

**DUDLEY METROPOLITAN BOROUGH**

**MINUTES OF THE PROCEEDINGS OF THE COUNCIL**  
**AT THE MEETING HELD ON MONDAY, 21<sup>ST</sup> APRIL, 2008**  
**AT 6.00 PM AT THE COUNCIL HOUSE, DUDLEY**

**PRESENT:-**

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

**PRAYERS**

The Mayor's Chaplain led the Council in prayer.

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**APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were received on behalf of Councillors Ms. Craigie, Mrs. Coulter, Tomkinson and Mrs. M. Wilson.

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**DECLARATIONS OF INTEREST**

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

Councillors Adams and Mrs. Rogers – Minute No. 83 of Stourbridge Area Committee (Stevens Park and Recreation Ground Foundation Trusts – Applications for Grants) - Personal and prejudicial interest in view of their membership and Vice-Chairmanship, respectively, of the Friends of Mary Stevens Park.

Councillor Mrs. Collins – Minute No. 85 of Stourbridge Area Committee (Lye and Wollescote Cemetery Chapel – Update on the Applications made for External Funding to the Architectural Heritage Fund and Heritage Lottery Fund) - Personal and prejudicial interest in view of her son being a Director of the West Midlands Historic Buildings Trust.

Councillor Ali – Minute No. 83 of Central Dudley Area Committee (Capital Allocations – St Thomas’s Community Games Association) – Personal and prejudicial interest in view of his chairmanship of the organisation making the application.

Councillor Ali – Minute No. 83 of Central Dudley Area Committee (Capital Allocations – Friends of Buffery Park) – Personal and prejudicial interest as he had been closely involved in the submission of the application.

Councillor Cotterill – Minute No. 83 of Central Dudley Area Committee (Capital Allocations – Saltwells Youth Club) – Personal interest as he was acquainted with the Chairman of the organisation making the application.

Councillor Waltho – Minute No. 83 of the Central Dudley Area Committee (Capital Allocations – St Thomas’s Community Games Association) – Personal and prejudicial interest as the Vice-Chairman of the organisation making the application.

Councillor Burston – Minute No. 86 of the Halesowen Area Committee (Halesowen Town Centre Redevelopment) – Personal interest regarding any discussion of service revisions arising from the Dudley Bus Review and regarding the Halesowen Bus Station in view of employment by CENTRO.

Councillor Mrs. H. Turner – Minute No. 83 of the Halesowen Area Committee (Delegated Capital Budget) – Personal and prejudicial interest as a Trustee of Age Concern.

Councillor K. Turner – Minute No. 83 of the Halesowen Area Committee (Delegated Capital Budget) – Personal and prejudicial interest as the Vice-Chairman of Age Concern.

Councillor K. Turner – Minute No. 83 of the Halesowen Area Committee (Delegated Capital Budget) – Personal interest as a Member of the Caslon Community Partnership.

Councillor Taylor – Minute No. 83 of the Halesowen Area Committee (Delegated Capital Budget) – Personal interest as a Member of the Friends of Leasowes and a Governor of Olive Hill Primary School.

Councillor Mrs. Faulkner – Minute No. 89 of the Halesowen Area Committee (Shell Corner Local Regeneration Plan) – Personal and prejudicial interest as the Vice-Chairman of Shell Corner Partnership.

Councillors D. Blood, Mrs. E. Blood and Southall – Minute No. 80 of Brierley Hill Area Committee (Capital Allocations - grant application by Wordsley Festival Group) – Personal interests as they attended meetings of the Group.

Councillor Ms. Boleyn – Minute No. 81 of Brierley Hill Area Committee (Matters raised at the Brierley Hill Area Committee on 31<sup>st</sup> January, 2008 in so far as the item related to stray horses) – Personal interest due to involvement with the Royal Society for the Prevention of Cruelty to Animals (RSPCA).

Councillor Miller - Minute No. 80 of Brierley Hill Area Committee (Capital Allocations - grant application by the Kingswinford Village Association) - Personal interest in view of his Chairmanship of the Association.

Councillor Southall - Minute No. 80 of Brierley Hill Area Committee (Capital Allocations - in so far as the item related to Phoenix Youth Football Club) – Personal interest as a Council Member of the Birmingham County Football Association, to which body the Phoenix Youth Football Club was affiliated.

Councillor Southall – Minute No. 74 of Brierley Hill Area Committee (Land Issues – Land at High Street, Wordsley (former Wordsley Institute)) – Personal and prejudicial interest as the proprietor of the Rose and Crown Public House, Wordsley, had approached him and spoken about the possible purchase of the land when it reverted to Council possession. Councillor Southall also made the declaration in view of his membership of the Development Control Committee.

Councillor Southall – Minute No. 76 of Brierley Hill Area Committee (Joint Core Strategy for the Black Country – Public Consultation) – Personal interest in view of membership of the Development Control Committee and the strategy identified build options that had potential for determination at a future date by the Development Control Committee.

Councillor Southall – Minute No. 77 of Brierley Hill Area Committee (Brierley Hill Action Plan – Public Consultation) – Personal interest in view of membership of the Development Control Committee and the Action Plan identified build options that had potential for determination at a later date by the Development Control Committee.

Councillor Southall – Minute No. 78 of Brierley Hill Area Committee (Brierley Hill High Street Conservation Area) – Personal interest in view of membership of the Development Control Committee and the recommendations regarding a Conservation Area Character Appraisal would require consideration by the Development Control Committee.

Councillor Tyler – Minute No. 80 of Brierley Hill Area Committee (Capital Allocations in so far as it related to Lunch on the Run) – Personal interest as he had encouraged the organisers to submit a grant application.

Councillor Tyler - Minute No. 80 of Brierley Hill Area Committee (Capital Allocations in so far as it related to the grant application made by the Lions Boxing Club) – Personal interest as a keen supporter of the Boxing Club.

Councillor Tyler - Minute No. 80 of Brierley Hill Area Committee (Capital Allocations in so far as it related to the Kingswinford Village Association) – Personal interest as he had been involved in the formation of the Association.

Councillor Tyler - Minute No. 80 of Brierley Hill Area Committee (Capital Allocations in so far as it related to Wall Heath Community Association) – Personal interest in view of his membership of the Management Committee of the Association.

Councillor Crumpton – Minute No. 73 of the Select Committee on Regeneration, Culture and Adult Education (Update on Insurance Arrangements for Community Groups) – Personal interest as a trustee of Wollescote and Cradley Community Association.

Councillors Southall and C. Wilson – Minute No. 67 of the Select Committee on Regeneration, Culture and Adult Education (Developments in Coseley) – Personal interests in view of possible future determinations as members of the Development Control Committee.

Councillors Southall and C. Wilson – Minute No. 64 of the Select Committee on Regeneration, Culture and Adult Education (Dudley Borough Economic Strategy) – Personal interests in view of possible future determinations as members of the Development Control Committee.

Councillors Southall and C. Wilson – Minute No. 70 of the Select Committee on Regeneration, Culture and Adult Education (Progress Report on Regeneration of Stourbridge) – Personal interests in view of any possible future determinations as members of the Development Control Committee.

Councillors Southall and C. Wilson – Minute No. 71 of the Select Committee on Regeneration, Culture and Adult Education (Planning Application Statistics Relating to Affordable Housing and Apartment Developments) – Personal interests as members of the Development Control Committee involved in the decision making process producing the statistics under consideration.

Councillors Southall and C. Wilson – Minute No. 65 of the Select Committee on Regeneration, Culture and Adult Education (Presentation on the Joint Core Strategy for the Black Country – Preferred Options) – Personal interests in any references to new build and densities related to Dudley Borough in respect of future applications that may appear before the Development Control Committee.

Councillor K. Turner - Minute No. 64 of the Select Committee on Regeneration, Culture and Adult Education (Dudley Borough Economic Strategy) – Personal and prejudicial interest relating to any reference to Castle Hill as a Trustee of Dudley Zoo.

Councillor Tyler - Minute No. 64 of the Select Committee on Regeneration, Culture and Adult Education (Dudley Borough Economic Strategy) – Personal and prejudicial interest relating to any reference to the Castle Hill project as a Trustee of Dudley Zoo.

Councillor A. Turner – Minute No. 58 of the Select Committee on Community Safety and Community Services (Driver Watch) – Personal interest as a Founder Member of Driver Watch.

Councillor Ms. Boleyn – Minutes Nos. 53 (Standards Report – Performance Data) and 63 (Notice of Questions Under Council Procedure Rules – Building Schools for the Future) of the Select Committee on Children’s Services – Personal interests in view of her Governorship of Maidensbridge Primary School and her Membership of the Kingswinford Schools Association.

Councillors D. Blood, Mrs. Dunn, Hanif, Hill and Mrs. Walker – Minute No. 63 of the Select Committee on Children’s Services (references to Building Schools for the Future) – Personal interests in view of their respective School Governorships as referred to in the Minutes of the Select Committee.

Councillor Nottingham – Minute No. 63 of the Select Committee on Children’s Services (references to Building Schools for the Future) – Personal interest in view of his governorship of one of the schools possibly involved in the bidding process.

Councillor Rahman – Minute No. 63 of the Select Committee on Children’s Services (references to Building Schools for the Future) – Personal interest in view of his being a parent of a pupil at Northfield Road Primary School.

Councillor Mrs. Aston – Minute No. 63 of the Select Committee on Health and Adult Social Care (Annual Health Check – A Guide for Health and Adult Social Care Scrutiny Members) – Personal interest as her son worked for the West Midlands Ambulance Service.

Councillors Burston, Kettle and Ms. Nicholls – Minute No. 26 of the Audit Committee (Terms of Reference of the Audit Committee) – Personal interests as members of the West Midlands Local Government Pension Scheme.

Councillor Tyler - Minute No. 26 of the Audit Committee (Terms of Reference of the Audit Committee) – Personal interest as a recipient of a West Midlands Pension from a previous employment.

Councillor Wright – Minute No. 71(iii) of the Development Control Committee (Plans and Applications to Develop – Planning Application No. P07/2227 – 23 Grosvenor Road/Central Drive, Dudley) – Personal and prejudicial interest in view of the fact that he had previously been employed by the applicant.

Councillor Ali – Minute No. 100 of the Cabinet (Capital Programme Monitoring and Capital Programme 2008/09 – 2010/11) – Personal and prejudicial interest in view of his involvement with the Friends of Buffery Park in providing support and advice in relation to their application.

Councillors Mrs. Aston, J. Finch and K. Finch – Minute No. 123 of the Cabinet (Priory Park and Ruin – Outline 10 Year Management Plan) - Personal interests as attendees of Friends of the Park Group meetings.

Councillor Woodall - Minute No. 85 of Halesowen Area Committee (The Leasowes Restoration) - Personal interest as a Member of the Friends of the Leasowes.

Councillor James - Agenda Item No. 5(a)(ii) - Capital Programme Monitoring (Reference to Liveability) - Personal interest as a Friend of Highfields Park, Halesowen.

Councillor Mrs. Faulkner - All references to matters connected with the Dudley Group of Hospitals - Personal interest in view of "passive" membership (this did not involve any direct role in the management of the organisation).

Councillor Southall – Minute No. 81 of Stourbridge Area Committee (Capital Allocations – reference to Withymoor Colts Football Club) - Personal interest as a Council member of the Birmingham County Football Association, to whom the Club were affiliated.

Councillor J. R. Davies - Agenda item No. 5(a)(ii) (Capital Programme Monitoring – reference to Green Park) - Personal interest as attendee at meetings of Friends of Green Park as a local Councillor.

Councillor J. R. Davies – Minute No. 83 of Central Dudley Area Committee (Capital Allocations - regarding the St Thomas's Community Games) - Personal interest as attendee at meetings of the Community Games Committee as a local Councillor.

Councillor J. R. Davies - Minute No. 93 of the Cabinet (Deployment of Resources – Housing Revenue Account and Public Sector Housing Capital - concerning the rent increase) - Personal interest as relatives lived in Council dwellings.

Councillor Ms. Harris - Agenda Item No. 5(a)(i) and Minute No. 122 of the Cabinet (Local Area Agreement) - Personal interests as Chair of the Health and Well Being Partnership within the Dudley Community Partnership.

Councillor Ms. Harris - Agenda Item No. 5(a)(iii) (Dudley Borough Economic Strategy – reference to new Health and Social Care Centre in Brierley Hill) - Personal interest in the LIFT project as Chair of Dudley Primary Care Trust, partners in the LIFT company.

Councillor Ms. Harris - Minute No. 63 of the Select Committee on Health and Adult Social Care (Reference to Health Care Commission Standards) - Personal interest as Chair of Dudley Primary Care Trust

Councillor Ms. Harris - Minute No. 96 of the Cabinet (Future Configuration of Mental Health Services in Dudley and Walsall) - Personal interest as Chair of Dudley Primary Care Trust - current providers of Mental Health services in the borough.

Councillors K. Turner, Mrs. H. Turner and A. Turner - Minute No. 40(i) of the Tree Preservation Orders Committee (Plan No. P07/2006 - Upper Lutley House, 50 Lutley Lane, Hayley Green, Halesowen) - Personal and Prejudicial interests as applicants are friends.

Cllr K. Turner - Agenda Item No. 5(a)(iii) (Dudley Borough Economic Strategy and any references to Groundwork Black Country) - Personal and prejudicial interest as Director and Treasurer of Groundwork Black Country.

Cllr K. Turner - Agenda Item No. 5 and any references to Castle Hill Development or Dudley Zoo - Personal and prejudicial interest as a Trustee of Dudley Zoological Gardens.

Councillor Rahman - Agenda Item No. 5(a)(ii) (Capital Programme Monitoring – references to computers for schools and expansion of Hillcrest School and Community College) - Personal interest as children attended Hillcrest School.

Councillor Burston - Minute No. 82(a) of the Brierley Hill Area Committee (Reference to Bus Service 261) - Personal interest on account of employment with CENTRO.

Councillor Attwood – Minute No. 83 of the Stourbridge Area Committee (Stevens Park and Recreation Ground Foundation Trusts Grant Applications) – Personal and prejudicial interest as the Chairman of the Friends of Mary Stevens Park.

Councillor Ali – Delegated Decision Summary No. 60 (Change of Instrument of Government for Castle High School) – Personal interest as a Foundation Trustee.

Councillor Ali – Minutes of the Central Dudley Area Committee and all references to the St. Thomas's Community Games Association – Personal and prejudicial interest in view of his Chairmanship of the organisation.

Councillors C. Wilson and Waltho (Minutes of the Central Dudley Area Committee and all references to St. Thomas's Community Network) – Personal interests in view of their respective involvement as Trustees of the Network.

The Mayor (Councillor Stanley) - Agenda Item No. 5(a)(ii) (Capital Programme Monitoring – reference to Liveability) - Personal interest in view of involvement with the Friends Group in connection with Cotwall End Valley.

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## MINUTES

### RESOLVED

That the minutes of the meetings of the Council held on 25<sup>th</sup> February and 3<sup>rd</sup> March, 2008 be approved as correct records and signed.

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## MAYOR'S ANNOUNCEMENTS

### (a) Councillors Not Seeking Re-Election

The Mayor reported that Councillors Jackson and Tomkinson were not seeking re-election on 1<sup>st</sup> May, 2008. It was also reported that former Councillor Fraser-Macnamara had left the Council on 28<sup>th</sup> February, 2008.

Tributes were paid to the many years of dedicated public service given by Councillors Jackson, Tomkinson and Mr. Fraser-Macnamara and the Council expressed its best wishes to them for the future.

### (b) St. George's Day Celebrations

The Mayor reminded Members of the St. George's Day celebrations taking place in Sedgley on 26<sup>th</sup> April, 2008.

### (c) White Book – Delegated Decision Summaries

The Mayor informed the Council that the Decision Summary listed as No. 41 had been withdrawn from the published papers for this meeting.

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## LOCAL AREA AGREEMENT

A report of the Cabinet was submitted.

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

### RESOLVED



That the revised priority outcomes in the draft Local Area Agreement be approved as the basis for finalising negotiations with Government and that the Leader of the Council be authorised to make the final submission of the draft Agreement by 30<sup>th</sup> May, 2008.

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CAPITAL PROGRAMME MONITORING

A report of the Cabinet was submitted.

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

RESOLVED

- (1) That the Breakthrough funding allocation be noted and the associated expenditure be included in the Capital Programme, as set out in paragraph 3 of the report now submitted.
- (2) That, subject to the anticipated Kick Start allocation being forthcoming, the associated expenditure be included in the Capital Programme, as set out in paragraph 4 of the report now submitted.
- (3) That £76,000 of Section 106 funding be used to support Affordable Housing at Queens Road/ Bath Road, Stourbridge, and that this expenditure be included in the Capital Programme, as set out in paragraph 5 of the report now submitted.
- (4) That the further security measures at the Council House, Mary Stevens Park, Stourbridge, be approved and included in the Capital Programme, as set out in paragraph 6 of the report now submitted.
- (5) That the works to the track at the Dell Stadium be approved and included in the Capital Programme, as set out in paragraph 7 of the report now submitted.
- (6) That the stability assessment relating to the Sedgley Hall Park watercourse erosion be approved and included in the Capital Programme, as set out in paragraph 8 of the report now submitted.
- (7) That the enhancements to the Liveability programme be approved, and that the award of funding for a Youth Shelter at Woodside Park be noted, and that the project be included in the Capital Programme, as set out in paragraph 9 of the report now submitted.

- (8) That the allocation of Road Safety Grant be noted and the Capital Programme amended accordingly, as set out in paragraph 10 of the report now submitted.
- (9) That the Director of Finance be authorised to accept the Section 31 Grant Funding for 2008/09 in relation to Strengthening/Major Maintenance of Structures on the Primary Route Network, and to accept any future grant offers from the Department for Transport on behalf of the Council, subject to the terms and conditions as required by the Department for Transport, as set out in paragraph 11 of the report now submitted.
- (10) That the Extended Schools project at Milking Bank Primary School be approved and included in the Capital Programme, as set out in paragraph 12 of the report now submitted.
- (11) That the Computers for Schools grant allocation be noted, and the associated expenditure be included in the Capital Programme, as set out in paragraph 13 of the report now submitted.
- (12) That subject to the funding bid to the Department for Children, Schools and Families (DCSF) being successful, the project to expand Hillcrest School and Community College be included in the Capital Programme, as set out in paragraph 14 of the report now submitted.
- (13) That the Safer Stronger Communities allocation be noted, and the associated expenditure be included in the Capital Programme, as set out in paragraph 15 of the report now submitted.
- (14) That the Minimum Revenue Provision (MRP) Policy for 2007/08 and 2008/09 be as set out in paragraph 21 of the report now submitted.

A report of the Cabinet was submitted.

It was moved by Councillor Knowles, seconded by Councillor Mrs. Millward and

RESOLVED

- (1) That the Economic Strategy for Dudley Borough, as now revised for 2008/09, be approved and adopted.

- (2) That a full copy of the revised Economic Strategy for Dudley Borough for 2008/09 be placed in the Members' Room for future reference.
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NOTICE OF MOTION UNDER COUNCIL PROCEDURE RULE 12

Pursuant to Council Procedure Rule 12, Councillor Ali had given notice of the following motion:-

"This Council welcomes the announcement by the Secretary of State for Innovation, Universities and Skills to develop twenty new universities or university campuses over the next six years, providing places for up to 10,000 students.

The Council notes that the government's objective is to increase rates of participation in higher education so that 50% of young people attend university and to use the new universities to contribute towards wider plans for regeneration.

This Council believes that Dudley would be an ideal location for such a project because driving up skills, ambition and aspiration is the key to tackling the area's problems of low skills, low staying on rates, low levels of participation in higher education, all of which must be tackled if we are to secure the borough's prosperity in the future. A new university campus would also bring new high-skill jobs to the borough and make a massive contribution towards the council's plans for regeneration.

This Council resolves to work together on a cross-party basis together with our MPs to develop such a compelling case that Dudley is one of the places chosen for one of these projects and, as a first step, resolves to establish a task force of Councillors, MPs, Officers, the business community and those involved in education in the borough to lead a community campaign for a university in Dudley."

The motion was moved by Councillor Ali and seconded by Councillor Tyler.

The following amendment was moved by Councillor Caunt:-

"That the motion be amended by the deletion of the final paragraph and its replacement with:-

This Council resolves to place this development on the work programme for the Select Committee on Regeneration, Culture and Adult Education in the coming municipal year."

With the consent of the mover and seconder of the original motion, and the consent of the meeting, the original motion was altered in accordance with Council Procedure Rule 14.7(b) to incorporate the amendment moved by Councillor Caunt. The original motion, as amended, thereupon became the substantive motion.

Following a discussion, the substantive motion was put to the meeting and it was

RESOLVED

This Council welcomes the announcement by the Secretary of State for Innovation, Universities and Skills to develop twenty new universities or university campuses over the next six years, providing places for up to 10,000 students.

The Council notes that the government's objective is to increase rates of participation in higher education so that 50% of young people attend university and to use the new universities to contribute towards wider plans for regeneration.

This Council believes that Dudley would be an ideal location for such a project because driving up skills, ambition and aspiration is the key to tackling the area's problems of low skills, low staying on rates, low levels of participation in higher education, all of which must be tackled if we are to secure the borough's prosperity in the future. A new university campus would also bring new high-skill jobs to the borough and make a massive contribution towards the council's plans for regeneration.

This Council resolves to place this development on the work programme for the Select Committee on Regeneration, Culture and Adult Education in the coming municipal year.

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APPOINTMENT OF INDEPENDENT MEMBER TO THE STANDARDS COMMITTEE

A report of the Director of Law and Property was submitted.

It was moved by Councillor Mrs. Martin, seconded by Councillor Caunt and

RESOLVED

That Mr John Beards be appointed as an Independent Member of the Standards Committee for a term of four years with effect from 22<sup>nd</sup> April, 2008.

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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.

(NB: The Decision Summary listed as No. 41 in the papers had been withdrawn from this meeting – Minute No. 80(c) above refers).

The meeting ended at 8.12 p.m.

MAYOR