

Minutes of the proceedings of the Council

Monday, 15th April, 2024 at 6.00pm
in the Council Chamber, The Council House, Priory Road, Dudley

Present:

Councillor A Goddard (Mayor)
Councillor P Lee (Deputy Mayor)
Councillors S Ali, A Aston, M Aston, P Atkins, C Barnett, C Bayton, D Bevan, I Bevan, H Bills, D Borley, S Bothul, P Bradley, R Buttery, K Casey, B Challenor, S Clark, Dr R Clinton, R Collins, D Corfield, J Cowell, T Creed, T Crumpton, A Davies, K Denning, P Dobb, P Drake, M Dudley, C Eccles, J Elliott, M Evans, J Foster, M Hanif, D Harley, P Harley, S Henley, A Hopwood, S Keasey, I Kettle, E Lawrence, A Lees, K Lewis, W Little, P Lowe, J Martin, P Miller, S Mughal, N Neale, S Phipps, R Priest, A Qayyum, K Razzaq, C Reid, S Ridley, M Rogers, T Russon, P Sahota, D Stanley, C Sullivan, A Taylor, E Taylor, L Taylor-Childs, A Tromans, M Webb, K Westwood, and M Westwood, together with the Chief Executive and other Officers.

Prayers

The Mayor led the Council in prayer.

78 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors J Clinton, M Howard, L Johnson and Q Zada.

79 Declarations of Interest

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

Councillor A Aston – Pecuniary interest in any matters directly affecting his employment with West Midlands Ambulance Service.

Councillor M Evans and A Taylor - 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 Limited.

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

Councillor P Miller - Any matters relating to adult social care – Non-pecuniary interest as his wife received care in a care home.

Councillor K Casey – Pecuniary interest in any matters directly affecting his employment with West Midlands Combined Authority.

Councillor I Bevan – Any references to Dudley Group NHS Foundation Trust/Russells Hall Hospital – Pecuniary interest in any matters directly affecting his employment.

Councillors I Kettle and W Little – Any references to West Midlands Fire and Rescue Authority - Non-pecuniary interests as Members of the Authority.

Councillor E Taylor - Non-pecuniary interest as her daughter was employed by Dudley Group NHS Foundation Trust.

Councillor N Neale – Minutes of the Health and Adult Social Care Scrutiny Committee – Pecuniary interest in any matters directly affecting her employment with the Dudley Group NHS Foundation Trust.

Councillor S Henley – Any references to matters affecting West Midlands Fire Service – Pecuniary interest in any matters directly affecting his employment.

Councillor J Foster – Any references to West Midlands Employers (WME) - Pecuniary interests in any matters directly affecting her self-employment as a HR consultant/investigator with WME as a client.

80 **Minutes**

Resolved

That the minutes of the meetings held on 26th February and 4th March, 2024 be approved as correct records and signed.

81 **Mayor's Announcements**

(a) **Mayor's Ball and Civic Awards**

The Annual Charity Ball and Civic Awards would take place on 19th April, 2024 at the Copthorne Hotel, Brierley Hill.

(b) **Councillors Not Seeking Re-Election**

The Mayor reported that Councillors M Aston, C Barnett, R Buttery, M Evans, J Elliott, M Howard, A Hughes, A Lees and Q Zada were not seeking re-election on 2nd May, 2024. The Mayor placed on record the Council's appreciation of their dedicated public service and expressed best wishes for the future.

Members then made individual comments and tributes were paid to the retiring Councillors.

82 **2023/24 Revenue and Capital Programme Monitoring**

A report of the Cabinet was submitted.

The recommendations of the Cabinet were moved by Councillor P Harley and seconded by Councillor P Bradley.

Following the debate, Councillor P Harley exercised his right of reply pursuant to Council Procedure Rule 14.9.

The motion was put to the meeting and it was

Resolved

- (1) That the deferral, reduction and removal of various capital budgets, as set out in paragraphs 11 to 18 of the report, be approved.
 - (2) That the additional budget for the swimming pool works at Halesowen Leisure Centre funded by grant, as set out in paragraphs 19 to 23 of the report, be included in the Capital Programme.
 - (3) That in respect of the Health Innovation Dudley (HID) Towns Fund project, a maximum provision of £1.871m be made in the capital programme to meet the project's cost pressures including the maximum 'pain share' and that this be funded by prudential borrowing if further external funding cannot be secured as set out in paragraph 24 of the report.
 - (4) That the Flexible Use of Capital Receipts Strategy, as set out in paragraphs 26 to 28 and Appendices C and D to the report, be approved and added into the Capital Strategy.
 - (5) That the progress against the Capital Programme as detailed in Appendix B to the report, be noted.
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83 Council Plan 2022-25

A report of the Cabinet was submitted.

It was moved by Councillor P Harley, seconded by Councillor P Bradley and

Resolved

That the new one-year Council Plan for 2024-25 which focusses on those priorities and projects that will prevent a higher cost, deliver cost reductions/increased income and which support the delivery of the Council's improvement and sustainability programme, be approved and adopted.

84 **Dudley Council Climate Action Plan**

A report of the Cabinet was submitted.

The recommendation of the Cabinet was moved by Councillor Dr R Clinton and seconded by Councillor P Bradley.

Following the debate, Councillor Dr R Clinton exercised his right of reply pursuant to Council Procedure Rule 14.9.

The motion was put to the meeting and it was

Resolved

That the report and the action plan, setting out the Council's response to the climate change emergency, be endorsed.

85 **Overview and Scrutiny Annual Report 2023/24**

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

The recommendation in the report was moved by Councillor I Kettle and seconded by Councillor P Bradley.

Councillor I Kettle exercised his right of reply to the debate pursuant to Council Procedure Rule 14.9. A response would be provided to Councillor C Bayton concerning a comment made about the membership of the Climate Change Select Committee.

Resolved

That the annual Overview and Scrutiny Report for 2023/24 be received and noted.

Tackling Anti-Social Use of Off-Road Vehicles

Further to Minute No. 69 of the Council meeting held on 26th February, 2024, a notice of motion, as set out in the agenda, had been moved by Councillor R Priest and seconded by Councillor J Clinton.

Councillor L Taylor-Childs had moved an amendment, as set out in the agenda, which had been seconded by Councillor N Neale.

Councillor S Phipps had moved a closure motion pursuant to Council Procedure Rule 14.11, which had been seconded, to the effect that the amendment be now put to the vote.

In accordance with Council Procedure Rule 14.11(b) the Mayor was of the opinion that the matter had been sufficiently discussed. The closure motion was put to the vote and carried.

Councillor R Priest was afforded his right of reply pursuant to Council Procedure Rule 14.9.

The amendment was put to the meeting and carried. The motion, as amended, became the substantive motion.

Following further debate on the substantive motion, Councillor R Priest was afforded the right of reply pursuant to Council Procedure Rule 14.9. The substantive motion was put to the vote and it was

Resolved that

Anti-social use of off-road vehicles, including quadbikes, motorbikes, scramblers and mini motors is an issue that affects many parts of the borough, and is causing particular nuisance in parks and green spaces. While the use of these vehicles is permitted on private land with the land-owner's permission, the Road Traffic Act 1988 prohibits their use where no permission has been given.

The Council recognises that tackling the anti-social use of off-road vehicles requires a proactive multi-agency approach involving the local authority, neighbourhood police teams, the wider West Midlands Police and the West Midlands Police and Crime Commissioner.

This issue is prevalent in a number of areas in the borough including, but not limited to, Wollescote Park, Quarry Bank, Wordsley and Brierley Hill. It is recognised that, locally, there has been a joined-up approach to tackling this issue within the Community Safety Partnership. However, this work is hindered by the lack of regional support and resource from the Police and Crime Commissioner.

Both strategy and resource is important to tackling this issue; the PCC recently funded just three off-road bikes for Police use across the West Midlands area. The Council expresses its dissatisfaction with the response of the Police and Crime Commissioner for failing to adequately fund resource to address the issue of the anti-social use of off-road vehicles in the Dudley Borough.

The Council therefore resolves to:

- Recognise the impact this behaviour is having on local residents and businesses and resolves to renew its approach to tackling the issue.
- Instruct the Chief Executive and relevant Cabinet Member to write to the West Midlands Police and Crime Commissioner informing them of this motion, and the Council's dissatisfaction with the response of the Police and Crime Commissioner for failing to adequately address the issue of the anti-social use of off-road vehicles in the Dudley Borough.
- Identify a single point of contact within the Community Safety Team for reporting the specific incidents of the anti-social use of off-road bikes. These figures will be communicated to the Police via existing reporting methods within the Community Safety Partnership, with a focus on ensuring intelligence (such as addresses of stored bikes) being followed up by Police and/or Housing Management.

- Instruct the Chief Executive and relevant Cabinet Member to write to the Mayor of the West Midlands Combined Authority in May, once the result of the election to the post is known, requesting an urgent meeting to develop a strategy to tackle the anti-social use of off-road vehicles. This meeting should involve appropriate Cabinet Members, Ward Councillors, community groups and other affected organisations such as the Canal and River Trust.
- Consider the implementation of physical preventative measures, such as trip rails, fencing and entry points when the financial position of the authority allows.

Ensure that the Council is utilising deployable CCTV, where intelligence indicates there would be a benefit to investigations, to monitor problem areas.

87 **Questions from Members (Council Procedure Rule 11)**

It was moved by Councillor P Harley, seconded by Councillor P Bradley and

Resolved

That under Council Procedure Rule 22.1, the provisions of Council Procedure Rule 11 be suspended for the duration of this meeting to enable the revised Question Time session to take place as outlined by the Mayor.

Questions to the Leader, Cabinet Members and Chairs

The Leader of the Council (Councillor P Harley) responded to questions from Councillor P Sahota concerning the sale and development of the former Dudley Leisure Centre site in Wellington Road, Dudley.

The Cabinet Member for Children's Services and Education (Councillor R Buttery) responded to questions from Councillor S Ridley seeking clarification as to whether any Dudley child was homed in or outside of Borough in an Ofsted unregistered home and what action was taken should an unregistered home in the borough be identified.

The Leader of the Council (Councillor P Harley) responded to questions from Councillor P Lowe concerning the achievements of the controlling political administration and issues raised previously concerning the disclosure of information relating to confidential discussions at the Independent Assurance Board.

The Leader of the Council (Councillor P Harley) responded to questions from Councillor R Collins concerning the process for dealing with complaints made under the Member's Code of Conduct and the implications of referring investigations to external solicitors.

The Cabinet Member for Highways and Environmental Services (Councillor D Corfield) responded to a question from Councillor D Bevan concerning the Green Waste collection service.

The Cabinet Member for Highways and Environmental Services (Councillor D Corfield) responded to questions from Councillor R Priest concerning the repair of potholes.

The Leader of the Council (Councillor P Harley) responded to questions from Councillor S Phipps concerning the Dudley Local Plan.

At this juncture, the Mayor indicated that the 30 minutes allowed for questions had expired. Members indicating to ask a question could either send it in writing or raise the question at the next appropriate meeting.

88 **Urgent Business**

There was no urgent business for consideration at this meeting.

The meeting ended at 7.55 pm

MAYOR