

## **Dudley Metropolitan Borough**

### **Minutes of the proceedings of the Council at the Meeting held on Monday, 14<sup>th</sup> July, 2014 at 6.00 pm at the Council House, Dudley**

#### **Present:**

Councillor M Aston (Mayor)

Councillors A Ahmed, K Ahmed, S Ali, A Aston, M Attwood, N Barlow, C Baugh, C Billingham, H Bills, D Blood, R Body, P Bradley, D Branwood, P Brothwood, K Casey, D Caunt, I Cooper, B Cotterill, J Cowell, T Crumpton, W Duckworth, C Elcock, B Etheridge, S Etheridge, M Evans, A Finch, K Finch, J Foster, A Goddard, C Hale, M Hanif, P Harley, R Harris, D Hemingsley, T Herbert, Z Islam, R James, L Jones, K Jordan, I Kettle, P Lowe, I Marrey, J Martin, P Martin, P Miller, M Mottram, N Neale, G Partridge, C Perks, D Perks, M Roberts, H Rogers, D Russell, R Scott-Dow, K Shakespeare, D Sparks, A Taylor, E Taylor, H Turner, K Turner, S Turner, D Tyler, D Vickers, M Wood, M Wilson and Q Zada together with the Chief Executive and other Officers.

#### **Prayers**

The Mayor's Chaplain led the Council in prayer.

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#### 16 **Apologies for Absence**

Apologies for absence were received on behalf of the Deputy Mayor (Councillor S Waltho) and Councillors S Arshad, S Henley, N Gregory and G Simms.

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#### 17 **Declarations of Interests**

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

Councillor P Harley – Minute No. 6 of the Children's Services Scrutiny Committee (Annual Scrutiny Programme 2014/15) – Non-pecuniary interest as a Governor at the Brier School.

Councillor D Tyler – Minute No. 7 of the Overview and Scrutiny Management Board (Annual Scrutiny Programme 2014/15) in relation to the proposed scrutiny of the work and priorities of the West Midlands Police and Crime Commissioner – Non-pecuniary interest as a Member of the West Midlands Police and Crime Panel.

Councillor M Roberts – Minute No. 82(iii) of the Development Control Committee – Plan No P13/1751 (Dudley College, The Broadway, Dudley) and Minute No. 82(iv) – Plan No P13/1758 – (Evolve, Dudley College, Tower Street, Dudley) – Non-pecuniary interest as a colleague of the speaker.

Councillor D Caunt – Minute No 82(ii) of the Development Control Committee – Plan No P11/0107 (Land at Lowndes Road/Bradley Road, Stourbridge) – Non-pecuniary interest as Chairman of Stourbridge Navigation Trust.

Councillor C Perks – Minute No. 90(i) of the Development Control Committee – Plan No P14/0270 (1 Whittington Road, Norton, Stourbridge) – Non-pecuniary interest as she knew the objector speaking on the application.

Councillor K Casey – Minute No. 4 of the Development Control Committee – Plan No P13/1264 (Oak Farm Quarry, Crooked House Lane, Himley) - Non-pecuniary interest as he worked for the Member of Parliament referred to in the report.

Councillor Q Zada – Minute No. 4 of the Development Control Committee – Plan No P14/0444 (24/28 Brick Kiln Street, Brierley Hill) – Pecuniary interest as he owned the property and the applicant was a family member.

Councillors J Cowell and M Hanif – Minutes of the Ernest Stevens Trusts Management Committee – Non-pecuniary interests as Trustees of the Mary Stevens Hospice.

Councillor T Crumpton - All matters affecting schools - Non-pecuniary interest as a relative worked as a supply teacher.

Councillor A Aston – All matters relating to West Midlands Ambulance Service (WMAS) – Pecuniary interest as an employee of WMAS.

Councillor S Turner – Any references to matters concerning Dudley College – Pecuniary interest in view of his employment as a Lecturer.

Councillor Q Zada – Issues relating to Children, Young People and Families – Non-pecuniary interest as an employee of Black Country Partnership NHS Trust.

Councillors M Evans, D Hemingsley, D Sparks and D Tyler – Agenda Item No. 5(a) (Capital Programme Monitoring) – reference to Castle Hill Development – Non-pecuniary interests as trustees of Dudley Zoo.

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18 **Minutes**

Resolved

That the minutes of the annual meeting of the Council held on 5<sup>th</sup> June, 2014, be approved as a correct record and signed.

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**Mayor's Announcements**(a) John Woodall, Doris Tromans and Bob Jones

The Mayor referred in sympathetic terms to the recent deaths of former Councillor John Woodall, the former Mayoress Doris Tromans and Bob Jones, West Midlands Police and Crime Commissioner. The Council observed a period of silence as a token of respect to their memory. Members of the Council then paid individual tributes.

(b) Councillor David Sparks - Chairman of the Local Government Association

The Mayor congratulated Councillor David Sparks following his formal election as the Chairman of the Local Government Association.

(c) Charity Cricket Match - 20<sup>th</sup> June, 2014

The Mayor expressed thanks to everyone involved in the Members versus Officers Charity Cricket match held on 20<sup>th</sup> June, 2014. The event had raised £1,000 for the Mayor's Charity Fund. The Mayor presented the winner's trophy to John Polychronakis and the runners-up trophy to Councillor M Hanif.

(d) Black Country Day – 14<sup>th</sup> July, 2014

The Mayor reported on 'Black Country Day' and expressed thanks for all the events that have been organised to celebrate the occasion.

(e) Armed Forces Day - 29<sup>th</sup> June, 2014

The Mayor expressed thanks to everyone involved in organising and supporting Armed Forces Day on 29<sup>th</sup> June, 2014.

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**Capital Programme Monitoring**

A report of the Cabinet was submitted.

It was moved by Councillor Sparks, seconded by Councillor Lowe and

Resolved

- (1) That the outturn position for 2013/14, as set out in paragraphs 3 and 4 and Appendix A to the report be noted.
- (2) That current progress with the 2014/15 Capital Programme, as set out in Appendix B to the report be noted, and that budgets be amended to reflect the reported variance.

- (3) That the Disabled Facilities Grant funding allocations be noted, and the associated expenditure included in the Capital Programme, as set out in paragraph 7 of the report.
  - (4) That a budget of £192,000 for the refurbishment of Holloway Hall Chambers to provide new Council homes be included in the Capital Programme as set out in paragraph 8 of the report.
  - (5) That the Community Capacity Grant allocation be noted and that the associated spend on relevant Adult Personal Social Services projects be included in the Capital Programme as set out in paragraph 9 of the report.
  - (6) That subject to the grant application being successful, the Castle Hill Development Extension project be approved and included in the Capital Programme, as set out in paragraph 10 of the report.
  - (7) That the project to extend Dudley Cemetery be approved and included in the Capital Programme, as set out in paragraph 11 of the report.
  - (8) That the funding allocation for the Cradley Forge Mushroom Green Embankment be noted, and the project included in the Capital Programme as set out in paragraph 12 of the report.
  - (9) That the capital expenditure of £100,000 funded by the pothole grant be included in the Capital Programme, as set out in paragraph 13 of the report.
  - (10) That the urgent amendment to the Capital Programme, as set out in paragraph 14 of the report, be noted.
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21 **Revenue Outturn 2013/14 and Medium Term Financial Strategy**

A report of the Cabinet was submitted.

It was moved by Councillor S Turner, seconded by Councillor Lowe and

Resolved

- (1) That an 'Expressions of Interest' process for voluntary redundancy be opened from July until early September 2014 with clear communication relating to priority being given to areas of savings and that the process will be for a register to be held for future consideration, including budget saving requirements and service restructures.
- (2) That Directors, through Human Resources, continue to offer the opportunity of volunteering for redundancy to any employee whose service is undergoing a restructure involving the saving of posts as some employees that did not express an interest through the corporate process might wish to consider this option if and when their service is reviewed.

- (3) That the delegation of approvals be continued, namely the delegation of voluntary redundancies to the Cabinet Member for Human Resources, Legal, Property and Health and the Director of Corporate Resources, and the delegation of compulsory redundancies to the Cabinet Member for Human Resources, Legal, Property and Health and the Assistant Director for Human Resources and Organisational Development.
- (4) That the 2014/15 General Fund revenue budget be amended to reflect the current year savings set out in paragraph 25 of the report.

Pursuant to Council Procedure Rule 16.4, at the demand of in excess of six members present at the meeting, the voting on the above resolution was recorded as follows:

For (38):

Councillors A Ahmed, K Ahmed, S Ali, A Aston, M Aston, C Baugh, H Bills, R Body, D Branwood, K Casey, I Cooper, B Cotterill, J Cowell, T Crumpton, A Finch, K Finch, J Foster, C Hale, M Hanif, R Harris, D Hemingsley, T Herbert, Z Islam, K Jordan, P Lowe, I Marrey, J Martin, M Mottram, G Partridge, C Perks, M Roberts, D Russell, D Sparks, E Taylor, S Turner, D Tyler, M Wilson and Q Zada.

Against (28):

Councillors M Attwood, N Barlow, C Billingham, D Blood, P Bradley, P Brothwood, D Caunt, C Elcock, B Etheridge, S Etheridge, M Evans, A Goddard, P Harley, R James, L Jones, I Kettle, P Martin, P Miller, N Neale, D Perks, H Rogers, R Scott-Dow, K Shakespeare, A Taylor, H Turner, K Turner, D Vickers and M Wood.

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22 **Consultation on the Community Infrastructure Levy (CIL) revised Draft Charging Schedule and recommendation to Council for subsequent submission**

A report of the Cabinet was submitted.

It was moved by Councillor J Foster, seconded by Councillor Lowe and

Resolved

- (1) That following public consultation, the Community Infrastructure Levy (CIL) Draft Charging Schedule be submitted to the Secretary of State for Independent Examination in accordance with Regulation 19 of the CIL Regulations 2010.

- (2) That authority be delegated to the Director of the Urban Environment, in consultation with the Leader of the Council and the Cabinet Member for Regeneration, to agree any minor changes to the document prior to submission to the Secretary of State.
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23 **Food Service Plan 2014/15**

A report of the Cabinet was submitted.

It was moved by Councillor R Harris, seconded by Councillor Lowe and

Resolved

That the Food Service Plan for 2014/15 be approved and adopted.

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24 **Membership of the Children's Services Scrutiny Committee**

A report of the Overview and Scrutiny Management Board was submitted.

It was moved by Councillor D Tyler, seconded by Councillor Lowe and

Resolved

That the amendments to the co-opted membership of the Children's Services Scrutiny Committee be approved, as outlined in the report, namely to retain the statutory co-opted members and that the Scrutiny Committee be requested to establish a pool of specialist/key contacts to be invited to advise the Committee, attend or give evidence at meetings, as appropriate, depending on the specific topics under discussion.

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25 **Notice of Motion**

Pursuant to Council Procedure Rule 12, Councillor K Turner had given notice of a motion on 28<sup>th</sup> May, 2014.

The following motion was moved by Councillor K Turner and seconded by Councillor S Etheridge.

"This Council agrees to a reduction in the numbers of elected representatives serving each and every ward, such numbers to be adjusted to two per ward.

It further requests that the Leader of this Council submits an application for such a review of the composition of the Council to the Local Government Boundary Commission at the earliest opportunity.

We all agree that our principal aims in accepting election is to serve our constituents and these actions will demonstrate our true commitment."

The following amendment was moved by Councillor M Wood and seconded by Councillor P Harley.

“That the motion be amended by the inclusion of the additional words shown below in bold italics:

This Council agrees to a reduction in the numbers of elected representatives serving each and every ward, such numbers to be adjusted to two per ward.

It further requests that the Leader of this Council submits an application for such a review of the composition of the Council to the Local Government Boundary Commission at the earliest opportunity. ***It instructs the Leader of the Council to launch a consultation on changing to whole-council elections and to present a resolution to the Council no later than the end of 2014 to hold whole-council elections in 2015 and every four years thereafter.***

***This Council does not believe that it would be appropriate for such changes to be accompanied by an increase in Members' Allowances.***

We all agree that our principal aims in accepting election is to serve our constituents and these actions will demonstrate our true commitment.”

Following a debate, the amendment was put to the vote and lost.

A closure motion was moved by Councillor D Caunt, duly seconded and

Resolved

That the question be now put.

Councillor K Turner decided not to exercise his right of reply to the debate pursuant to Council Procedure Rule 14.9.

The original motion was thereupon put to the vote and lost.

Pursuant to Council Procedure Rule 16.4, at the demand of in excess of six members present at the meeting, the voting on the original motion was recorded as follows:

For the Motion (28):

Councillors M Attwood, N Barlow, C Billingham, D Blood, P Bradley, P Brothwood, D Caunt, C Elcock, B Etheridge, S Etheridge, M Evans, A Goddard, P Harley, R James, L Jones, I Kettle, P Martin, P Miller, N Neale, D Perks, H Rogers, R Scott-Dow, K Shakespeare, A Taylor, H Turner, K Turner, D Vickers and M Wood.

Against the Motion (38):

Councillors A Ahmed, K Ahmed, S Ali, A Aston, M Aston, C Baugh, H Bills, R Body, D Branwood, K Casey, I Cooper, B Cotterill, J Cowell, T Crumpton, A Finch, K Finch, J Foster, C Hale, M Hanif, R Harris, D Hemingsley, T Herbert, Z Islam, K Jordan, P Lowe, I Marrey, J Martin, M Mottram, G Partridge, C Perks, M Roberts, D Russell, D Sparks, E Taylor, S Turner, D Tyler, M Wilson and Q Zada.

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26 QUESTIONS UNDER COUNCIL PROCEDURE RULE 11

During questions asked under Council Procedure Rule 11, there were no decisions that the Leader, Cabinet Members or Chairs agreed to have reconsidered.

The meeting ended at 9.00 p.m.

MAYOR