

Dudley Metropolitan Borough Council

Minutes of the proceedings of the Council
at the Meeting held on Monday, 7th October, 2019
at 6.00 pm in the Council Chamber, the Council House, Dudley

Present:

Councillor D Stanley (Mayor)

Councillor H Bills (Deputy Mayor)

Councillors A Ahmed, K Ahmed, R Ahmed, S Ali, A Aston, M Aston, M Attwood, J Baines, N Barlow, C Barnett, C Bayton, I Bevan, R Body, P Bradley, R Burston, R Buttery, K Casey, B Challenor, S Clark, J Cooper, B Cotterill, J Cowell, S Craigie, T Crumpton, P Drake, C Elcock, M Evans, A Finch, K Finch, J Foster, B Gentle, A Goddard, S Greenaway, M Hanif, D Harley, P Harley, A Hopwood, Z Islam, L Johnson, L Jones, S Keasey, I Kettle, E Lawrence, P Lee, A Lees, K Lewis, P Lowe, J Martin, P Miller, A Millward, S Mughal, C Neale, G Partridge, C Perks, S Phipps, N Richards, S Ridney, J Roberts, M Rogers, P Sahota, K Shakespeare, A Taylor, E Taylor, L Taylor, D Tyler, D Vickers, V Wale, S Waltho, T Westwood and Q Zada together with the Chief Executive and other Officers

Prayers

The Mayor led the Council in prayer.

31

Declarations of Interest

Declarations of interest, in accordance with the Members' Code of Conduct, were made as follows:

Councillor A Aston - Any references to West Midlands Ambulance Service (WMAS) - Pecuniary interest in any matters directly affecting his employment by the WMAS.

Councillors M Evans and D Vickers - Any matters relating to Castle Hill Development and all references to Dudley Zoo - Non-pecuniary interests as Members of Dudley and West Midlands Zoological Society Ltd.

Councillors A Taylor and L Jones - West Midlands Combined Authority – Transport Delivery Committee - Non-pecuniary interests as Members of the Committee.

Councillor R Burston - Capital Programme Monitoring (Very Light Railway Test Track, Wednesbury - Brierley Hill Metro Line and Dudley Interchange) and any other references to West Midlands Combined Authority (WMCA) - Pecuniary interest in any matters directly affecting his employment by the WMCA.

Councillor I Bevan - References to Dudley Group NHS Foundation Trust/Russells Hall Hospital - Pecuniary interest in any matters directly affecting his employment by Dudley Group NHS Foundation Trust.

Councillors N Barlow, R Burston, M Evans, A Millward and T Westwood - Notices of Motion - Non-pecuniary interests as Members of West Midlands Pension Fund.

Councillors N Barlow and P Miller – Matters relating to West Midlands Fire and Rescue Authority - Non-pecuniary interests as Members of the Authority.

Councillor I Bevan – Notices of Motion - Non-pecuniary interest as a Director at Hasbury Community Association.

Councillor D Tyler – Minutes of the Health and Adult Social Care Scrutiny Committee - Non-pecuniary interest as Chair of Trustees at Dudley Mind.

Councillor N Richards – Minutes of the Overview and Scrutiny Management Board – disclosure made for transparency purposes in view of her employment as a Content Creator for the West Midlands Mayor.

Councillor P Bradley – Minutes of the Development Control Committee - Planning Application No. P19/0861 (Arnold Clarke, Brettell Lane, Stourbridge) – Non-pecuniary interest due to a previous public objection.

Councillors M Hanif and G Partridge – Minutes of the Ernest Stevens Trusts Management Committee (reference to Wollescote Park) – Non-pecuniary interest as attendees at meetings of the Friends of Wollescote Park.

Councillors J Baines and P Drake – Minutes of Licensing Sub-Committee 2 (Application to vary a premises licence – The Old Crispin) – disclosure made for transparency purposes that an objector had attempted to contact them but neither Member had responded. The same objector was known to them but neither Member had a personal affiliation with the individual.

K O’Keefe, Chief Executive – Appointment of Independent Person – Disclosure made for transparency purposes that Revd. A Hadley was a former employee at Wolverhampton City Council and that he knew Revd. Hadley in a professional capacity.

32 **Minutes**

Resolved

That the minutes of the meeting held on 8th July, 2019, be approved as a correct record and signed.

Mayor's Announcements**(a) Alan Hankon**

The Mayor referred in sympathetic terms to the death of Alan Hankon. Former Councillor A Hankon had served the Halesowen North ward for three terms between 1982 and 2003. The Council observed a period of silence as a token of respect to his memory. Members paid individual tributes.

(b) Strategic Director People

The Mayor reported that the Strategic Director People, Martin Samuels, had left the authority. Thanks were expressed to Mr Samuels for his work in Dudley and the Council wished him well for the future.

Cath Knowles had been appointed as the Interim Director of Children's Services with the appropriate statutory responsibilities. The Chief Officer Adult Social Care, Matt Bowsher, had been assigned statutory responsibilities for Adult Services.

(c) Environmental Services Division – Place Directorate

The Council noted the details of awards received and other achievements involving employees of the Environmental Services Division. Following comments by the Cabinet Member for Environment, Highways and Street Services (Councillor K Shakespeare), representatives of the Countryside Services, Parks Development and Grounds Maintenance, Street Cleansing and Green Care teams received the congratulations of the Council. Individual Members commented on these outstanding achievements.

(d) Innovation in Democracy – People's Panel Initiative

At the invitation of the Mayor, the Cabinet Member for West Midlands Combined Authority (Councillor A Lees) reported on the Council's participation in the national Innovation in Democracy Programme. This involved establishing a People's Panel to consider improvements in town centres.

(e) Forthcoming Events

The Mayor reported on the following events:

- Remembrance Sunday service and parade on 10th November, 2019.
- Armistice Service on 11th November, 2019
- Himley Bonfire on 2nd November, 2019

- Switch-on of Christmas lights in:

Halesowen on 16th November, 2019

Dudley on 23rd November, 2019

Brierley Hill on 29th November, 2019

Stourbridge on 30th November, 2019

34 **Capital Programme Monitoring**

A report of the Cabinet was submitted.

It was moved by Councillor P Harley, seconded by Councillor D Vickers and

Resolved

- (1) That current progress with the most significant capital schemes, as set out in Appendix A to the report, be noted.
 - (2) That the Boundary Signage project be approved and included in the Capital Programme, as set out in paragraph 6 of the report.
 - (3) That subject to grant funding being confirmed, £2.33m of expenditure relating to the Very Light Rail Test Track 2 be included in the Capital Programme, and that pending such confirmation expenditure up to £250,000 be authorised “at risk”, as set out in paragraph 7 of the report.
 - (4) That the capital budget for the Leisure Centre replacement and refurbishment project be increased, as set out in paragraph 8 of the report.
 - (5) That the urgent amendments to the Capital Programme, as set out in paragraphs 9 and 10 of the report, be noted.
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35 **Treasury Management**

A report of the Audit and Standards Committee was submitted.

It was moved by Councillor A Taylor, seconded by Councillor D Vickers and

Resolved

That the report be noted.

36 **Appointment of Independent Person**

A report of the Lead for Law and Governance (Monitoring Officer) was submitted.

It was moved by Councillor P Harley, seconded by Councillor D Vickers and

Resolved

That Revd Adam Hadley be appointed as the Independent Person for the period ending with the annual meeting of the Council in May, 2023.

37 **Notices of Motion**

(a) **Divestment Motion – Fossil Fuels**

Pursuant to Council Procedure Rule 12, Councillor P Lowe had given notice of a motion on 31st January, 2019.

A proposed amendment to the motion was circulated at the meeting. With the consent of the meeting, Councillor P Lowe accepted this as an alteration to his original motion pursuant to Council Procedure Rule 14.7. The motion was moved by Councillor P Lowe and seconded by Councillor J Foster.

During the debate, a closure motion pursuant to Council Procedure Rule 14.11 was moved by Councillor P Harley and seconded by Councillor D Vickers, to the effect that ‘the question be now put’.

In accordance with Council Procedure Rule 14.11(b) the Mayor, being of the opinion that the motion had been sufficiently discussed, put the closure motion to the vote and it was:-

Resolved

That the question be now put.

The motion was put to the vote and was carried. Councillor P Lowe exercised his right of reply pursuant to Council Procedure Rule 14.9.

Resolved

Dudley Council recognises that:

- (1) Burning fossil fuels poses a serious risk to the stability of the climate upon which our well-being and economy depend.
- (2) Research demonstrates that up to 80% of the world’s proven fossil fuel reserves will have to remain unburnt if we are to have a reasonable chance of keeping global warming to less than 2 degrees Celsius, the globally agreed target for climate change mitigation.
- (3) Since 80% of fossil fuels must remain in the ground, the reserves of the fossil fuel industry risk becoming ‘stranded assets’ with little or no value – representing a substantial financial risk for those that invest in them.

- (4) West Midlands Pension Fund currently has over £490 million invested in the oil, coal and gas industries. This is environmentally and financially irresponsible.
- (5) To date, over 700 institutions representing over \$5trillion in assets have committed to some form of divestment from fossil fuel companies.

In response to this Dudley Council pledges to:

- (A) Review its Investment Strategy and develop and implement a Responsible Investment Policy, which rules out new investments in Fossil fuel companies.
- (B) Call on the Leader of the Council to consult with the other 6 West Midlands Authority Leaders and, once agreement is found, call for the exploration of responsible investment policies which:
 - (1) Establish a shadow portfolio to demonstrate the performance of possible alternative investments.
 - (2) After gathering the necessary evidence from the shadow portfolio, formally consult fund members on proposals to freeze any new investment in the top 200 publicly-traded fossil fuel companies;
 - (3) Divest from direct ownership and any commingled funds that include fossil fuel public equities and corporate bonds within 4 years;
 - (4) Set out an approach to quantifying and addressing climate change risks affecting all other investments, and
 - (5) Focus future investments on areas that minimise climate change risk and, where possible, on local investments that promote environmentally friendly technology and infrastructure.

(b) The Smallest Things Employer with Heart Charter – Supporting Parents of Premature Babies

Pursuant to Council Procedure Rule 12, Councillor R Buttery had given notice of a motion on 13th February, 2019.

The motion was moved by Councillor R Buttery and seconded by Councillor N Barlow.

Following a debate, Councillor R Buttery exercised her right of reply pursuant to Council Procedure Rule 14.9. The motion was put to the meeting and it was:-

Resolved

Parents facing the worry and uncertainty of visiting their premature baby in hospital should not spend that time as maternity or paternity leave. The Council understands that premature babies need more time; time to develop, time to grow and time for mums and babies to bond at home after neonatal intensive care.

The Council also understands that returning to work can be a difficult time for parents of premature babies and that babies born too soon can have ongoing medical needs, requiring regular hospital appointments and check-ups.

This Council commits to signing up to the Smallest Things Employer with Heart Charter, supporting parents of premature babies, and resolves to:

- (1) Extend maternity leave for mothers who give birth prematurely (before 37 weeks gestation) by the number of days a baby was born prior to their due date. We will pay extended leave at full pay and this may be classed as compassionate leave.
- (2) Give partners the time they need to be with their baby in hospital, receiving at least two weeks' paid compassionate leave on the birth of their premature baby. Partners may wish to save or split their parental leave, being there when their baby comes home from hospital. We understand that plans may change depending upon the baby's medical needs, that additional compassionate leave may be required and that the date a baby will come home from hospital is rarely set in stone.
- (3) Support parents returning to work following the birth of a premature baby by following the Advisory, Conciliation and Arbitration Service (ACAS) best practice guidance, considering formal and informal flexible working patterns and offering additional paid or unpaid leave.
- (4) Instruct the Chief Executive to bring forward the necessary amendments to the Council's Family Friendly Policy and Procedures for formal approval by the Cabinet Member for Procurement, Transformation and Commercialisation.

The Mayor indicated that, pursuant to Council Procedure Rule 12.5, the 30 minutes allowed to deal with all notices of motion had expired.

The other remaining motions on the agenda would therefore stand referred to the next ordinary meeting of the Council. The notices of motion would be included in the summons for that meeting in accordance with Council Procedure Rule 12.2.

Questions under Council Procedure Rule 11**Written Question**

The Leader of the Council (Councillor P Harley) responded to a question from Councillor S Keasey relating to the concerns of residents about possible major development of greenbelt land known as 'The Seven Cornfields' which bordered the Sedgley ward in both Wolverhampton and South Staffordshire.

Questions to the Leader, Cabinet Members and Chairs

The Leader of the Council (Councillor P Harley) responded to questions from Councillor E Taylor concerning travellers and the progress on identifying a transit site.

The Leader of the Council (Councillor P Harley) responded to a question from Councillor C Barnett requesting an update on negotiations and associated costs for the acquisition of land at Saltwells Wood.

The Cabinet Member for Children and Young People (Councillor R Buttery) responded to questions from Councillor S Ridney concerning the need for additional secondary schools, particularly in the north of the Borough, and what action would be undertaken to accommodate the impact of developments in the area.

The Leader of the Council (Councillor P Harley) responded to questions from Councillor G Partridge concerning the policy on the development of brownfield sites and what powers the Council had in prioritising sites.

The Cabinet Member for Procurement, Transformation and Commercialisation (Councillor S Phipps) responded to a question from Councillor C Bayton concerning World Mental Health day and the action being taken to promote this and support Council employees.

The Chair of the Health and Adult Social Care Scrutiny Committee (Councillor D Tyler) responded to a question from Councillor J Foster regarding the additional Health and Adult Social Care Scrutiny Committee meeting in August, 2019 and what observations or recommendations could be made to improve the scrutiny process.

The Leader of the Council (Councillor P Harley) responded to questions from Councillor J Martin concerning a traveller's transit site and the effectiveness of the defensive measures currently in place.

The Leader of the Council (Councillor P Harley) responded to questions from Councillor Q Zada regarding the policy of identifying brownfield sites for development, recommendations made by Council Officers and the need to protect the green belt and green spaces throughout the process.

The Leader of the Council (Councillor P Harley) responded to a question from Councillor K Ahmed concerning ongoing negotiations relating to land at Saltwells Nature Reserve.

The Leader of the Council (Councillor P Harley) responded to a question from Councillor K Casey concerning new housing developments and producing a strategy to address spending on the infrastructure and to mitigate the impact that new developments had on other public services.

The Leader of the Council (Councillor P Harley) responded to a question from Councillor L Jones concerning the process for the review of strategic planning policies.

The Leader of the Council (Councillor P Harley) responded to a question from Councillor T Crumpton concerning the Black Country Plan and the need to protect the green belt.

The Cabinet Member for Housing, Communities and Residents Welfare (Councillor L Taylor) responded to a question from Councillor M Hanif concerning the installation of CCTV to tackle ongoing issues regarding fly-tipping and anti-social behaviour.

The Leader of the Council (Councillor P Harley) responded to questions from Councillor C Barnett regarding a proposal for the provision of a multi-purpose venue to be constructed within the Borough.

The Cabinet Member for Housing, Communities and Residents Welfare (Councillor L Taylor) responded to a question from Councillor K Casey concerning funding to the Dudley Federation of Tenants and Residents Association.

The Cabinet Member for Regeneration and Enterprise (Councillor I Kettle) and the Leader of the Council (Councillor P Harley) responded to questions from Councillor J Martin concerning Council Officers making recommendations to identify sites in relation to the Black Country Plan.

The Leader of the Council (Councillor P Harley) responded to questions from Councillor A Millward concerning the audio/visual equipment in the Council Chamber and whether investment could be made to improve and update the technology.

The Mayor indicated that the 60 minutes allowed to deal with all questions had expired. Any further questions could be submitted in writing or raised at the next appropriate meeting.

The meeting ended at 8.15pm

MAYOR