

DUDLEY METROPOLITAN BOROUGH

MINUTES OF THE PROCEEDINGS OF THE COUNCIL
AT THE ANNUAL MEETING HELD ON THURSDAY, 20TH MAY, 2010
AT 6.00 PM AT THE COUNCIL HOUSE, DUDLEY

PRESENT: -

Councillor Mrs P Martin (Mayor)
Councillor Miller (Deputy Mayor)
Councillors Adams, Ahmed, Ali, Mrs Ameson, Mrs Aston, Attwood, Banks, Barlow, D Blood, Mrs E Blood, Body, Burston, Caunt, Cotterill, Mrs Cowell, Crumpton, G H Davies, J D Davies, J R Davies, M Davis, Mrs Dunn, Evans, A Finch, K Finch, Foster, Mrs Greenaway, Hanif, Mrs Harley, P Harley, Ms Harris, Hill, Islam, James, J Jones, L Jones, Mrs Jordan, Kettle, Knowles, Lowe, J Martin, Mrs Millward, Mottram, Nicholls, Ms Partridge, Mrs Ridney, Mrs Rogers, Ryder, Mrs Shakespeare, Simms, Southall, Sparks, Stanley, Taylor, A Turner, Mrs H Turner, K Turner, Tyler, Vickers, Mrs Walker, Mrs Westwood, Ms While-Cooper, C Wilson, Mrs Wilson, Ms Wood, J Woodall, P Woodall and Wright, together with the Chief Executive and other Officers.

1 RECORDING OF MEETING

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

2 PRAYERS

The Mayor's Chaplain led the Council in prayer.

3 ELECTION OF MAYOR

It was moved by Councillor Mrs Millward, seconded by Councillor D Blood and

RESOLVED

That Councillor Peter Miller be elected Mayor of the Borough for the 2010/11 Municipal Year.

Councillor Miller 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 Mrs Millward, seconded by Councillor L Jones and

RESOLVED

That Councillor Michael Evans be elected Deputy Mayor of the Borough for the 2010/11 Municipal Year.

5 ACCEPTANCE OF OFFICE OF DEPUTY MAYOR

Following a brief adjournment to enable the re-robing of the Mayor and Deputy Mayor and the retiring Mayor, Councillor Evans 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 Members and others on his election. In so doing he, along with other Members, paid tribute to the retiring Mayor and Mayor's Consort.

7 TRIBUTES TO THE RETIRING MAYOR AND MAYOR'S CONSORT AND PRESENTATION OF BADGES

Following tributes to the retiring Mayor and Mayor's Consort, Councillor Mrs Patricia Martin and Mr William Martin, the Mayor presented them with Past Mayor's and Past Mayor's Consort badges.

Councillor Mrs Martin then addressed the Council, expressing thanks for the support that had enabled her to carry out her duties during the year, paying tribute particularly to her Consort, Mr Martin, Members of the political groups on the Council, and the Councillors for the Amblecote Ward. Councillor Mrs Martin also congratulated her Attendant, Mike Crannage, on his achievement in reaching the North Pole, and thanked him for the sponsorship monies he had accrued, which had contributed to the Mayor's Charity Appeal Fund.

8 MINUTES

RESOLVED

That the Minutes of the meeting of the Council held on 26th April, 2010 be approved as a correct record and signed.

9 MAYOR'S ANNOUNCEMENTS

(a) Mayoress

The Mayor announced that the Mayoress for the 2010/11 Municipal Year would be Mrs Hilary Miller.

(b) Deputy Mayor's Consort

The Mayor announced that the Deputy Mayor's Consort for the 2010/11 Municipal Year would be Councillor Mrs Susan Greenaway.

(c) The Mayor's Chaplain

The Mayor announced that the Mayor's Chaplain for the 2010/11 Municipal Year would be Reverend Dr Giles Kendall.

(d) The Mayor's Charity

The Mayor announced that the Mayor's Charities to be supported in 2010/11 Municipal Year would be:-

- Acorns Hospice
- The Alzheimer's Society
- Thomas Pocklington Trust

(e) "At Home" Event

The Mayor announced that the Mayoress "At Home" events would take place on 7th and 8th July 2010.

(f) Civic Sunday

The Mayor announced that Civic Sunday would be held on 4th July, 2010.

(g) Songs of Praise

The Mayor announced that Songs of Praise would be held at Himley Hall on 16th June, 2010.

(h) Armed Forces Day

The Mayor announced that Armed Forces Day would be held at Himley Hall on 27th June, 2010.

10 NEWLY ELECTED MEMBERS OF THE COUNCIL

The Mayor welcomed Councillors J Jones, Mrs Westwood, Ms Wood and P Woodall, who had been newly elected to the Council at the elections held on 6th May, 2010.

11 APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors Ms Faulkner, Mrs Roberts and Waltho.

12 DECLARATIONS OF INTEREST

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

13 ELECTION OF THE LEADER OF THE COUNCIL

It was moved by Councillor L Jones, seconded by Councillor D Blood and

RESOLVED

That Councillor Mrs Millward be elected Leader of the Council.

14 APPOINTMENT OF THE CABINET FOR THE 2010/11 MUNICIPAL YEAR

A list indicating the proposed composition and membership of the Cabinet, and the names of the opposition nominees to speak but not vote at meetings of the Cabinet, had been circulated around the Council Chamber. It was moved by Councillor Millward, seconded by Councillor Caunt and

RESOLVED

That the information contained in report of the Leader on the appointment of the Deputy Leader and Members of the Cabinet for the 2010/11 Municipal Year, as set out in the list circulated at the meeting, be noted, viz:

- (1) That Councillor L Jones be appointed as Deputy Leader of the Council for the 2010/11 Municipal Year;

- (2) That the Leader of the Council and nine other members comprise the Cabinet for the 2010/11 Municipal Year and that the names of the Members to serve for the year be as follows:-

Councillors Adams, D Blood, Mrs Faulkner, P Harley, L Jones, Mrs Millward, Simms, Stanley, A Turner and Mrs Walker.

- (3) That the names for the Opposition Group Nominees to attend meetings of the Cabinet to speak, but not to vote, be received as follows:-

Councillors Ali, Foster, Lowe, Ms Partridge, Mrs Ridley and Sparks.

- (4) That the assignment of Cabinet Portfolios be to the members named below and that the names of the corresponding Group Spokespersons be also as named:-

<u>Leader and Cabinet Member</u>	<u>Portfolio</u>	<u>Labour Group Spokesperson</u>
<u>Councillor</u>		<u>Councillor</u>
Mrs. Millward (Leader of the Council)	Policy	Sparks (Group Leader)
L. Jones (Deputy Leader of the Council)	Regeneration	Ali (Deputy Group Leader)
Mrs. Faulkner	Adult and Community Services	Mrs Ridley
Mrs. Walker	Integrated Children's Services	Crumpton
P. Harley	Performance Management and Quality Assurance (Children's Services)	Hanif
D. Blood	Finance	Lowe
Stanley	Environment and Culture	Islam

Simms	Housing, Libraries and Adult Learning	Waltho
A. Turner	Personnel, Legal and Property	Ms Partridge
Adams	Transportation	Foster

15 MEMBERSHIP OF COMMITTEES FOR 2010/11 AND RELATED MATTERS

A report on the structure, appointment and membership of Committees for 2010/11 and related matters was submitted. A list setting out the proposed composition and membership of Committees and the nominees of the Controlling Group and Opposition Group to serve had been circulated around the Council Chamber.

It was moved by Councillor Mrs Millward, seconded by Councillor Caunt and

RESOLVED

- (1) That the structure of the Committees for 2010/11 be approved on the basis set out in the report.
- (2) That, subject to resolution (10) below, the terms of reference and onward delegation of functions of the Committees referred to in the report and as set out in the Council's Constitution be re-affirmed for the 2010/11 Municipal Year.
- (3) That, except for the Standards Committee and Area Committees, the composition and membership of Committees for the 2010/11 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:-

<u>COMMITTEE</u>	<u>NUMBER OF SEATS</u>		
	<u>Total</u>	<u>Conservative</u>	<u>Labour</u>
Select Committee on Children's Services *	11	7	4
Select Committee on Community Safety and Community Services	11	7	4
Select Committee on Health and Adult Social Care	11	7	4

Select Committee on the Environment	11	7	4
Select Committee on Regeneration, Culture and Adult Education	11	7	4
Appointments	9	6	3
Appeals Panel (Children's Services Transport)	3	2	1
Audit	9	6	3
Development Control	9	6	3
Disciplinary/Dismissal/Grading Appeals	9	5	4
Licensing and Safety	12	7	5
Taxis	9	6	3
Tree Preservation Orders	9	5	4
Standards *	6	3	3

* excluding non elected Members

- (4) That the appointment of Members to Committees for the 2010/11 municipal year be approved as set out below:-

Select Committee on Children's Services

Conservative (7)

Labour (4)

Councillors

Councillors

1. Attwood
2. Mrs. Dunn
3. Mrs. Greenaway
4. J. Jones
5. Mrs. Rogers
6. Vickers
7. P Woodall

1. Crumpton
2. Hanif
3. Ms. Harris
4. J. Martin

together with the following non-elected members:-

Voting Members

Parent Governor Representatives

1. Secondary Schools – vacancy
2. Primary Schools – vacancy
3. Special Schools – vacancy

Church Representatives

1. Worcester Diocesan Board of Education – Reverend A Wickens
2. Archdiocese of Birmingham – Mrs M. Ward

Non-Voting Members

Teacher Representatives

1. Primary Education – Mrs M Verdegem
2. Secondary/Special Education – Mrs P Roe

Free Churches

1. Mr S Taylor

Persons with experience of and interest in education in the Borough

1. Mrs. J. Lees
2. Mrs. G. Simms

Select Committee on Community Safety and Community Services

Conservative (7)

Councillors

1. Attwood
2. Burston
3. Caunt
4. Mrs D. Harley
5. Mrs P. Martin
6. Ryder
7. C. Wilson

Labour (4)

Councillors

1. Cotterill
2. J. R. Davies
3. Foster
4. Wood

Select Committee on Health and Adult Social Care

Conservative (7)

Councillors

1. Barlow
2. J. D. Davies
3. Mrs. D. Harley
4. Kettle
5. Miller
6. Mrs. Westwood
7. P. Woodall

Labour (4)

Councillors

1. Ahmed
2. Mrs. Aston
3. K. Finch
4. Mrs Ridney

Select Committee on the Environment

Conservative (7)

Councillors

1. Mrs. E. Blood
2. Mrs. Cowell
3. J. Jones
4. Hill
5. James
6. Mrs. Shakespeare
7. Mrs. H. Turner

Labour (4)

Councillors

1. A. Finch
2. Islam
3. Mrs Jordan
4. Waltho

Select Committee on Regeneration, Culture and Adult Education

Conservative (7)

Councillors

1. Attwood
2. Caunt
3. Mrs Cowell
4. Evans
5. Knowles
6. K. Turner
7. J. Woodall

Labour (4)

Councillors

1. Ali
2. G. H Davies
3. Mottram
4. Ms. Partridge

Appointments Committee

Conservative (6)

Councillors

1. Adams
2. Caunt
3. L. Jones
4. Mrs. P. Martin
5. Mrs. Millward
6. A Turner

Labour (3)

Councillors

1. Ali
2. Ms. Partridge
3. Sparks

Appeals Panel (Children's Services Transport)

Conservative (2)

Councillors

1. Mrs. Dunn
2. Vickers

Labour (1)

Councillor

1. Crumpton

Audit Committee

Conservative (6)

Councillors

1. Burston
2. J. D. Davies
3. Hill
4. Kettle
5. Ms. Nicholls
6. Taylor

Labour (3)

Councillors

1. Ahmed
2. Lowe
3. Ms. Partridge

Development Control Committee

Conservative (6)

Councillors

1. Banks
2. Barlow
3. Southall
4. Mrs. H. Turner
5. C. Wilson
6. Wright

Labour (3)

Councillors

1. J. Martin
2. Mrs. Roberts
3. Mrs. Wilson

Disciplinary/Dismissal/Grading Appeals Committee

Conservative (5)

Councillors

1. Banks
2. Mrs. Cowell
3. Knowles
4. Ms. Nicholls
5. Mrs Shakespeare

Labour (4)

Councillors

1. Ms. Harris
2. J. Martin
3. Mottram
4. Ms. Partridge

Licensing and Safety Committee

Conservative (7)

Councillors

1. Mrs. Ameson
2. Mrs. Dunn
3. Evans
4. Ryder
5. Taylor
6. Vickers
7. J. Woodall

Labour (5)

Councillors

1. Mrs. Aston
2. A. Finch
3. Mottram
4. Mrs. Roberts
5. Vacancy

Taxis Committee

Conservative (6)

Councillors

1. Mrs. Ameson
2. Mrs. E. Blood
3. Mrs. Greenaway
4. James
5. K. Turner
6. Wright

Labour (3)

Councillors

1. Body
2. Ms While-Cooper
3. Wood

Tree Preservation Orders Committee

Conservative (5)

Councillors

1. Mrs E. Blood
2. James
3. Ms. Nicholls
4. Mrs. Rogers
5. Southall

Labour (4)

Councillors

1. Mrs. Aston
2. Cotterill
3. K. Finch
4. Sparks

- (5) That, with regard to the Select Committee on Children's Services and the Select Committee on Health and Adult Social Care, the proposals in relation to co-opted representatives and the arrangements for the filling of vacancies for co-opted Members, as described in paragraphs 15 and 16 of the report now submitted, be approved.
- (6) That the Licensing and Safety Committee be appointed in 2010/11 to undertake the statutory Committee functions in accordance with the Licensing Act, 2003, as referred to in paragraphs 17 and 18 of the report now submitted, and that the Committee comprise 12 Members.
- (7) 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 2010/11.
- (8) That the composition and membership of the Standards Committee for the 2010/11 Municipal Year be as set out below:-

Standards Committee

(6 elected Members plus 3 independent Members)

Conservative (3)

Councillors Burston, Kettle, Mrs P Martin

Labour (3)

Councillors J R Davies, Ms Partridge and vacancy

Independent Members

The Bishop of Dudley, Mrs V Ainsworth and Father A Williams

- (9) That the Director of Corporate Resources be authorised to discharge the functions set out in Section 30 of the Local Democracy, Economic Development and Construction Act, 2009, relating to Politically Restricted Posts and that the function to determine appeals be allocated to the terms of reference of the Standards Committee.
- (10) That, subject to the amendment to the terms of reference of the Standards Committee, as set out Resolution (9) above, the terms of reference of the Standards Committee, as set out in Council's Constitution, be reaffirmed for the 2010/11 Municipal Year.
- (11) That the arrangements for substitutes on Committees, as set out in Council Procedure Rules 5.2 to 5.4, be reaffirmed for the 2010/11 Municipal Year.

- (12) That the Director of Corporate Resources be authorised to make any necessary changes to the appointments to Committees or Sub-Committees that might arise from time to time during the 2010/11 Municipal Year, in accordance with the instructions of the Political Groups.
- (13) That the designation of Member Champions for 2010/11, as nominated by the Leader of the Council, be approved as follows:-

	<u>Councillor</u>
Community Cohesion	Mrs. Millward
Equality	Mrs. Shakespeare
Community Safety	A. Turner
Information and Communications Technology (e-Champion)	L. Jones
Heritage Buildings	Stanley
Cycling	Attwood
Member Development	Mrs. P. Martin
Small Business	Knowles
Older People	Mrs. P. Martin
Learning Disabilities	Vickers
Physical Disabilities	Banks
Mental Health	Mrs. Greenaway
Autism	Burston
Adult Safeguarding	J. D. Davies

- (14) That the Area Committees below be appointed for the 2010/11 Municipal Year, each respective Committee comprising the Councillors for the electoral wards indicated, and that the Protocol for Area Committees, as set out in the Council's Constitution, be reaffirmed:-

Brierley Hill Area Committee – Brierley Hill, Brockmoor and Pensnett, Kingswinford North and Wall Heath, 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, Sedgley and Upper Gornal and Woodsetton Wards.

Stourbridge Area Committee – Amblecote, Lye and Wollescote, Norton, Pedmore and Stourbridge East and Wollaston and Stourbridge Town Wards.

- (15) That the Chairman and Vice Chairman of the following Committees be appointed for 2010/11:-

<u>Committee</u>	<u>Chairman</u>	<u>Vice Chairman</u>
	Councillor	Councillor
Select Committee on Children's Services	Vickers	Attwood
Select Committee on Community Safety and Community Services	C Wilson	Cotterill
Select Committee on the Environment	Mrs Cowell	Mrs H Turner
Select Committee on Health and Adult Social Care	Mrs Ridley	J D Davies
Select Committee on Regeneration, Culture and Adult Education	K Turner	Mottram
Appointments	Mrs Millward	L Jones
Audit	Taylor	Kettle
Development Control	Wright	Banks
Disciplinary/Dismissal /Grading Appeals	Knowles	Ms Nicholls
Licensing and Safety	Ryder	Mrs Dunn

Taxis	Mrs Ameson	Mrs Greenaway
Tree Preservation Orders	James	Southall
Standards	Independent Chairman – The Bishop of Dudley	

- (16) That Ron Sims, Assistant Director of Adult, Community and Housing Services (Housing Strategy and Private Sector), be designated as the Council's Scrutiny Officer in accordance with Section 31 of the Local Democracy, Economic Development and Construction Act, 2009.
- (17) That the Director of Corporate Resources be authorised to make the necessary amendments to the Constitution to include the designation and duties of the Scrutiny Officer.

16 CONSTITUTION AND SCHEME OF DELEGATION

A report was submitted seeking consideration of the Constitution and Scheme of Delegation.

It was moved by Councillor Mrs Millward, seconded by Councillor L Jones and

RESOLVED

- (1) That the Constitution and Scheme of Delegation be reaffirmed for the 2010/11 Municipal Year.
- (2) That the Director of Corporate Resources be authorised to make any necessary and consequential amendments to the Constitution arising from the decisions made at this meeting, including any necessary revisions to Part 3 of the Constitution (Responsibility for Functions).
- (3) That all existing references in the Constitution to statutory provisions be taken to include any subsequent legislation, Statutory Instruments, Regulations, Orders or Guidance issued under those statutory provisions.
- (4) That the Director of Corporate Resources be authorised to make amendments to the Constitution that are related to the substantive appointment of the Treasurer and to amend all onward delegations associated with the formation of the Directorate of Corporate Resources as necessary.

17 ORDINARY MEETINGS OF THE COUNCIL, CABINET AND COMMITTEES FOR 2010/11

A report was submitted seeking consideration of dates of ordinary meetings of the Council, Cabinet and Committees for the 2010/11 Municipal Year.

It was moved by Councillor Mrs Millward, seconded by Councillor L Jones and

RESOLVED

That the programme of ordinary meetings of the Council, Cabinet and Committees for the 2010/11 Municipal Year be approved as set out in the Schedule attached to the report now submitted.

18 APPOINTMENTS/NOMINATIONS TO OUTSIDE BODIES

A report was submitted seeking consideration of appointments to outside bodies for 2010/11.

It was moved by Councillor Mrs Millward, seconded by Councillor L Jones and

RESOLVED

- (1) That the Director of Corporate Resources, in consultation with the Leader of the Council, be authorised to make appointments and nominations to the bodies referred to in paragraph 2 of the Report submitted, in view of the urgency involved in making those appointments and nominations.
- (2) That the appointment of Members to serve on various other outside bodies be reported to the next meeting of the Cabinet or to the relevant Area Committee, as appropriate.

The meeting ended at 7.00 p.m.

MAYOR