

DUDLEY METROPOLITAN BOROUGH

MINUTES OF THE PROCEEDINGS OF THE COUNCIL **AT THE MEETING HELD ON MONDAY, 8TH OCTOBER, 2012** **AT 6.00 PM AT THE COUNCIL HOUSE, DUDLEY**

PRESENT:

Councillor Mottram (Mayor)
Councillor A Finch (Deputy Mayor)
Councillors A Ahmed, K Ahmed, Ali, Mrs Ameson, Arshad, A Aston, M Aston, Attwood, Bills, Blood, Boleyn, Branwood, Casey, Caunt, Cotterill, Cowell, Crumpton, Davies, Duckworth, Evans, K Finch, Foster, Hale, Hanif, Harley, Harris, Hemingsley, Herbert, Hill, Islam, James, J Jones, L Jones, Jordan, Kettle, Lowe, Marrey, J Martin, Mrs P Martin, Miller, Ms Nicholls, Partridge, Perks, Ridley, Roberts, Mrs Rogers, Russell, Mrs Shakespeare, Mrs Simms, Sparks, Taylor, Mrs H Turner, K Turner, S Turner, Tyler, Vickers, Mrs Walker, Waltho, Mrs Westwood, C Wilson, M Wilson, Wood and Wright, together with the Chief Executive and other Officers.

PRAYERS

The Mayor's Chaplain led the Council in prayer.

33 APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received on behalf of Councillors Mrs Billingham, Body, Burston, Elcock, Knowles, Woodall and Zada.

34 DECLARATIONS OF INTEREST

Declarations of interests, in accordance with the Members' Code of Conduct, were made by the following Members:

Councillor Crumpton – Minute No. 17 of the Halesowen Area Committee (Area Committee Grants) – Non-Pecuniary Interest as a Member of the Homer Hill Friends Group.

Councillor Hemingsley – Minute No.11 of the Health and Adult Social Care Scrutiny Committee (Consultation of the Future of New Bradley Hall) - Non-Pecuniary Interest as he had been part of the Action Team to save the home.

Councillor Mrs Simms – Minute No.16 of the Children's Services Scrutiny Committee (Fostering Service Annual Report) - Non-Pecuniary Interest in view of her employment with Barnardos.

Councillor Mrs Walker – Minute No. 15 of the Children’s Services Scrutiny Committee (Annual Report of the Dudley Local Authority Adoption Service 2011/12) - Non-Pecuniary Interest as a Member of the Adoption Panel.

Councillor Herbert - Minute No.16 of the Development Control Committee (Planning Application P12/0652 - Priory Park) - Pecuniary Interest in view of her being a member of the Friends of Priory Park.

Councillor C Wilson – Minute No. 16 of the Development Control Committee (Planning Application P12/0505 - King Street, Wollaston) - Pecuniary Interest as he knew the applicant.

Councillor Wright – Minute No. 16 of the Development Control Committee (Planning Application P12/0531 – Old Park Inn, Middlepark Road, Dudley) – Non-Pecuniary Interest as a tenant of Midland Heart.

Councillor Wright – Minute No. 21 of the Development Control Committee (Planning Application P12/0751 Hagley Road, Halesowen). Non-Pecuniary Interest as a Member of the West Midlands Fire and Rescue Authority.

Councillor Mrs Westwood – Minute No. 28 of the Development Control Committee (Proposals to Apply an Article 4(1) Direction) – Non-Pecuniary Interest as the property in question was owned by one of the companies she worked for.

Councillor Wright – Minute No. 26 of the Development Control Committee (Planning Application P12/0345 – Ribbesford, Quarry Park Road, Stourbridge). Non-pecuniary Interest as a member the West Midlands Fire and Rescue Authority.

Councillor Wright – Minute No. 34 of the Development Control Committee (Planning Application P12/0759 – Edmore House Care Home, Oakham Road, Dudley) - Non-pecuniary Interest as a member the West Midlands Fire and Rescue Authority.

Councillor Lowe – Minute No. 29 of the Cabinet (Local Government Ombudsman’s Annual Review Letter 2011/12) - Non-Pecuniary Interest as he was acquainted with some of the people referred to in Appendix 3(c) of the report.

Councillors Mrs Shakespeare and Mrs Walker– Minute No 29 of the Cabinet (Local Government Ombudsman’s Annual Review Letter 2011/12) - Non-Pecuniary Interests as Councillor Mrs Shakespeare was the Cabinet Member at the time of the decision and Councillor Mrs Walker had a personal friendship with a resident who was a recipient of compensation awarded.

Councillor Wright – References to Midland Heart – Non-Pecuniary Interest as a tenant of Midland Heart.

Councillor A Aston – Reference to matters affecting West Midlands Ambulance Service – Pecuniary interest as an employee.

Councillor M Aston – Annual Report of the Health and Adult Social Care Scrutiny Committee (Reference to West Midlands Ambulance Service Transformation) – Non-Pecuniary interest as her son was an employee.

Councillor A Finch - Minute No.16 of the Development Control Committee (Planning Application P12/0652 - Priory Park) – Non-Pecuniary Interest as Chair of the Friends of Priory Park.

Councillor K Turner – Annual Report of the Environment Scrutiny Committee (Reference to Welfare Reforms and Housing Benefit) – Pecuniary interest as the landlord of a tenant who received housing benefit.

35 MINUTES

RESOLVED

That the minutes of the meeting held on 16th July, 2012 be confirmed as a correct record and signed.

36 MAYOR'S ANNOUNCEMENTS

(a) Mayor's Chaplain

The Mayor welcomed his Chaplain to the meeting following a recent serious illness.

(b) Olympic and Paralympic Games

The Mayor and the Council paid tribute to the outstanding achievements of all athletes connected with the Dudley Borough in the 2012 London Olympic and Paralympic Games.

(c) Young Advisors – Connexions Service (Directorate of Children's Services)

The Mayor reported that the Young Advisors – Connexions Service (Directorate of Children's Services) had received recognition from the national young advisor team as the 'Best Partnership'. Following remarks from Councillor Crumpton, the Mayor presented the award to representatives of the Young Advisors.

(d) Fairhaven Primary School

The Mayor reported that he had recently attended a blessing at Fairhaven Primary School. The Chair of the Greek Cypriot Assembly of Dudley had asked the Mayor to convey his thanks for the Council's continued support.

(e) Mayor's Charity Crown Green Bowls Match

The Mayor reported that a crown green bowls match had taken place on 24th August, 2012 at Mary Stevens Park, Stourbridge. He thanked everyone involved in the event, which had raised £300 for the Mayor's Charity.

(f) Mayor's Charity Football Competition

The Mayor reported that a charity football competition had taken place on 28th August, 2012 at Redhill School, Stourbridge. He thanked everyone involved in the event, which had raised £800 for the Mayor's Charity.

(g) 100 Miles for Queen and Charity

The Mayor reported that the above Charity challenge had been undertaken by Councillor Waltho in June, 2012, raising over £2,000 for local good causes including £450 donated to the Mayor's Charity.

(h) Mayor's Attendant – "Coast to Coast" Charity Challenge

The Mayor reminded the Council that his attendant, Mike Crannage, would be undertaking the 'Coast to Coast' Challenge in Costa Rica, South America during February, 2013 in aid of the Mayor's Charity.

(i) Former Councillors Jeff Jewkes and Jeff Fletcher and Former Bishop of Dudley, Tony Dumper

The Mayor referred in sympathetic terms to the recent deaths of former Councillors Jeff Jewkes and Jeff Fletcher. He also referred to the death of Tony Dumper, the former Bishop of Dudley. The Council observed a period of silence as a token of respect to their memory and Members paid their own individual tributes.

(j) Armistice Day and Remembrance Sunday – 11th November, 2012

The Mayor reported on the above event in Dudley on 11th November, 2012.

(k) Cheese and Wine Tasting Charity Evening – 28th November, 2012

The Mayor reported on the above event in his Parlour on 28th November, 2012.

37 PETITION

Pursuant to the Council's Petition Scheme, a Petition for Debate containing in excess of 3,000 signatories was received. The Petition stated 'Following a fatal incident, we, the undersigned, residents of Beacon Estate, Sedgley, would like to see the alleyway connecting Beacon Rise to Springfield Grove closed.'

The Petition Organiser, Mrs. Butler, attended the meeting and addressed the Council.

During the discussion, the Leader of the Council requested that the Chief Executive and the Director of the Urban Environment review the procedures involved in considering requests of this nature and report further as to how the process may be expedited. The Cabinet Member for Transportation and Community Safety agreed to consider all the comments and suggestions made in relation to the subject of the petition. A formal response would be given in due course.

Ward Members for Sedgley commented on the ongoing discussions between officers and local residents and noted the consultation exercise undertaken by West Midlands Police, which would be concluded on 31st October, 2012.

RESOLVED

That the petition and the comments made at the meeting, as referred to above, be noted.

38 CAPITAL PROGRAMME MONITORING

A report of the Cabinet was submitted.

It was moved by Councillor Sparks, seconded by Councillor Ali and

RESOLVED

- (1) That current progress with the 2012/13 Capital Programme, as set out in Appendix A to the report now submitted, be noted and that budgets be amended to reflect the reported variances.
- (2) That Amblecote House be declared surplus to requirements and disposed of by the Director of Corporate Resources; that £420,000 from the capital receipts from this disposal be earmarked for the Dementia Gateways project; and that subject to resource availability this project be approved and included in the Capital programme, as set out in paragraph 6 of the report now submitted.
- (3) That it be noted that the Adult Social Care minor works programme this year includes £80,000 of investment in Libraries and Archives, as set out in paragraph 7 of the report now submitted.
- (4) That the replacement of Leisure Centre Lockers be approved and included in the Capital Programme, as set out in paragraph 8 of the report now submitted.
- (5) That the contribution of £120,000 from Dudley NHS Public Health towards Active Travel Network development be noted, and the associated spend included in the Capital Programme, as set out in paragraph 9 of the report now submitted.

- (6) That the Local Sustainable Transport Fund allocation be noted, and that subject to detailed confirmation, Dudley's element of the Smart Network Smarter Choices project be included in the Capital Programme, as set out in paragraph 10 of the report now submitted.
 - (7) That the urgent amendment to the Capital Programme, as set out in paragraph 11 of the report now submitted, be noted.
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39 RE-PUBLICATION OF THE STOURBRIDGE AREA ACTION PLAN

A report of the Cabinet was submitted.

It was moved by Councillor Ali, seconded by Councillor Hale and

RESOLVED

- (1) That following public consultation, the Stourbridge Area Action Plan be submitted to the Secretary of State so that it may be subjected to a Public Examination.
 - (2) That the Director of the Urban Environment, in consultation with the Leader of the Council and the Cabinet Member for Regeneration, be authorised to agree any minor recommended changes to the document prior to submission to the Secretary of State, following consultation which concludes on 12th November, 2012 and that any such changes be notified to all Members of the Council.
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40 FOOD SERVICE PLAN

A report of the Cabinet was submitted.

It was moved by Councillor Wood, seconded by Councillor Ali and

RESOLVED

That the Food Service Plan 2012/2013 be approved and adopted.

41 ANNUAL REPORT OF THE ENVIRONMENT SCRUTINY COMMITTEE

The annual report of the Scrutiny Committee was submitted.

The recommendation in the report was moved by Councillor Hanif and seconded by Councillor Herbert.

Following the debate on this report, the Chair indicated that the Committee would carry out a further detailed scrutiny of proposed welfare reforms prior to implementation.

RESOLVED

That the annual report be received and noted.

42 ANNUAL REPORT OF THE HEALTH AND ADULT SOCIAL CARE SCRUTINY COMMITTEE

The annual report of the Scrutiny Committee was submitted.

The recommendation in the report was moved by Councillor Ridney and seconded by Councillor K Finch.

Following the debate on this report, the Chair undertook to raise questions on the implications of health service reforms in Dudley with the Black Country Cluster of Primary Care Trusts.

RESOLVED

That the annual report be received and noted.

43 TREASURY MANAGEMENT

A report of the Audit and Standards Committee was submitted.

It was moved by Councillor Arshad, seconded by Councillor Tyler and

RESOLVED

That the Treasury Management activity outlined in the report now submitted be noted.

44 CODE OF CONDUCT FOR EMPLOYEES

A report of the Audit and Standards Committee was submitted.

It was moved by Councillor Arshad and seconded by Councillor Tyler that the recommendations set out in the report be approved and adopted.

An amendment was moved by Councillor Caunt and seconded by Councillor C Wilson to the effect that a further provision be included under paragraph 41 of the Employees Code of Conduct to require that all offers of gifts and hospitality that are refused should be entered into the gifts and hospitality register.

During the discussion on the amendment, it was recommended by the Leader that paragraph 41 of the Employees Code of Conduct be referred back to the Audit and Standards Committee for further consideration. With the consent of the mover of the original motion, the mover of the amendment and of the meeting it was:-

RESOLVED

- (1) That with the exception of paragraph 41, the Council adopt the revised Code of Conduct for Employees as set out in Appendix 1 to the report now submitted.
- (2) That paragraph 41 of the Employees Code of Conduct relating to gifts and hospitality be referred back to the Audit and Standards Committee for further consideration.

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QUESTIONS UNDER COUNCIL PROCEDURE RULE 11

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

The meeting ended at 7.57 p.m.

MAYOR