

## DUDLEY METROPOLITAN BOROUGH

### MINUTES OF THE PROCEEDINGS OF THE COUNCIL AT THE MEETING HELD ON MONDAY, 29<sup>th</sup> NOVEMBER, 2010 AT 6.00 PM AT THE COUNCIL HOUSE, DUDLEY

#### PRESENT:

Councillor Miller (Mayor)  
Councillor Evans (Deputy Mayor)  
Councillors Adams, Ahmed, Ali, Mrs Ameson, Mrs Aston, Attwood, Banks, Barlow, D Blood, Mrs E Blood, Body, Burston, Caunt, Cotterill, Crumpton, G H Davies, J D Davies, M Davis, Mrs Dunn, Mrs Faulkner, A Finch, K Finch, Mrs Greenaway, Hanif, Mrs Harley, Ms Harris, Hill, James, J Jones, L Jones, Mrs Jordan, Kettle, Lowe, J Martin, Mrs Millward, Mottram, Nicholls, Ms Partridge, Mrs Ridley, Mrs Roberts, Ryder, Mrs Shakespeare, Simms, Southall, Sparks, Stanley, Taylor, A Turner, Mrs H Turner, K Turner, Tyler, Vickers, Mrs Walker, Waltho, Mrs Westwood, C Wilson, Mrs M Wilson, Ms Wood, J Woodall, P Woodall and Wright, together with the Chief Executive and other Officers.

#### PRAYERS

The Mayor's Chaplain led the Council in prayer.

---

#### 45 APOLOGIES

Apologies for absence were received on behalf of Councillors Mrs Cowell, J R Davies, Foster, P Harley, Islam, Knowles, Mrs P Martin, Mrs Rogers and While-Cooper.

---

#### 46 DECLARATIONS OF INTEREST

Declarations of Personal and Prejudicial interests, in accordance with the Members' Code of Conduct, were made by the following in respect of the matters indicated:

Councillors L Jones, Kettle and C Wilson – Minutes No. 35 and 36 of Stourbridge Area Committee – Personal and Prejudicial interests in view of their membership of the Board of the Mary Stevens Hospice.

Councillor C Wilson – Minute No. 26 of the Stourbridge Area Committee (Capital Allocations – Application by Stourbridge Radio) – Personal and Prejudicial interest in view of having represented the residents of the Dobbins Oak Flats in their request for the removal of the aerial installed by the Stourbridge Radio Group.

Councillor Ms Harris – Minute No. 30 of the Brierley Hill Area Committee (Capital Allocations – Application made by Hawbush and District Community Association) – Personal and Prejudicial interest as an appointed member of the Council on that Association.

Councillor J Jones – Minute No. 30 of the Brierley Hill Area Committee (Capital Allocations – Application made by The Dingle Community Association) – Personal and Prejudicial interest as an appointed member of the Council on that Association.

Councillor Southall – Minute No. 30 of the Brierley Hill Area Committee (Capital Allocations – Application made by The Dingle Community Association) – Personal and Prejudicial interest as an appointed member of the Council on that Association.

Councillor Mrs Faulkner – Minute No. 54 of Halesowen Area Committee (Dudley Group of Hospitals Foundation Trust Membership) – Personal interest as an appointed Governor of the Foundation Trust.

Councillor Taylor – Minute No. 51 of the Halesowen Area Committee (Proposed Traffic Regulation Orders in Shell Corner) – Personal and Prejudicial interest in view of him having an interest in a property in the area covered by the proposed Traffic Regulation Orders.

Councillor K Turner – Minute No. 46 of the Halesowen Area Committee (Emergency Services Issues) – Personal and Prejudicial interest as the Deputy Shadow Leader of West Midlands Fire and Rescue Authority.

Councillor K Turner - Minute No. 55 of the Halesowen Area Committee (Halesowen Town Centre Development) – Personal interest as a member of the Halesowen and Rowley Regis Rotary Club.

Councillor Mrs Aston – Minute No. 20 of the Select Committee on Health and Adult Social Care (West Midlands Ambulance Service) – Personal interest as her son was employed by the West Midlands Ambulance Service.

Councillors Barlow and Mrs Ridley - Minute No. 23 of the Select Committee on Health and Adult Social Care (National Health Service (NHS) White Paper) – Personal interests as NHS employees affected by the proposed changes.

Councillor Ali – Minute No. 27 of the Select Committee on Regeneration, Culture and Adult Education (London 2012 Community Games and Schoolympics) – Personal interest as the Chair of St. Thomas's Community Games Association.

Councillor K Turner – Minute No. 27 of the Select Committee on Regeneration, Culture and Adult Education (London 2012 Community Games and Schoolympics) Personal interest in view of him being involved in initial discussions with the promotion of the Schoolympics.

Councillor K Turner – Minute No. 26 of the Select Committee on Regeneration, Culture and Adult Education (Update on Dudley's Healthy Towns Programme – Recreational Element) – Personal interest as Director/Chairman of Groundwork Black Country.

Councillor J Woodall – Minute No. 32 of the Select Committee on Community Safety and Community Services (The Reluctance of Victims of Domestic Abuse to pursue the matter through the Courts and to the Justice System and to Children in Care of the Local Authority) - Personal interest as a Supplemental Justice of the Peace and his Daughter being a designated Child Protection Officer with the Primary Care Trust.

Councillor Vickers – Minute No. 31 of the Select Committee on Children's Services (Extended Services – Joint Working With Health) – Personal Interest as the Governor of a Children's Centre.

Councillor Vickers – Minute No. 32 of the Select Committee on Children's Services (Aiming High For Disabled Children) – Personal interest as the parent of a child who had used the Council's Palliative Care and Special Educational Needs Services and as a former Chairman and Committee Member of the Dudley Deaf Club.

Councillor Vickers – Minute No. 28 of the Select Committee on Children's Services (Directorate of Children's Services Equality And Diversity Action Plan 2010/11 and Equality and Diversity Annual Report 2009/10) - Personal interest as the Council's Member Champion for Learning Disabilities and as the parent of a child with disabilities.

Councillor Vickers – Minute No. 34 of the Select Committee on Children's Services (Elective Home Education Report For The Academic Year 2009/10) – Personal interest as the parent of a child with special educational needs and as the Chairman of the Management Committee of the Home and Hospital Cherry Tree Learning Centre.

Councillor Vickers – Minute No. 34 of the Select Committee on Children's Services (Elective Home Education Report For The Academic Year 2009/10) – Personal interest as Chairman of the Appeals Panel (Children's Services Transport).

Councillor Vickers – Minute No. 36 of the Select Committee on Children's Services (Update Report on Pensnett Education Campus) – Personal interest as Chairman of the Management Committee of the Short Stay School Service.

Councillor Southall – Minutes Nos. 44 and 47 of the Development Control Committee (References to Planning Applications P10/0764 and P10/0765 relating to Kudos House, Land at Corner of Priory Road and Ednam Road, Dudley) – Personal interest as his daughter was employed by Dudley College.

Councillor Southall – Minute No. 47 of the Development Control Committee (Planning Application No. P10/1133 – Huntingtree Park, Thornhill Road, Halesowen) – Personal interest in view of reference made to football pitches as these may be used by clubs affiliated to the Birmingham County Football Association of which he was a Council Member.

Councillor Mrs H Turner – Minute No. 45 of the Development Control Committee (Planning Application No. P10/1164 – Struggling Man, Prospect Row, Dudley) – Personal and prejudicial interest in view of her knowing the developer.

Councillor Mrs Faulkner - All references in the agenda papers to matters relating to the Dudley Group of Hospitals – Personal interest as an appointed Governor for Dudley Group of Hospital Foundation Trust.

---

47 MINUTES

RESOLVED

That the minutes of the meeting of the Council held on 11<sup>th</sup> October, 2010 be approved as a correct record and signed.

---

48 MAYOR'S ANNOUNCEMENTS

(a) Dudley Peer Participation Group – Active Participation Awards

The Mayor referred to the success of five organisations in the above awards. Following remarks by Councillor Mrs Walker, the Mayor presented the awards to representatives of the organisations concerned and the Council congratulated them on their achievements.

(b) Community Safety Team - Business Crime Partnership Annual Awards

The Mayor reported that the Community Safety Team had been awarded the Chairman's Prize at the Business Crime Partnership's annual awards. Following remarks by Councillor A Turner, the Mayor presented the award to a representative of the Team and the Council congratulated the employees concerned.

(c) Stourbridge - Fairtrade Status

The Mayor announced that Stourbridge had been awarded Fairtrade status. Representatives of the Stourbridge Fairtrade Town Steering Group were present at the meeting and, following comments from Councillor Lowe, the Mayor presented the certificate to representatives of the Group. The Council congratulated all those involved with this achievement.

(d) Apprenticeship Scheme

The Mayor announced the success of the Corporate Learning and Development Team in receiving a national award in connection with the Council's Apprenticeship Scheme. Following remarks by Councillor A Turner, the Mayor presented the award to representatives of the Team and the Council congratulated all those involved.

(e) 28 Peak Challenge

The Mayor congratulated Councillor Waltho on completing the 28 Peak Challenge in aid of local charities. The Council expressed thanks to Councillor Waltho for his commitment and dedication.

(f) Civic Carol Service

The Mayor reminded the Council that the Civic Carol Service would be held on 9<sup>th</sup> December, 2010 at St Mary's Church, Kingswinford.

(g) Mulled Wine and Mince Pie Charity Morning

The Mayor reported that this event would take place in the Mayor's Parlour on 10<sup>th</sup> December, 2010.

(h) Staff Carol Service

The Mayor informed the Council that the Staff Carol Service would be held on 15<sup>th</sup> December, 2010 at St Luke's Church, Dudley (Top Church).

(i) Leo McNicol

The Mayor referred, in sympathetic terms, to the death of former Councillor Leo McNicol. The Council observed a period of silence as a token of respect to his memory. Members paid individual tributes.

---

49 CAPITAL PROGRAMME MONITORING

A report of the Cabinet was submitted.

It was moved by Councillor Mrs Millward, seconded by Councillor L Jones and

RESOLVED

- (1) That the expenditure on Lister Road Depot amounting to £78,000 be approved and included in the Capital Programme, as set out in paragraph 3 of the report now submitted.
- (2) That the refurbishment of Leisure Centre Plant be approved and included in the Capital Programme, as set out in paragraph 4 of the report now submitted.
- (3) That the works to the former Stuart shop and associated buildings at the Red House Glass Cone be approved and included in the Capital Programme, as set out in paragraph 5 of the report now submitted.
- (4) That in connection with Future Skills Dudley (subject to any funding being confirmed), projects be included in the Capital Programme where appropriate, as set out in paragraph 6 of the report now submitted.

- (5) That the capital expenditure within the Dudley Grid for Learning contract be approved and included in the Capital Programme, as set out in paragraph 7 of the report now submitted.
  - (6) That the National Treatment Agency funding be noted and the related expenditure included in the Capital Programme, as set out in paragraph 8 of the report now submitted.
- 

50 REVIEW OF THE LICENSING POLICY

A report of the Cabinet was submitted.

It was moved by Councillor A Turner, seconded by Councillor L Jones and

RESOLVED

That the revised Licensing Policy be approved and adopted.

---

51 ANNUAL REVIEW OF THE CONSTITUTION

A report of the Cabinet was submitted.

It was moved by Councillor A Turner, seconded by Councillor L Jones and

RESOLVED

- (1) That the annual review of the Constitution be deferred pending the receipt of further details of the Government's legislative programme over the next twelve months.
  - (2) That the proposed amendments to the Select Committee Procedure Rules and Protocols, as set out in the Appendix circulated at the meeting, be approved and adopted with immediate effect.
- 

52 APPROVAL FOR THE ADOPTION OF THE BLACK COUNTRY JOINT CORE STRATEGY

A report of the Cabinet was submitted.

It was moved by Councillor L Jones, seconded by Councillor D Blood and

RESOLVED

- (1) That subject to resolution (2) below, the Black Country Joint Core Strategy be approved and adopted.

- (2) That the Cabinet Member for Regeneration, in consultation with the Director of the Urban Environment, be authorised to agree any minor changes to the document prior to adoption.
- 

53 ANNUAL REPORT – MEMBERS' CODE OF CONDUCT

A report of the Standards Committee was submitted.

It was moved by Councillor Kettle, seconded by Councillor Southall and

RESOLVED

That the report and the action points set out in paragraphs 12 to 14 of the report now submitted be approved and adopted.

---

54 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 Chairmen agreed to have reconsidered.

The Mayor wished all Members and Officers a happy Christmas and a peaceful, prosperous new year.

The meeting ended at 7.05 p.m.

MAYOR