

**DUDLEY METROPOLITAN BOROUGH**

**MINUTES OF THE PROCEEDINGS OF THE COUNCIL**  
**AT THE MEETING HELD ON MONDAY 18TH APRIL 2005**  
**AT 6.00 PM AT THE COUNCIL HOUSE, DUDLEY**

**PRESENT:-**

Councillor Knowles (Mayor)  
Councillor Kettle (Deputy Mayor)  
Councillors Adams, Ali, Mrs Ameson, Mrs Aston, Attwood, Banks, Blood, Body, Boys, Bradney, Burston, Caunt, Mrs Collins, Cotterill, Mrs Coulter, Ms Craigie, Crumpton, G H Davies, J Davies, M Davis, Debney, Donegan, Mrs Dunn, Evans, Finch, Ms Foster, Fraser-Macnamara, Harley, Ms Harris, Ms Hart-Bowman, Islam, Jackson, James, Johnston, Jones, Mrs Jordan, Male, Mrs Martin, Miller, 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, Vickers, C Wilson, Mrs M Wilson, C L Woodall, J Woodall and Wright; together with the Chief Executive and other Officers.

**PRAYERS**

The Mayor's Chaplain, the Reverend Linda Woolhouse, led the Council in prayer.

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**MINUTES**

**RESOLVED**

That the minutes of the Meetings of the Council held on 28<sup>th</sup> February and 7<sup>th</sup> March, 2005 be approved as a correct record and signed.

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**DECLARATIONS OF INTEREST**

Members declared interests, in accordance with the Members' Code of Conduct, as follows:-

Councillors Body, Crumpton and Partridge - Minute No. 90(2) of Halesowen Area Committee – Delegated Capital Budget. Personal and prejudicial interest in view of membership and trusteeship of Beech Tree Miners Institute.

Councillor Mrs Collins - Minute No. 88 of Stourbridge Area Committee - Skatepark Provision - Stevens Park, Wollescote. Prejudicial interest in view of membership of the Development Control Committee.

Councillors Mrs H Turner and K Turner - Minute No. 90(2) of Halesowen Area Committee - Beech Tree Miners Welfare Institute (also reference to Minute 86 of the Stourbridge Area Committee). Personal interest - son registered as member of Beech Tree Miners Welfare Club.

Councillors Mrs H Turner and K Turner - Minutes Nos. 76(vi) and 84(i) of the Development Control Committee – Plan No. PO4/2020 – 125 Huntingtree Road, Halesowen – First Floor side extension to create bedroom. Prejudicial interest as joint owners of this property.

Councillor A Turner - Minutes Nos 76(vi) and 84(i) of the Development Control Committee – Plan No. PO4/2020 – 125 Huntingtree Road Halesowen – First Floor side extension to create bedroom. Prejudicial interest as resident at this property.

Councillor A Turner – Minute No. 86 of the Stourbridge Area Committee (Grant Applications – Stevens Park and Recreation Ground Foundation Trust). Prejudicial Interest - registered as member of Beech Tree Miners Welfare Club.

Councillor J R Davies - Agenda item 4(c) - Housing Options Appraisal. Personal interest – relatives lived in Council housing.

Councillor Ms Harris - Agenda Item 4(b) – Scrutiny Protocol for Select Committees - Personal interest as Chairman of Dudley Beacon and Castle Primary Care Trust, one of the NHS Bodies falling under the remit of the Good Health Scrutiny Committee.

Councillor Ms Harris - Minute Nos. 52 and 53 of the Select Committee on Economic Regeneration (Equality and Diversity Action Plan 2005/06 and Chief Executive's Directorate Annual Equality and Diversity Action Plan). Personal interest - Individual membership of the Dudley Racial Equality Council.

Councillor Ms Harris - Delegated Decision Nos. 34 (Creation of a Mental Health Social Worker – Home Treatment – Crisis Resolution Team) and 35 (Creation of a Social Worker in the newly created Early Intervention Team in line with national directives with regard to the modernisation of Mental Health Services). Personal interest - Chairman of Dudley Beacon and Castle Primary Care Trust, providers of Mental Health services to the borough in partnership with the Directorate of Social Services.

Councillor Johnston - Agenda Item 4(a) - Capital Monitoring Programme - paragraph 2.2.1 (Limestone Mines – Grant Funding Application). Personal interest – attended meetings relating to the Limestone Mines.

Councillor Donegan - Agenda item 4(c) - Housing Options Appraisal. Personal interest - resides in Council accommodation.

Councillor Adams - Agenda item 4(c) - Housing Options Appraisal.  
Personal interest as a Council tenant.

Councillor Mrs Jordan - Minute No. 63 of the special meeting of the Select Committee on Lifelong Learning – Special Educational Needs Strategy 'Giving Every Child the Opportunity to Succeed'. Personal interest as a governor of Pens Meadow School.

Councillor Southall - Minute No. 88(ix) of the Development Control Committee – Planning Application No. PO5/0047 relating to Redhill School, Junction Road, Stourbridge. Personal interest – Council Member of the Birmingham County Football Association.

Councillors Finch and Mrs Aston - Minute No. 77 of the Central Dudley Area Committee (Capital Allocations) in so far as it related to the Priory Community Association. Personal interest in view of membership of the Association.

Councillor Rahman - Minute No. 77 of Central Dudley Area Committee – (Capital Allocation to Netherton Woodside Partnership). Personal and prejudicial interest as Chairman of Netherton Woodside Partnership.

Councillor Ryder - Agenda item 4(c) - Housing Options Appraisal.  
Personal interest as a Council tenant.

Councillor Mrs Coulter - Minute No. 43 of the Select Committee on Community Safety – Data trends and developments relating to exclusion, attendance, admissions and children in public care for the 2003/04 academic year. Personal interest – Governor of Netherton Church of England School.

Councillor Mrs Coulter - Minute No. 63 of the Select Committee on Lifelong Learning – Special Educational Needs Strategy – “Giving Every Child the Opportunity to Succeed”. Personal interest as her son attended the Brier School.

Councillor Mrs Coulter - Minute No. 72 of the Select Committee on Lifelong Learning – Update on the Primary Schools Review. Personal interest as a Governor of Netherton Church of England School.

Councillor Mrs Coulter - Minute No. 74 of the Select Committee on Lifelong Learning – Department for Education and Skills (DfES) Consultation on the 3-year budgets for schools. Personal interest as a Governor of Netherton Church of England School.

Councillor Mrs Coulter – Delegated Decision Summary No. 5 (To approve the proposed restructure of the Pupil Referral Unit Provision in Dudley MBC). Personal interest as Chairperson of the Pupil Referral Unit Management Committee.

The Mayor (Councillor Knowles) – Minutes Nos. 72 (Update on the Primary Schools Review) and 73 (Update on the Secondary Schools Review) of the Select Committee on Lifelong Learning. Personal interest in view of his governorship of schools affected by the review.

Councillor Craigie – Agenda item No. 4(c) - Housing Options Appraisal. Personal interest as a member of Dudley Residential Leaseholder Association and as a leaseholder.

Councillor Mrs Patrick – Minute No. 88(vi) of the Development Control Committee (Plan No. PO4/2689 – 37 and 37A Moss Grove, Kingswinford – Demolition of house and bungalow and erection of a two-storey block of 12 flats). Personal interest in that she, together with Councillors Burt and Tyler, had provided a written objection on behalf of residents.

The Deputy Mayor (Councillor Kettle) – Minute No. 86 of the Stourbridge Area Committee (Grant Applications: Stevens Park and Recreation Ground Foundation Trust). Personal and prejudicial interest as a member of the Beech Tree Miners Club.

Councillor Islam – Minute No. 76(g) of the Central Dudley Area Committee (Public Forum - all references to the proposed building of a mosque and community centre on land at Oakeywell Street and associated funding issues). Personal and prejudicial interest in that he was technically a passive member of the Dudley Muslim Association, however, he had played no part in the submission of a planning application and other matters as referred to in the Minute.

Councillor Islam – Minute No. 69 of the Select Committee on Culture and Recreation (Equality and Diversity Action Plan). Personal interest as a member of Dudley Racial Equality Council.

Councillor Harley – Minute No. 73 of the North Dudley Area Committee (Delegated Capital Allocations). Personal and prejudicial interest in view of his role as Vice-Chairman of Gornal Athletic Football Club.

Councillor Donegan - Minute No. 88 of Stourbridge Area Committee - Skatepark Provision - Stevens Park, Wollescote. Prejudicial interest in view of membership of the Development Control Committee.

Councillor James - Minutes Nos. 76(vi) and 84(i) of the Development Control Committee – Plan No. PO4/2020 – 125 Huntingtree Road Halesowen – First Floor side extension to create bedroom. Prejudicial interest as applicants known to him as fellow Councillor colleagues and friends.

Councillor Coulter – Minute No. 77 of the Central Dudley Area Committee (Capital Allocations). Prejudicial interest as a personal friend of a member of Netherton Woodside Partnership.

Councillor Burston – Minute No. 92 of the Halesowen Area Committee (Bus Showcase Route No. 9 – A458 Belle Vale Junction Improvement). Personal interest in view of his employment by CENTRO.

Councillor Wright - Minutes Nos. 72 (Update on the Primary Schools Review) and 73 (Update on the Secondary Schools Review) of the Select Committee on Lifelong Learning. Personal interest in view of his governorship of schools affected by the review.

Councillor Rogers – Minute No. 83 of the Stourbridge Area Committee (Fire Service Presentation). Prejudicial interest in view of his membership of the West Midlands Fire and Civil Defence Authority.

Councillor Rogers – Minute No. 85 of the Stourbridge Area Committee (Capital Allocations). Prejudicial interest in view of his Membership of the Scout Association and their Fund Raising Committee.

Councillor Rogers – Minute No. 86 of the Stourbridge Area Committee (Grant Applications - Stevens Park and Recreation Ground Trust). Prejudicial interest in view of his membership of the Scout Association.

Councillor Ali – All references in the agenda to Dudley Racial Equality Council (DREC). Personal and prejudicial interest as an Executive Member of DREC.

Councillor Simms - Minutes Nos. 72 (Update on the Primary Schools Review) and 73 (Update on the Secondary Schools Review) of the Select Committee on Lifelong Learning. Personal interest in so far as he had children who attended schools affected by the reviews.

Councillor Donegan - Minute No. 72 of the Select Committee on Lifelong Learning (Update on the Primary Schools Review). Personal interest in view of his governorship of a school affected by the review.

## MAYOR'S ANNOUNCEMENTS AND THE RECEIPT OF APOLOGIES

### (a) Retiring Members of Parliament

The Mayor reported that Debra Shipley, former Member of Parliament (MP) for Stourbridge and Ross Cranston, former MP for Dudley North, would not be seeking re-election at the General Election on 5<sup>th</sup> May, 2005. The Council placed on record its thanks and appreciation to the retiring MPs for their services to the Borough and expressed best wishes for the future.

(b) Petition – Brier School

The Mayor reported that, prior to the meeting, he had received a petition in respect of the Brier School. The petition had been referred to the Director of Education and Lifelong Learning.

(c) Presentation – Delegation from Basra Provincial Council, Iraq

The Mayor indicated that the Leader wished to make a presentation to the Council. However, his arrival had been delayed and the Leader would make the presentation at a suitable point later in the meeting. The Council placed on record its best wishes to Mrs. Caunt for a speedy recovery to good health.

(d) Apologies for Absence

Apologies for absence from the meeting were received on behalf of Councillors Mrs Cowell, Mrs Faulkner and Mrs Millward.

CAPITAL PROGRAMME MONITORING

A report of the Cabinet was submitted.

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

RESOLVED

- (1) That, subject to the applications for grant funding for limestone mine stabilisation works being successful, the works be included in the Capital Programme as set out in paragraph 2.2.1 of the report.
- (2) That the Cabinet Member for Transportation, in consultation with Director of the Urban Environment, be authorised to use any residual Local Safety Scheme funding to progress or implement the schemes shown on the reserve list submitted at Appendix A to the report and as referred to in paragraph 2.2.2.
- (3) That the project to provide Tiered Seating at Stourbridge Town Hall, and its inclusion in the Capital Programme, as set out in paragraph 2.2.3 of the report, be approved.
- (4) That the expenditure on signage advising the public of the ban on alcohol consumption in Dudley Town Centre be included in the Capital Programme and funded from resources earmarked for urgent or emerging priorities, as set out in paragraph 2.3.1 of the report.

- (5) That the Social Services grant allocation be noted and that the associated expenditure be included in the Capital Programme as set out in paragraph 2.4.1 of the report.
  - (6) That the allocation of Other Services capital resources for 2005/06, as set out in paragraph 2.5 of the report, be approved.
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#### SCRUTINY PROTOCOL FOR SELECT COMMITTEES

A report of the Cabinet was submitted.

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

#### RESOLVED

That the draft Scrutiny Protocol for Select Committees, as now submitted, be approved and included in Part 6 of the Constitution.

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#### HOUSING OPTIONS APPRAISAL

A report of the Cabinet was submitted.

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

#### RESOLVED

- (1) That the Housing Options Appraisal report and the recommendation in Chapter 13, that the Decent Homes Standard be met through the option of the Council retaining the direct management and maintenance of its stock, be approved.
  - (2) That the Cabinet Member for Housing be authorised to agree any final amendments to the report with the Government Office for the West Midlands to enable the document to be signed off by July, 2005.
  - (3) That the Council press the Government to remove the claw back of rent income by way of negative Housing Revenue Account Subsidy and take action to encourage the sale of Council houses to allow the Council to invest the whole of its capital receipts derived therefrom in improving the Council's Housing Stock.
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LEISURE AND SWIMMING FACILITY IN THE BRIERLEY HILL AREA

A report of the Cabinet was submitted.

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

RESOLVED

That the proposal of the Select Committee on Culture and Recreation, as set out in paragraph 2.10 of the report submitted to the meeting, be not approved.

During the debate on the above item, the meeting stood adjourned between 7.10pm and 7.15pm.

Pursuant to Council procedure rule 16.4, the voting on the motion was recorded as follows:-

FOR:

Councillors Adams, Mrs Ameson, Attwood, Banks, Blood, Boys, Burston, Caunt, Mrs Dunn, Evans, Fraser-Macnamara, Harley, Jackson, James, Kettle, Knowles, Mrs Martin, Miller, Musk, Miss Nicholls, Mrs Pearce, Rogers, Ryder, Mrs Shakespeare, Simms, Southall, Stanley, Taylor, A Turner, K Turner, Mrs H Turner, Vickers, C Wilson, J Woodall and Wright (Total: 35).

AGAINST:

Councillors Ali, Mrs Aston, Body, Bradney, Mrs Collins, Cotterill, Mrs Coulter, Ms Craigie, Crumpton, G H Davies, J Davies, M Davis, Debney, Donegan, Finch, Ms Foster, Ms Harris, Ms Hart-Bowman, Islam, Johnston, Mrs Jordan, Male, Mottram, Ms Partridge, Mrs Patrick, Rahman, Mrs Ridley, Sparks, Tomkinson, Tyler, Mrs M Wilson and C L Woodall (Total: 32).

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DELEGATION FROM BASRA PROVINCIAL COUNCIL, IRAQ

Further to Minute No. 75(c) above, the Leader reported that the Council had recently welcomed a delegation from the Basra Provincial Council in Iraq. The Iraqi delegates, including national and local politicians alongside civil servants, had visited the Borough to gain an insight into local democracy in England. As part of their visit, the delegates had also received a presentation from the Brierley Hill Regeneration Partnership. The Leader presented a plaque to the Mayor to commemorate the visit of the Iraqi delegates to Dudley.



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## NOTICE OF MOTION UNDER COUNCIL PROCEDURE RULE 12

The motion set out below, moved by Councillor Johnston and seconded by Councillor Ms Hart-Bowman, had been debated at the Council meeting on 28<sup>th</sup> February, 2005. Due to the expiry of the 30 minutes time limit prescribed in the Council Procedure Rules, the matter had not been disposed of at that meeting.

“This Council resolves to support and promote the concept of Fairtrade – ensuring that producers from developing countries get a fair price for their goods and labour.

The Council resolves to:

- (a) promote awareness of Fairtrade issues, and make publicity material and educational information available to local people concerning the world wide impact of unfair trade and the opportunities that Fairtrade provides to promote sustainable development.
- (b) investigate the Council's own purchasing policies, and, where appropriate in conjunction with our statutory partners, with a view to purchasing Fairtrade where possible.
- (c) serve Fairtrade coffee and tea at its meetings and in its offices, canteens and restaurants.
- (d) consider buying Fairtrade products, such as those carrying the Fairtrade mark as they become available.
- (e) promote Fairtrade issues and practices amongst local businesses and commercial and other organisations.
- (f) develop a strategy to make Dudley a Fairtrade town.
- (g) formally allocate Fairtrade town responsibilities to a Council officer to work with a Steering Group set up to ensure continued commitment to a Fairtrade town status.”

Following the reply to the debate by Councillor Johnston, the above motion was put to the vote and lost.

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ANNUAL REPORT OF THE SELECT COMMITTEE ON COMMUNITY SAFETY

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The annual report of the Select Committee was submitted.

It was moved by Councillor Blood, seconded by Councillor Caunt and

RESOLVED

That the annual report of the Select Committee on Community Safety and the proposed work programme for 2005/06 be approved.

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ANNUAL REPORT OF THE SELECT COMMITTEE ON THE ENVIRONMENT

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The annual report of the Select Committee was submitted.

It was moved by Councillor Mrs H Turner, seconded by Councillor Burston and

RESOLVED

That the annual report of the Select Committee on the Environment and the proposed work programme for 2005/06 be approved.

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QUESTIONS UNDER COUNCIL PROCEDURE RULE 11

During questions under Council Procedure Rule 11, there were no decisions that the Leader, Cabinet Members or Chairmen agreed to have reconsidered.

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THANKS

The Mayor indicated that this would be the last ordinary meeting of the Council in the current municipal year. He thanked all Members for their assistance in the conduct of the Council's business during 2004/05.

The meeting ended at 7.52 pm

MAYOR

CL/88