

DUDLEY METROPOLITAN BOROUGH

MINUTES OF THE PROCEEDINGS OF THE COUNCIL
AT THE MEETING HELD ON MONDAY 10TH APRIL, 2006
AT 6.00 PM AT THE COUNCIL HOUSE, DUDLEY

PRESENT:-

Councillor Kettle (Mayor)
Councillor J Woodall (Deputy Mayor)
Councillors Adams, Ali, Mrs. Ameson, Mrs. Aston, Banks, Blood, Body, Boys, Bradney, Burston, Burt, Caunt, Mrs. Collins, Cotterill, Mrs. Coulter, Mrs. Cowell, Ms. Craigie, Crumpton, G. H. Davies, J. R. Davies, M. Davis, Debney, Donegan, Mrs. Dunn, Evans, Mrs. Faulkner, Finch, Ms. Foster, Fraser-Macnamara, Harley, Ms. Harris, Ms. Hart, Islam, Jackson, James, Johnston, Jones, Mrs. Jordan, Knowles, Male, Mrs. Martin, Miller, Mrs. Millward, Mottram, Musk, Ms. Nicholls, Ms. Partridge, Mrs. Patrick, Mrs. Pearce, Rahman, Mrs. Ridley, Rogers, Ryder, Mrs. Shakespeare, Simms, Southall, Sparks, Stanley, Taylor, Tomkinson, A. Turner, Mrs. H. Turner, K. Turner, Tyler, Vickers, C. Wilson, C. L. Woodall and Wright; together with the Chief Executive and other Officers.

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PRAYERS

The Mayor's Chaplain, the Reverend Tony Attwood led the Council in prayer.

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APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received on behalf of Councillors Attwood and Mrs Wilson.

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DECLARATIONS OF INTEREST

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

Councillor Burston - Minute No. 58 of Stourbridge Area Committee - Remodelling of Stourbridge Bus Station - Personal interest due to employment by CENTRO.

Councillor Burston - Minute No. 68 of Stourbridge Area Committee - Stourbridge Night Bus Services - Personal interest due to employment by CENTRO.

Councillor Burston - Minute No. 60 of the Select Committee on Economic Regeneration - Bus Passes/Patronage - Personal interest due to employment by CENTRO.

Councillor Burston - Minute No. 112 (iv) of the Development Control Committee - Redevelopment of Halesowen Bus Station - Personal interest due to employment by CENTRO.

Councillor Burston - Minute No. 70 of North Dudley Area Committee - Transport Issues - Personal interest due to employment by CENTRO.

Councillor Burston - Delegated Decisions 29 and 30 - Appointments to the Autism Outreach Team - Personal interest as Chairman of the Autism Black Country Support Group (formerly Dudley Autistic Resource Team).

Councillor Burston - Minute No. 81 of the Select Committee on Lifelong Learning - Earls High School OFSTED inspection - Personal interest as a Governor of Earls High School.

Councillor M Davis - All items relating to Social Services business - Personal interest as a service user.

Councillor J R Davies - Minute No. 87 of Central Dudley Area Committee - Capital Allocations. Personal interest as an attendee at meetings of, Friends of Buffery Park, Friends of Green Park and the Kates Hill and Sledmere Community Association.

Councillor J R Davies - Minute No. 39 of the Select Committee on Culture and Recreation - Equality and Diversity Annual Report. Personal interest as an attendee at meetings of parks groups.

Councillor Mrs H Turner – Agenda Item 5(b) - Capital Programme Monitoring (Children's Centres Programme). Personal and prejudicial interest as Governor at Olive Hill School.

Councillor Jones – Agenda Item 5(b) - Capital Programme Monitoring (Children's Centres Programme). Personal and prejudicial interest as Governor of Hob Green Primary School.

Councillor Mrs Coulter – Minute No. 86 of Central Dudley Area Committee (Applications in respect of Land and Property Owned by the Council) - Personal and prejudicial interest – Personal friend lives in 110 New Road, Netherton.

Councillor Mrs Coulter – Minute No. 87 of Central Dudley Area Committee (Capital Allocations). Personal and prejudicial interest – Personal friend is Chairperson of Friends of Netherton Park.

Councillor Donegan – Agenda Item 5(b) - Capital Programme Monitoring (Children's Centres Programme). Personal and prejudicial interest as Governor of Tenterfields Primary School.

Councillor Harris – Agenda Item 5(e) - Children and Young Peoples Plan. Personal interest as Chair of Dudley Beacon and Castle Primary Care Trust (PCT) and Chair of the PCT's Merger Board - due to the relationship of the PCT's as partner and provider of Child and Adolescent Mental Health Services.

Councillor Mrs. Collins – Minutes Nos. 61 (Capital Allocations-Stourbridge Radio Group) and 66 (Lye and Wollescote Cemetery Chapel) of Stourbridge Area Committee - Personal and prejudicial interests in view of her son being Chairman of the Stourbridge Radio Group and a Director of the West Midlands Historic Buildings Trust, respectively.

Councillors Adams and Rogers – Minute No. 62 of Stourbridge Area Committee (Friends of Mary Stevens Park - Application to hold a Family Fun Day and Cycle Races) – Personal and prejudicial interests in view of their membership of the Friends of Mary Stevens Park.

Councillor Jones – Minute No. 60 of Stourbridge Area Committee - Land adjacent to 23 Rye Croft, Wollescote. Personal and prejudicial interest in view of governorship of Hob Green Primary School.

Councillors Adams and Rogers – Minute No. 75 of Stourbridge Area Committee (Capital Allocations - Application by the Friends of Mary Stevens Park). Personal and prejudicial interest in view of their being President and Vice Chairman, respectively, of the Friends of Mary Stevens Park.

Councillor Mrs. Cowell – Minute No. 75 of Stourbridge Area Committee (Capital Allocations - Application by Withymoor Colts). Personal and prejudicial interest in view of her granddaughter being a member of the football team.

Councillor Debney – Minute No. 88 of Brierley Hill Area Committee (Proposed Skatepark Provision). Personal interest as Members of the Friends of Wordsley Park Group were known to him.

Councillor Tomkinson – Minute No. 89 of Brierley Hill Area Committee (Capital Allocations). Personal interest as members of the Management Committee of Pensnett Community Centre were known to her.

Councillor Southall - Minute No. 88 of Brierley Hill Area Committee (Proposed Skatepark Provision). Personal interest as a member of the Friends of Wordsley Park Group.

Councillor Southall - Minute No. 89 of Brierley Hill Area Committee (Capital Allocations). Personal interest as members of the St Mary's Church were personally known to him.

Councillor Ali – Minute No. 87 of Central Dudley Area Committee (Capital Allocations - Application by Kates Hill and Sledmere Community Association). Personal and prejudicial interest in view of being Chairman of the Association.

Cllr C Woodall – Minute No. 87 of Central Dudley Area Committee (Capital Allocations - Application by Kates Hill and Sledmere Community Association). Personal interest in view of his being a Member of the Association.

Councillor M Davis – Minute No. 83 of Central Dudley Area Committee (Youth Issues). Personal interest in view of his two sons being in attendance at the Area Committee meeting.

Councillor Body – Minute No. 90 of Halesowen Area Committee (Delegated Capital Budget). Personal and prejudicial interest in view of him being the Chairman of the Cradley Community Centre.

Councillor Crumpton – Minute No. 90 of Halesowen Area Committee (Delegated Capital Budget). Personal and prejudicial interest in view of him being a Trustee of the Cradley Community Centre.

Councillor Burston – Minute No. 95 of Halesowen Area Committee (Halesowen Town Centre – Transport and Regeneration Issues). Personal interest due to employment by CENTRO.

Councillor K Turner – Minute No. 90 of Halesowen Area Committee (Delegated Capital Budget). Personal and prejudicial interest in view of being a regular attendee and registered on the church electoral roll of St Margaret's Church, Hasbury, and also a personal interest in view of being an associate of the applicant who had submitted the application for 2nd Cradley (St Peter's) Scouts.

Councillor Mrs H Turner – Minute No. 90 of Halesowen Area Committee (Delegated Capital Budget) in view of being a regular attendee and registered on the church electoral roll of St Margaret's Church, Hasbury.

Councillor Taylor – Minute No. 96 of Halesowen Area Committee (The Leasowes Restoration). Personal interest in view of Membership of the Friends of Leasowes Park.

Councillor J Woodall – Minute No. 90 of Halesowen Area Committee (Delegated Capital Budget) in view of being a member of Halesowen Group of Church of England Churches.

Councillor J Woodall – Minute No. 96 of Halesowen Area Committee (The Leasowes Restoration). Personal interest in view of Membership of the Friends of Leasowes Park.

Councillors G H Davies and Stanley – Minute No. 71 of North Dudley Area Committee (Public Forum relating to the issue of planning permission being sought for a residence in Sandyfield Road for use as a children's home) - Members of the Development Control Committee.

Councillor Mrs Coulter – Minute No. 73 and 74 of the Select Committee on Lifelong Learning (Data trends and developments relating to attendance at exclusions in respect of Dudley's Schools for the 2004/05 Academic Year and Performance Data respectively). Personal interest in view of Governorship of Netherton Church of England School and Chair of the Pupil Referral Unit Management Committee.

Councillor Ms. Hart – Minutes of the Select Committee on Lifelong Learning in respect of matters of school exclusion and performance assessment – Personal interest in view of Governorship of Russells Hall Primary School.

Councillor Johnston – Minutes of the Select Committee on Lifelong Learning in respect of matters relating to Wrens Nest Primary School, St. Edmunds Church of England School and Castle High School. Personal interest in view of Governorship of these schools and in respect of Minute No. 76 (Quarterly Corporate Performance Monitoring Report), in view of his being the Chair of Castle and Priory Area Regeneration Board.

Councillor Mrs Pearce – Minutes of the Select Committee on Lifelong Learning – Personal interest in view of her Governorship at Milking Bank Primary School and at Fairhaven Primary School.

Councillor Mrs Ridney – Minute No. 73 of the Select Committee on Lifelong Learning (Data trends and developments relating to attendance and exclusions in respect of Dudley's School for the 2004/05 Academic Year) – Personal interest in view of Governorship of The Coseley School, Christ Church Primary and Netherton Church of England Primary Schools.

Councillor Wright - Minutes of the Select Committee on Lifelong Learning – Personal interest in view of Governorship of the Straits Primary School and of Ellowes Hall School and Sports College.

Councillor Mrs. Ridney – Minute No. 81 of the Select Committee on Lifelong Learning (School OFSTED Inspection Reports) – Personal interest insofar as it related to Hurst Hill Primary School in view of Governorship of that school.

Councillor K Turner – Minute No. 39 of the Select Committee on Culture and Recreation (Equality and Diversity Annual Report Action Plan) – Personal interest as Vice Chairman, Treasurer and Chairman of the Finance General Purpose Committee, Groundwork Black Country.

Councillor James – Minute No. 112(i) of the Development Control Committee - Planning Application P05/2741 – 330 Hagley Road, Stourbridge – Two storey and 1st floor side extensions to create garage with enlarged bedroom and en-suite above (resubmission of refused application P05/2347) – Personal interest insofar as the applicant's father was known to him.

Councillor Caunt – Minute No. 136 of the Cabinet (Birmingham International Airport - Draft Airport Master Plan) – Personal and prejudicial interest in view of his directorship of Birmingham Airport Holdings Limited.

Councillor Vickers – Minute No. 143 of the Cabinet and Agenda Item 5(b) (Capital Programme Monitoring) – Personal and prejudicial interest in the paragraph relating to Children's Services in view of his Governorship of one of the Schools concerned.

Councillor Ms. Harris – Minutes Nos.138, 139 and 140 of the Cabinet (the Principles of the Children's Services Directorate, the Structure of the Directorate of Children's Services and Children and Young People's Plan, respectively), in view of her Chairmanship of the Dudley Beacon and Castle Primary Care Trust and the relationship of that body with the Council as partner and budget holder.

Councillor Fraser-Macnamara – Minute No. 112(iii) of the Development Control Committee (Plan No. P05/2150 – 19 Greenhill Road, Halesowen – Demolition of existing dwelling and erection of 2 detached 3 bedroom houses and 2 split-level bungalows all with garages) – Personal and prejudicial interest as clients of Fraser-Macnamara Solicitors.

Councillor Stanley – Minute No. 143 of the Cabinet and Agenda Item 5(b) (Capital Programme Monitoring) – Personal and prejudicial interest in the paragraph relating to Children's Services in view of his Governorship of Roberts Primary School.

Councillor Fraser-Macnamara – Agenda Item 5(d) – Dudley Economic Strategy 2006/07 - Personal interest in view of his involvement with the Princes' Trust.

Councillor Mrs Shakespeare stated that she had previously declared a prejudicial interest in Minute No. 92 of Halesowen Area Committee (G Clancey Limited and Fish 4 Dogs, Saltbrook Industrial Estate, Cradley) in view of her position as the Cabinet Member for the Environment. Subsequently, she had been advised that this did not constitute a prejudicial interest under the terms of the Code of Conduct. Councillor Shakespeare indicated that she would remain in the meeting during any debate on this matter, however, she would play no part in the discussion in the event that she may be required to make a decision at a later date in her capacity as Cabinet Member for the Environment.

Further, in connection with Minute No. 92 of Halesowen Area Committee (G Clancey Limited and Fish 4 Dogs, Saltbrook Industrial Estate, Cradley), it was noted that Members of the Development Control Committee would remain in the meeting during any debate on this matter, however, they would play no part in the discussion.

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MINUTES

RESOLVED

That the minutes of the meetings of the Council held on 27th February and 6th March, 2006 be approved as correct records and signed.

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MAYOR'S ANNOUNCEMENTS

(a) Corporate Estates Services – Directorate of Law and Property – Charter Mark

The Council was informed that the Corporate Estates Division of the Directorate of Law and Property had again been awarded a Charter Mark. The Council congratulated all employees involved and the Mayor presented the Charter Mark award to staff representatives.

(b) St. George's Day Celebrations

The Mayor reported on events taking place in Dudley Town Centre on 22nd April, 2006 to celebrate St. George's Day.

(c) Councillors Not Seeking Re-election

The Mayor reported that Councillors Boys, Musk, Mrs Patrick and C. L. Woodall were not seeking re-election on 4th May, 2006. Tributes were paid to the retiring Members for their public service to the Council.

(d) Photograph of Council Meeting

Pursuant to Council Procedure Rule 24.5, the Council consented to a photograph being taken whilst the meeting was in progress.

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COUNCIL PLAN REVIEW

A report of the Cabinet was submitted.

It was moved by Councillor Caunt, seconded by Councillor Fraser-Macnamara and

RESOLVED

- (1) That the policy framework of the revised Council Plan be approved.
 - (2) That the alignment of strategic plans to the Council Plan framework be noted.
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84

CAPITAL PROGRAMME MONITORING

A report of the Cabinet was submitted.

It was moved by Councillor Caunt, seconded by Councillor Fraser-Macnamara and

RESOLVED

- (1) That the increased Disabled Facilities Grant Allocation be noted, and that the Capital Programme be amended accordingly, as set out in paragraph 3 of the report.
- (2) That the Sedgley Superloo project be approved and included in the Capital Programme, as set out in paragraph 4 of the report.
- (3) That the expenditure of the Waste Performance and Efficiency Grant for 2006/07 be approved and included in the Capital Programme, as set out in paragraph 5 of the report.
- (4) That the expenditure on developing the Green Waste Collection service be approved and included in the Capital Programme, as set out in paragraph 6 of the report.

- (5) That the expenditure on fencing off Stepshaft Mine be approved and included in the Capital Programme, as set out in paragraph 7 of the report.
 - (6) That the potential shortfall in funding for the Phase 2 Children's Centre Programme be noted; that the Cabinet Member for Education and Lifelong Learning be authorised to make representations to the Department for Education and Skills concerning the inadequacy of the funding available; and that subject to continued scrutiny with a view to reducing costs, other funding being sought, and to no commitment being entered into for which funding is not secure, the Phase 2 Children's Centre programme be approved, and the individual projects be included in the Capital Programme, as set out in paragraph 8 of the report.
 - (7) That the expenditure on the acquisition and demolition of properties in the Cavendish Quarter be included in the Capital Programme, as set out in paragraph 9 of the report.
 - (8) That the Urgent Amendment to the Capital Programme, as set out in paragraph 10 of the report, be noted.
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85

REVISION OF THE LOCAL DEVELOPMENT SCHEME

A report of the Cabinet was submitted.

It was moved by Councillor Jones, seconded by Councillor Fraser-Macnamara and

RESOLVED

- (1) That the Local Development Scheme for the period 2006-09 be approved as the operational Local Development Scheme (LDS) for the Borough and submitted to the Government Office for the West Midlands in accordance with the Planning and Compulsory Purchase Act, 2004 subject to resolutions (2) and (3) below.
- (2) That, should changes to the timescales involved on some documents be necessary as a consequence of the commitment of the four Black Country Boroughs working together to produce a joint core strategy, the Cabinet Member for Economic Regeneration, in consultation with the Director of the Urban Environment, be authorised to approve any minor changes.

- (3) That, should significant changes be required, the LDS be submitted to the Cabinet for approval before its submission to the Government Office for the West Midlands.
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86

DUDLEY ECONOMIC STRATEGY 2006/07

A report of the Cabinet was submitted.

It was moved by Councillor Jones, seconded by Councillor Fraser-Macnamara and

RESOLVED

- (1) That the revised Economic Strategy for Dudley Metropolitan Borough for 2006/07, as summarised in Appendix 1 to the report, be approved.
- (2) That a full copy of the revised Economic Strategy be placed in the Members' Room for future reference.
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CHILDREN AND YOUNG PEOPLE'S PLAN

A report of the Cabinet was submitted.

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

RESOLVED

That the adoption of the Children and Young People's Plan be confirmed and endorsed.

88

ANNUAL REPORT OF THE SELECT COMMITTEE ON COMMUNITY SAFETY

A report of the Chairman of the Select Committee on Community Safety was submitted. In moving the report, the Chairman thanked all Members and Officers involved for their work in connection with the Select Committee and its Working Groups during the year.

It was moved by Councillor Blood, seconded by Councillor Fraser-Macnamara and

RESOLVED

That the annual report of the Select Committee on Community Safety for 2005/06 be approved and adopted.

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ANNUAL REPORT OF THE SELECT COMMITTEE ON THE ENVIRONMENT

A report of the Chairman of the Select Committee on the Environment was submitted. In moving the report, the Chairman thanked all Members and Officers involved for their work in connection with the Select Committee and its Working Groups during the year.

It was moved by Councillor Mrs Cowell, seconded by Councillor Fraser-Macnamara and

RESOLVED

That the annual report of the Select Committee on the Environment for 2005/06, together with the recommendations set out in the supplementary paper as now circulated, be approved and adopted.

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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.

The meeting ended at 8.42 pm

MAYOR