Clarkson
Secondary Education - Mrs. P. Roe

Free Churches

Mr. J. Guest

Persons with experience of and interest in education in the Borough

Mr. H. Nottingham
Mrs. G. Simms.

Appointments Committee

<u>Conservative (6)</u>	<u>Labour (3)</u>
Councillors	Councillors
Adams Caunt Fraser-Macnamara Mrs. Martin Mrs. Millward Vickers	Ms. Foster Sparks C.L. Woodall

Audit Committee

<u>Conservative (5)</u>	<u>Labour (3)</u>	<u>Liberal Democrat (1)</u>
Councillors	Councillors	Councillors
Attwood Burston Knowles Miss Nicholls Taylor	Crumpton J. Davies Mrs. Jordan	Mrs. Collins

Development Control Committee

<u>Conservative (5)</u>	<u>Labour (3)</u>	<u>Liberal Democrat (1)</u>
Councillors	Councillors	Councillors
Banks Donegan James Stanley Southall	G. H. Davies Debney Mrs. Wilson	Mrs Collins

Disciplinary/Dismissal/Grading Appeals Committee

<u>Conservative (6)</u>	<u>Labour (3)</u>
Councillors	Councillors
Mrs. Ameson Banks Jackson Knowles Taylor Wright	Mottram Mrs. Wilson C. L. Woodall

Licensing and Safety Committee

Conservative (8)

Councillors

Mrs Ameson
Blood
Donegan
Mrs Dunn
Ryder
Taylor
J Woodall
Wright

Labour (5)

Councillors

Bradney
Mrs. Coulter
Finch
Mottram
Tomkinson

Liberal Democrat (2)

Councillors

Ms Hart-Bowman
Ms Craigie

Social Services (Appeals) Committee

Conservative (3)

Councillors

Mrs. Ameson
Kettle
Musk

Labour (2)

Councillors

Ali
Mrs. Aston

Taxis Committee

Conservative (5)

Councillors

Mrs. Ameson
Mrs. Faulkner
Musk
A. Turner
Wright

Labour (3)

Councillors

Mrs. Aston
Cotterill
Tomkinson

Liberal Democrat (1)

Councillors

Mrs. Patrick

Tree Preservation Orders Committee

Conservative (5)

Councillors

Donegan
James
Miss Nicholls
Simms
Stanley

Labour (4)

Councillors

Debney
Johnston
Ms. Partridge
Tomkinson

Liberal Democrat (0)

- (2) That the Council confirm that the proportionality requirements of the Local Government and Housing Act 1989 shall not apply to Sub-Committees established by the Licensing and Safety Committee in 2005/06.
- (3) That with regard to the Select Committee on Lifelong Learning, the position in relation to non-elected members as described in paragraphs 2.6 to 2.8 of the report be noted and that in addition, the Council note the vacancy which exists on the Committee following the resignation of Nicola Chapman as a Primary Schools Parent Governor representative.
- (4) That the composition and membership of the Standards Committee for the 2005/06 municipal year be as set out below:-

Standards Committee

(6 Elected Members plus 2 independent members)

<u>Conservative (2)</u>	<u>Labour (2)</u>	<u>Liberal Democrat (2)</u>
Councillors	Councillors	Councillors
Fraser-Macnamara	Male	Ms Hart-Bowman
J Woodall	Ms. Partridge	Tyler

Independent Members - The Bishop of Dudley and Mrs. F. Jabeen

- (5) That the arrangements for substitutes on Committees, as set out in Council Procedure Rule 5.2, be re-affirmed, and that the arrangements for substitution on Committees and Sub-Committees undertaking business of a quasi-judicial nature, as set out under paragraph 2.16 of the report, be added to Council Procedure Rule 5.2 and the Director of Law and Property amend the Constitution accordingly.
- (6) That Area Committees be appointed for the 2005/06 municipal year as set out below; that the Committees comprise the Ward Councillors for the areas referred to and that the functions and protocol of Area Committees as set out in the Council's Constitution be re-affirmed, subject to the amendment to the terms of reference set out in paragraph 2.10 of the report:-

Brierley Hill Area Committee - Brierley Hill, Brockmoor and Pensnett, Kingswinford North and Wallheath, Kingswinford South and Wordsley wards.

Central Dudley Area Committee - Castle and Priory, Netherton, Woodside and St. Andrew's, St. James's, St. Thomas's and Quarry Bank and Dudley Wood wards.

Halesowen Area Committee - Belle Vale, Cradley and Foxcote, Halesowen North, Halesowen South and Hayley Green and Cradley South wards

North Dudley Area Committee - Coseley East, Gornal, Upper Gornal and Woodsetton and Sedgley wards

Stourbridge Area Committee - Amblecote, Lye and Wollescote, Norton, Pedmore and Stourbridge East and Wollaston and Stourbridge Town wards.

- (7) That, subject to the proposals in respect of the Tree Preservation Orders Committee and Development Control Committee referred to in paragraph 2.5 of the report, the terms of reference and onward delegation of functions of the other Committees referred to in paragraph 2.3 of the report, as set out in the Council's Constitution, be reaffirmed for the 2005/06 municipal year.
- (8) That the terms of reference of the Standards Committee, as set out in the Council's Constitution, be reaffirmed for the 2005/06 municipal year.
- (9) That the 15 members of the Licensing and Safety Committee be appointed to undertake the statutory Committee functions in accordance with the Licensing Act 2003, as referred to in paragraph 2.9 of the report.
- (10) That the Chairmen and Vice-Chairmen of the following Committees be appointed for 2005/06, as set out below:-

<u>Committee</u>	<u>Chairman</u>	<u>Vice-Chairman</u>
		<u>Councillor</u>
Select Committee on Community Safety	Blood	Cotterill
Select Committee on Culture and Recreation	Southall	Simms

Select Committee on Economic Regeneration	K. Turner	Ms. Harris
Select Committee on the Environment	Mrs. Cowell	Mrs. H. Turner
Select Committee on Good Health	Burt	Mrs. Faulkner
Select Committee on Lifelong Learning	Mrs. Ridney	Mrs. Dunn
Appointments	Caunt	Fraser-Macnamara
Audit	Burston	Miss Nicholls
Development Control	Stanley	James
Disciplinary/Dismissal/Grading Appeals	Jackson	Banks
Licensing and Safety	Ryder	Taylor
Social Services (Appeals)	To be determined at first meeting	
Taxis	Musk	Mrs. Ameson
Tree Preservation Orders	James	Stanley
Standards	Independent Chairman - The Bishop of Dudley	

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SCHEME OF DELEGATION

It was moved by Councillor Caunt, seconded by Councillor Fraser-Macnamara and

RESOLVED

That the Scheme of Delegation, as set out in Part 3 of the Council's Constitution, be re-affirmed for the 2005/06 Municipal Year, subject to the consequential changes to the Constitution arising from the decisions taken at this meeting being made by the Director of Law and Property.

ORDINARY MEETINGS OF THE COUNCIL AND COMMITTEES FOR 2005/06

It was moved by Councillor Caunt, seconded by Councillor Fraser-Macnamara and

RESOLVED

That the programme of ordinary meetings of the Council and Committees for the 2005/06 Municipal Year, as now submitted, be approved.

APPOINTMENTS TO OUTSIDE BODIES

It was moved by Councillor Caunt, seconded by Councillor Fraser-Macnamara and

RESOLVED

- (1) That, in view of the urgency involved in making appointments to the following outside bodies, the Director of Law and Property, in consultation with the Leader of the Council, be authorised to make appointments to those bodies:

Local Government Association - General Assembly
 West Midlands Local Government Association
 - Association Council/ Regional Assembly
 - Provincial Council
 - Regional Planning Partnership

West Midlands Joint Committee (WMJC)
 WMJC - Planning and Transportation Sub-Committee
 WMJC - Community Safety Sub-Committee
 West Midlands Fire and Rescue Authority and "Prime Member"
 West Midlands Passenger Transport Authority and "Prime Member"
 Dudley and West Midlands Zoological Society Limited - Executive Board
 Dudley Community Partnership
 Dudley School Organisation Committee

- (2) That in view of the timetabling of meetings of the Cabinet and Area Committees for the 2005/06 municipal year, the appointments to outside bodies which will usually be made by Area Committees be referred for determination direct by those Committees, rather than through the Cabinet.

The meeting ended at 7.00 pm.

MAYOR