

**DUDLEY METROPOLITAN BOROUGH**

**MINUTES OF THE PROCEEDINGS OF THE COUNCIL**  
**AT THE MEETING HELD ON MONDAY, 28<sup>TH</sup> FEBRUARY, 2011**  
**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, Mrs Cowell, Crumpton, J D Davies, J R Davies, Mrs Dunn, Mrs Faulkner, A Finch, K Finch, Ms Foster, Mrs Greenaway, Hanif, Mrs D Harley, P Harley, Ms Harris, Hill, Islam, James, J Jones, L Jones, Mrs Jordan, Kettle, Knowles, Lowe, J R Martin, Mrs P Martin, Mrs Millward, Mottram, Ms Nicholls, Mrs Ridley, Mrs Rogers, Ryder, Mrs Shakespeare, Simms, Southall, Sparks, Stanley, Taylor, A Turner, Mrs H Turner, K Turner, Tyler, Vickers, Mrs Walker, Waltho, Mrs Westwood, Mrs M Wilson, Ms Wood, J 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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55      **APOLOGIES**

Apologies for absence were received on behalf of Councillors G H Davies, M Davis, Ms Partridge, Mrs Roberts, While-Cooper, C Wilson and P Woodall.

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56      **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 Adams and Mrs Rogers – Minute No. 57 of Stourbridge Area Committee – Personal Interest in view of their Presidency and Chairmanship of the Friends of Mary Stevens Park Group respectively.

Councillor Hanif – Minute No. 54 of Stourbridge Area Committee – Personal Interest in view of his relationship with a person attending the Valley Road Youth Centre.

Councillor Mrs Walker – Minute No. 54 of Stourbridge Area Committee – Personal Interest in view of her relationship with a pupil attending the school.

Councillor Attwood – Minute No. 53 of Stourbridge Area Committee – Personal Interest as the Member Champion for cycling.

Councillor Ahmed – Minute No. 56 of Central Dudley Area Committee – Personal Interest in view of the fact that he occasionally worshiped at the Dudley Central Mosque.

Councillor Ali – Minute No. 56 of Central Dudley Area Committee – Personal Interest in view of the fact that he worshiped at the Dudley Central Mosque.

Cllr Ali – Minute No. 75 of Central Dudley Area Committee – Personal and Prejudicial Interest as a Director of the St. Thomas's Community Network.

Councillor Simms – Minute No.64 of North Dudley Area Committee – Personal Interest as his daughter was a candidate for the United Kingdom Youth Parliamentary Elections.

Councillor Taylor – Minute No. 70 of Halesowen Area Committee – 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. 70 of Halesowen Area Committee – Personal and Prejudicial Interest in view him having been the Vice-Chairman for Age Concern and that their business premises were located in the area covered by the proposed Traffic Regulation Orders.

Councillor K Turner – Minute No. 63 of Halesowen Area Committee – Personal Interest as a Member of the West Midlands Fire and Rescue Authority.

Councillor Hill – Minute No. 73 of Halesowen Area Committee – Personal Interest as a Governor of Earls High School.

Councillor James – Minute No. 73 of Halesowen Area Committee – Personal Interest as a Governor of Earls High School.

Councillor Mrs Faulkner – Minute No. 69 of Halesowen Area Committee – Personal Interest as a Governor on the Council of Governors for Dudley Group of Hospitals.

Councillor Tyler – Minute No. 44 of Brierley Hill Area Committee – Personal and Prejudicial Interest as the Chairman of Governors at Maidensbridge Primary School.

Councillor J R Davies – Minute No. 39 of the Select Committee on Community Safety and Community Services – Personal Interest in relation to Dudley Citizens Advice Bureau as he had colleagues who worked for that organisation.

Councillor Islam – Minute No. 27 of the Select Committee on Environment – Personal and Prejudicial Interest in view of the Petitioner and her family being regular clients at a pharmacy where he worked.

Councillor Vickers – Minute No. 43 of the Select Committee on Children’s Services – Personal Interest as the Chairman of the Management Committee of the Short Stay School Service.

Councillor Vickers – Minute No. 44 of the Select Committee on Children’s Services – Personal Interest as the Council’s Member Champion for Learning Disabilities.

Councillor Southall – Minute No. 52 of the Development Control Committee – Personal Interest in Planning Application Nos. P10/0764 and P10/0765 (Kudos House, Land at the Corner of Priory Road and Ednam Road, Dudley) in view of his daughter being employed by Dudley College.

Councillor Mrs H Turner – Minute No. 52 of the Development Control Committee – Personal and Prejudicial Interest in Planning Application No. P10/1164 (Struggling Man, Prospect Row, Dudley) as she knew the developer.

Councillor Southall – Minute No. 56 of the Development Control Committee – Personal and Prejudicial Interest in Planning Application No. P10/1495 (Rear of 15 Witton Street, Norton, Stourbridge) as he was a personal friend of the occupants of 2 Fredericks Close as referred to in the report to the Committee meeting.

Councillor Southall – Minute No. 65 of the Development Control Committee – Personal Interest in Planning Application No. P10/0914 (College Campus, Dudley College, Castle View Campus, The Parade, Dudley) in view of his daughter being employed by Dudley College.

Councillor Mrs H Turner – Minute No. 65 of the Development Control Committee – Personal and Prejudicial Interest in Planning Application No. P10/1627 (Proposed Housing Development, Prospect Row, Dudley), as she knew the developer.

Councillor Southall – Minute No. 70 of the Development Control Committee – Personal and Prejudicial Interest in Planning Application No. P10/1695 (18 Lawnswood Road, Wordsley, Stourbridge) in view of him being acquainted with the applicant and his wife and daughter were patrons of a hairdressing salon operated by the applicant.

Councillor Wright – Minute No. 70 of the Development Control Committee – Personal Interest in Planning Application No. P10/1535 (Land to the rear of 43 – 77 Middlepark Road, Dudley) in view of him being a resident of Midland Heart, which was mentioned in the report to the Committee meeting.

Councillor Mrs Ameson – Minute No. 120 of the Taxis Committee – Personal and Prejudicial Interest as she had reported a driver to the Licensing Enforcement Office.

Councillor Southall – Minute No. 45 of the Tree Preservation Orders Committee (Application No. P10/1428 – 7 Clear View, Kingswinford) – Personal and Prejudicial Interest as he was a personal friend of the objectors.

Councillor Burston – Minute No. 48 of Central Dudley Area Committee – Personal Interest in view of him being employed by CENTRO.

Councillor Burston – Minute No. 65 of North Dudley Area Committee – Personal Interest in view of him being employed by CENTRO.

Councillor Burston – Minutes Nos. 41(b) and (g) of the Brierley Hill Area Committee – Personal Interest in view of him being employed by CENTRO.

Councillor A Finch – Delegated Decision Nos. 21 and 34 – Personal Interest as the Chairman of the Friends of Priory Park.

Councillor Knowles – Agenda Item No. 5(b) (Deployment of Resources: Housing Revenue Account and Public Sector Housing Capital) - Personal Interest as the tenant of two local authority garages.

Councillor Knowles – Agenda Item No. 5(a) (Capital Programme Monitoring) and Delegated Decision No. 10 - Personal Interest as a Governor of Gig Mill Primary School.

Councillor J R Davies – Agenda Item No. 5(b) (Deployment of Resources: Housing Revenue Account and Public Sector Housing Capital) - Personal Interest in view of him having a relative who lived in local authority housing.

Councillor J R Davies - Any reference in the agenda papers to the Revenue Budget Strategy (Funding for Dudley Citizens Advice Bureau) - Personal Interest in view of him having colleagues who worked for the organisation.

Councillor J R Davies – Agenda Item No. 5(b) (References to Adaptations for Persons with Disabilities) - Personal Interest in view of him having a disabled relative who may be affected by the proposals.

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57 MINUTES

RESOLVED

That the minutes of the meeting of the Council held on 29<sup>th</sup> November, 2010 be approved as a correct record and signed.

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58 MAYOR'S ANNOUNCEMENTS

(a) Appointment of Director of Adult, Community and Housing Services

The Mayor welcomed Andrea Pope-Smith to her first meeting of the Council since her appointment as the Director of Adult, Community and Housing Services.

(b) Street Cleansing Team

The Mayor announced that the Street Cleansing Team had again been successful in the Association for Public Service Excellence awards. Following remarks by Councillor Adams, the Mayor presented the award to representatives of the Team and the Council congratulated all those involved.

(c) Street Lighting Team

The Mayor announced that the Street Lighting Team had received recognition in the Association of Signals, Lighting and other Highway Electrical Contractors Awards. Following remarks by Councillor Adams, the Mayor presented the certificate to the Manager of the Team and the Council congratulated all the employees concerned.

(d) Charity Tea Dance

The Mayor announced that there would be a Charity Tea Dance on 14<sup>th</sup> March, 2011 at Kingswinford Community Centre.

(e) Mayor's Charity Ball

The Mayor referred to the arrangements for his Charity Ball to be held on 25<sup>th</sup> March, 2011 at the Village Hotel, Dudley.

(f) Death of Alderman J Poyner MBE and former Councillor P Coleman

The Mayor referred to the recent deaths of Alderman Jock Poyner MBE and former Councillor Peter Coleman. The Council observed a period of silence as a token of respect to their memory. Members paid individual tributes.

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59 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 extra Kickstart funding be noted and added to the Housing Assistance capital budget, as set out in paragraph 5 of the report now submitted.
- (2) That the Adult Social Care grant allocations be noted, and the associated spend included in the Capital Programme, as set out in paragraph 6 of the report now submitted.

- (3) That, subject to agreement at West Midlands level, the Local Transport capital allocations be noted and the associated expenditure included in the Capital Programme, as set out in paragraph 7 of the report now submitted.
- (4) That subject to the relevant element of the Revenue Budget Strategy being agreed, the capital expenditure to be funded from prudential borrowing in relation to Gornal Wood Crematorium be included in the Capital Programme, as set out in paragraph 8 of the report now submitted.
- (5) That any expenditure funding from developers' "Section 106", towards green space, nature conservation, environmental protection and public realm improvements be included in the Capital Programme as appropriate, as set out in paragraph 9 of the report now submitted.
- (6) That the 2011/12 grant allocations for schools' capital projects be noted and the associated spend included in the Capital Programme, as set out in paragraph 10 of the report now submitted.
- (7) That the Treasurer be authorised, in consultation with the Cabinet Member for Finance, to approve any Capital expenditure in furtherance of the current and future Corporate Information and Communication Technology (ICT) Strategies, and amend the Capital Programme as appropriate, as set out in paragraph 11 of the report now submitted.
- (8) That the urgent amendments to the Capital Programme, as set out in paragraphs 12 to 18 of the report now submitted, be noted.
- (9) That the Prudential Indicators as required to be determined by the Chartered Institute of Public Finance and Accountancy (CIPFA) Prudential Code for Capital Finance in Local Authorities and the Local Government Act 2003, as set out in Appendix A to the report now submitted, be approved.
- (10) That the Minimum Revenue Provision (MRP) Policy for 2011/12, and updated Policy for 2009/10, be as set out in paragraph 22 of the report now submitted.

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60 DEPLOYMENT OF RESOURCES: HOUSING REVENUE ACCOUNT AND PUBLIC SECTOR HOUSING CAPITAL

A report of the Cabinet was submitted.

It was moved by Councillor Simms, seconded by Councillor L Jones and

## RESOLVED

- (1) That the revised Housing Revenue Account (HRA) budget for 2010/11 and the HRA budget for 2011/12, as outlined in Appendix 1 to the report now submitted, be approved.
- (2) That the public sector housing revised capital budget for 2010/11 and the capital budget for 2011/12 be approved and that the provisional programme for 2012/13 to 2015/16, attached as Appendix 2 to the report now submitted, be noted.
- (3) That the Director of Adult, Community and Housing Services and the Director of Corporate Resources be authorised to bid for and enter into funding arrangements for additional resources to supplement investment in the public sector housing stock as referred to in paragraphs 26 and 27 of the report now submitted.
- (4) That the Director of Adult, Community and Housing Services, in consultation with the Cabinet Member for Housing, Libraries and Adult Learning, be authorised to manage and allocate resources to the capital programme as referred to in paragraph 28 of the report now submitted.
- (5) That the Council confirms that all capital receipts arising from the sale of HRA assets (other than those specifically committed to support private sector housing) will continue to be used for the improvement of council homes, as referred to in paragraph 28 of the report now submitted.
- (6) That the Director of Adult, Community and Housing Services be authorised to procure and enter into contracts for the delivery of the capital programme, as referred to in paragraph 29 of the report now submitted.
- (7) That a revised Medium Term Financial Strategy be submitted to the Cabinet, when this information is available, as referred to in paragraph 31 of the report now submitted.

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## 61 ESTABLISHMENT OF A SHADOW DUDLEY HEALTH AND WELL-BEING BOARD

A report of the Cabinet was submitted.

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

RESOLVED

- (1) That a Shadow Dudley Health and Well-Being Board be appointed with the Membership and Terms of Reference as set out in Appendices 1 and 2 to the report now submitted.
- (2) That the Director of Corporate Resources, in consultation with the Leader and the Cabinet Member for Adult and Community Services, be authorised to amend the Membership and Terms of Reference of the Board in accordance with any recommendations made by the Shadow Board.

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62 TREASURY MANAGEMENT

A report of the Audit Committee was submitted.

It was moved by Councillor Taylor, duly seconded and

RESOLVED

- (1) That the treasury activities in 2010/11, as outlined in the report now submitted, be noted.
- (2) That the Treasury Strategy 2011/12, attached as Appendix 2 to the report now submitted, be approved.
- (3) That the Treasurer be authorised to effect such borrowings, repayments and investments as are appropriate and consistent with the approved Treasury Strategy and relevant guidance.

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63 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 meeting ended at 8.45 p.m.

MAYOR