

## **Minutes of the proceedings of the Council**

**Monday, 4<sup>th</sup> December, 2023 at 6.00pm  
in the Council Chamber, The Council House, Priory Road, Dudley**

### **Present:**

Councillor A Goddard (Mayor)  
Councillor P Lee (Deputy Mayor)  
Councillors S Ali, A Aston, M Aston, P Atkins, C Barnett, C Bayton, D Bevan, I Bevan, H Bills, D Borley, S Bothul, P Bradley, R Buttery, K Casey, B Challenor, S Clark, J Clinton, Dr R Clinton, R Collins, D Corfield, J Cowell, T Creed, A Davies, K Denning, P Dobb, P Drake, M Dudley, C Eccles, J Elliott, M Evans, J Foster, M Hanif, D Harley, P Harley, S Henley, A Hopwood, M Howard, L Johnson, S Keasey, I Kettle, E Lawrence, A Lees, K Lewis, W Little, P Lowe, J Martin, P Miller, S Mughal, N Neale, S Phipps, R Priest, A Qayyum, K Razzaq, C Reid, S Ridney, M Rogers, D Stanley, C Sullivan, A Taylor, E Taylor, L Taylor-Childs, A Tromans, M Webb, K Westwood and M Westwood together with the Deputy Chief Executive and other Officers.

### **Prayers**

The Mayor led the Council in prayer.

---

#### **44 Apologies for Absence**

Apologies for absence were submitted on behalf of Councillors T Crumpton, A Hughes, P Sahota and Q Zada.

---

#### **45 Declarations of Interest**

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

Councillor A Aston – Pecuniary interest in any matters directly affecting his employment with West Midlands Ambulance Service.

Councillor M Evans and A Taylor - Any matters relating to Castle Hill development and all references to Dudley Zoo - Non-pecuniary interests as Members of Dudley and West Midlands Zoological Society Limited.

Councillors D Stanley and A Taylor - West Midlands Combined Authority – Transport Delivery Committee - Non-pecuniary interests as Members of the Committee.

Councillor P Miller - Any matters relating to adult social care – Non-pecuniary interest as his wife received care in a care home.

Councillor K Casey – Any references to West Midlands Combined Authority – Pecuniary interest in any matters directly affecting his employment with West Midlands Combined Authority.

Councillor I Bevan – Any references to Dudley Group NHS Foundation Trust/Russells Hall Hospital – Pecuniary interest in any matters directly affecting his employment.

Councillors I Kettle and W Little – Any references to West Midlands Fire and Rescue Authority - Non-pecuniary interests as Members of the Authority.

Councillor E Taylor - Non-pecuniary interest as her daughter was employed by Dudley Group NHS Foundation Trust.

Councillor N Neale – Minutes of the Health and Adult Social Care Scrutiny Committee – Pecuniary interest in any matters directly affecting her employment with the Dudley Group NHS Foundation Trust.

Councillor J Cowell – Non-pecuniary interest as a Council housing tenant.

Councillor K Westwood – Notice of Motion – Glass Industry - Non-pecuniary interest in view of her voluntary, unpaid position at Stourbridge Glass Museum.

Councillor S Ali – Minutes of the Appointments Committee – declaration for transparency purposes that he had known one of the candidates interviewed for the post of Director of Public Health and Wellbeing in a previous employment capacity. This had not affected his ability to consider the selection process impartially.

Councillor J Foster - Minutes of the Appointments Committee – Non-pecuniary interest in her capacity as a freelance investigator for West Midlands Employers (WME). She had not been involved in the commissioning of WME to deliver mandatory training to the Committee.

---

46 **Minutes**

**Resolved**

That the minutes of the meeting held on 16<sup>th</sup> October, 2023 be approved as a correct record and signed.

---

47 **Mayor's Announcements**

(a) **Bill Cody**

The Mayor referred in sympathetic terms to the recent death of former Councillor Bill Cody. Former Councillor Cody had served as the Mayor of the Borough in 1996/97. The Council observed a minute of silence as a mark of respect following which individual tributes were paid.

(b) **Civic Carol Concert**

The Civic Carol Concert would be on 15<sup>th</sup> December, 2023 at St John the Baptist Church, Halesowen.

(c) **Dudley Care Experienced Young Person Christmas Gift Appeal**

The Mayor referred to an email that had been circulated concerning the above appeal. All Members were requested to support and publicise this appeal.

(d) **Care Experienced Service**

The Mayor welcomed representatives of the Care Experienced Service who addressed the Council concerning the impact that having a protected characteristic had on young people they worked with. A care experienced young person also addressed the Council on how he had been supported.

---

---

48 **Capital Programme Monitoring**

A report of the Cabinet was submitted.

The recommendations of the Cabinet were moved by Councillor P Harley and seconded by Councillor P Bradley.

During the discussion, an amendment was moved by Councillor C Bayton and seconded by Councillor H Bills to the effect that the item referred to in paragraph 6 of the report (Flood Street) be removed and deferred to a further meeting.

Councillor P Harley exercised his right of reply on the amendment pursuant to Council Procedure Rule 14.9.

The amendment was put to the vote and lost.

Councillor P Harley exercised his right of reply on the original motion pursuant to Council Procedure Rule 14.9.

The original motion was put to the meeting and it was

**Resolved**

- (1) That the additional budget for the next allocation of UK Shared Prosperity Funding spend and grant income of £469,000 be approved and included in the Capital Programme, as set out in paragraph 4 of the report.
- (2) That the Council confirm that the property occupied by Homescene be acquired under the authority delegated in 2021 as set out in paragraph 5 of the report.
- (3) That authority be delegated to the Chief Executive, following consultation with the Leader, to consider the outcome of the viability assessment and to determine whether to proceed to the economic assessment and that authority be delegated to the Director of Finance and Legal to amend the budget if this is the case, as set out in paragraph 6 of the report.

---

49 **Appointment of the Director of Public Health and Wellbeing**

A report of the Appointments Committee was submitted.

It was moved by Councillor P Harley, seconded by Councillor P Bradley and

**Resolved**

That Dr Mayada Abu Affan be appointed to the post of Director of Public Health and Wellbeing in accordance with the salary and terms and conditions of employment applicable to the post.

---

50 **Notices of Motion**

(a) **Telecommunication Companies – Planning Issues**

At the Council meeting on 16<sup>th</sup> October, 2023, the following motion had been moved by Councillor R Priest and seconded by Councillor A Tromans:

“This Council believes that proper consultation with residents regarding all types of development serves only to benefit both residents and developers.

The Council recognises the aggressive practice of BRSK as it rolls out its broadband offer across the Dudley Borough.

The Council believes that while BRSK is working within the framework of the law, there have been numerous cases where telegraph poles have been erected or have been proposed inappropriately, such as blocking public footpaths or on private property.

The Council believes it is a failure of national planning law that telecommunications companies are able to bypass the planning authority.

The Council therefore resolves to:

- Urgently publish a Q&A page on the Council’s website detailing what residents’ rights are in regard to BRSK’s roll out and how residents can object and comment on BRSK’s development.

- Issue the same Q&A and advice in the next edition of Your Borough Your Home.
- Instruct the Chief Executive to write to the Secretary of State for Levelling Up, Housing and Communities calling for the Government to support the Telecommunications Infrastructure Bill to ensure that telecommunications companies must follow regular planning procedure.
- Instruct the Chief Executive to write to the Chief Executive of BRSK asking for their broadband rollout to be halted across the borough until a method of consultation can be found that is approved by Members.”

Councillor C Eccles had moved an amendment at the meeting on 16<sup>th</sup> October, 2023 to the effect that the Council note that issues concerning the activities of telecommunication companies have already been raised extensively with the Chief Executive, the Deputy Chief Executive, Government Ministers and Shadow Ministers (with Digital, Culture, Media and Sport portfolios), BT Openreach and Ofcom, in the context of the Electronic Communications Code, with a view to making sure that all providers are meeting their requirements to consult with residents prior to installing any infrastructure.

Following confirmation from Councillor C Eccles, and with the consent of the meeting, the above amendment was withdrawn.

During discussion of the original motion an amendment was moved by Councillor P Harley, and seconded by Councillor P Bradley, to the effect that the final two bullet points of the original motion be deleted.

Councillor R Priest was afforded his right of reply pursuant to Council Procedure Rule 14.9 and indicated that he was supportive of the amendment.

The amendment was put to the meeting and carried. The motion, as amended, became the substantive motion.

The substantive motion was put to the meeting and it was

## Resolved

That this Council believes that proper consultation with residents regarding all types of development serves only to benefit both residents and developers.

The Council recognises the aggressive practice of BRSK as it rolls out its broadband offer across the Dudley Borough.

The Council believes that while BRSK is working within the framework of the law, there have been numerous cases where telegraph poles have been erected or have been proposed inappropriately, such as blocking public footpaths or on private property.

The Council believes it is a failure of national planning law that telecommunications companies are able to bypass the planning authority.

The Council therefore resolves to:

- Urgently publish a Q&A page on the Council's website detailing what residents' rights are in regard to BRSK's roll out and how residents can object and comment on BRSK's development.
- Issue the same Q&A and advice in the next edition of Your Borough Your Home.

### (b) Bring Dudley Town Football Club Back Home

Pursuant to Council Procedure Rule 12, Councillor S Ali had given notice of the following motion on 2<sup>nd</sup> October, 2023:

“Dudley Town FC (The Robins) was established in 1888 and originally had a stadium adjacent to Dudley Cricket County ground, now known as Castle Gate Park. However, in 1985, a section of the football ground and subsequently the cricket ground experienced subsidence. Both grounds were closed. Several plans were proposed to make the old ground safe and facilitate the club's return, but unfortunately, these efforts were unsuccessful. In 1990, it was decided that the site would be redeveloped as a business and leisure park, known today as Castle Gate.

An article titled 'The day a hole closed a football sports ground forever' in the Birmingham Mail on 29<sup>th</sup> September, 2017 perfectly summarised the situation. The loss of these facilities undoubtedly had a significant impact on Dudley's presence in the world of football and cricket.

For the past 38 years, the club has been without a permanent home ground and has played at various venues, including Tividale, Halesowen, Gornal, Amblecote, and Brierley Hill. Over the last 4-5 years, the club has been playing out of Dudley Borough in Willenhall as their temporary home.

After a successful season, the club has achieved a momentous milestone by securing promotion to the Midlands Football League, Premier Division, marking the end of a 38-year wait. This achievement is a testament to the club's resilience and determination to keep going, despite the challenges of finding a permanent location they can call home.

In light of the need to house Dudley Town Football Club in Dudley Town, the Council resolves:

- (1) To acknowledge the efforts of all politicians across the political spectrum to bring Dudley Town Football Club back to their hometown of Dudley by working with the club and the Council to identify a suitable location for both their temporary and permanent home ground.
- (2) To acknowledge the significant efforts made by Dudley Town's players, its coach, and its management in achieving the Club's promotion and celebrate this momentous milestone by facilitating a walk down the market place with people lining the street so that this becomes part of the Club's history.
- (3) To regularly celebrate significant achievements of our sporting heroes and sports clubs across the borough, recognising that each accomplishment is a source of pride for our community and borough.



- (4) To acknowledge the work done on the Dudley Playing Pitch and Outdoor Sports Strategy and to progress this work that a cross-party working group, supported by Council officers, representatives of key sports clubs and sporting heroes is established to develop an ambitious overarching sports strategy that fosters the growth and promotion of sports across the borough, catering for people of all ages, genders, and abilities.”

The motion was moved by Councillor S Ali and seconded by Councillor K Denning.

An amendment was moved by Councillor D Corfield, and seconded by Councillor P Bradley, to the effect that paragraph (1) of the motion be amended to acknowledge the significant direct work that the Leader, the Cabinet Member for Highways and Environmental Services and the Dudley North MP, Marco Longhi, have done with the Club directly.

Following discussion on the amendment, Councillor S Ali was afforded and exercised his right of reply pursuant to Council Procedure Rule 14.9.

The amendment was put to the vote and carried. The motion, as amended, became the substantive motion.

Following discussion on the substantive motion, Councillor S Ali was afforded and exercised his right of reply pursuant to Council Procedure Rule 14.9.

The substantive motion was put to the vote and it was

### **Resolved**

That Dudley Town FC (The Robins) was established in 1888 and originally had a stadium adjacent to Dudley Cricket County ground, now known as Castle Gate Park. However, in 1985, a section of the football ground and subsequently the cricket ground experienced subsidence. Both grounds were closed. Several plans were proposed to make the old ground safe and facilitate the club's return, but unfortunately, these efforts were unsuccessful. In 1990, it was decided that the site would be redeveloped as a business and leisure park, known today as Castle Gate.

An article titled 'The day a hole closed a football sports ground forever' in the Birmingham Mail on 29<sup>th</sup> September, 2017 perfectly summarised the situation. The loss of these facilities undoubtedly had a significant impact on Dudley's presence in the world of football and cricket.

For the past 38 years, the club has been without a permanent home ground and has played at various venues, including Tividale, Halesowen, Gornal, Amblecote, and Brierley Hill. Over the last 4-5 years, the club has been playing out of Dudley Borough in Willenhall as their temporary home.

After a successful season, the club has achieved a momentous milestone by securing promotion to the Midlands Football League, Premier Division, marking the end of a 38-year wait. This achievement is a testament to the club's resilience and determination to keep going, despite the challenges of finding a permanent location they can call home.

In light of the need to house Dudley Town Football Club in Dudley Town, the Council resolves:

- (1) To acknowledge the efforts of all politicians across the political spectrum, including the significant direct work that the Leader, the Cabinet Member for Highways and Environmental Services and the Dudley North MP, Marco Longhi, have done with the Club directly, to bring Dudley Town Football Club back to their hometown of Dudley by working with the club and the Council to identify a suitable location for both their temporary and permanent home ground.
- (2) To acknowledge the significant efforts made by Dudley Town's players, its coach, and its management in achieving the Club's promotion and celebrate this momentous milestone by facilitating a walk down the market place with people lining the street so that this becomes part of the Club's history.
- (3) To regularly celebrate significant achievements of our sporting heroes and sports clubs across the borough, recognising that each accomplishment is a source of pride for our community and borough.

- (4) To acknowledge the work done on the Dudley Playing Pitch and Outdoor Sports Strategy and to progress this work that a cross-party working group, supported by Council officers, representatives of key sports clubs and sporting heroes is established to develop an ambitious overarching sports strategy that fosters the growth and promotion of sports across the borough, catering for people of all ages, genders, and abilities.

(c) Glass Industry

Pursuant to Council Procedure Rule 12, Councillor K Westwood had given notice of a motion on 17<sup>th</sup> November, 2023.

The motion, as set out in the agenda, was moved by Councillor K Westwood and seconded by Councillor C Eccles.

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

**Resolved**

That this Council recognises the significant, beneficial impact of the Glass Industry to our borough.

It has helped shape our history, places an important role in our current culture and heritage agenda, and can be an integral part of our future.

The Council notes that:

- The glass industry has dominated the area for over 400 years, a huge part of our local culture, and has been instrumental in keeping this rich part of Britain's heritage alive, a continuing source of inspiration and education for future generations.
- With 3 major tourist glass related attractions in the space of 1 mile plus other local glass attractions we are able to showcase glass manufacturing past and present helping communities to connect with the legacy of generations of family members who made Stourbridge glass recognised the world over.

This Council resolves to:

- Work with all our partners (including the Arts Council and appropriate revenue organisations) to ensure the International Festival of Glass and the Biennale remains in Stourbridge due to its historical importance, its positive economic impact and the huge footfall and cultural and historic benefits to the Borough.
- Do all it can to maintain a local Festival of Glass to our local community so it becomes a legacy for future generations.
- Issue a media release so that all local residents are aware of the importance of the festival remaining in the area.

---

51 **Questions under Council Procedure Rule 11**

The Mayor reported that, following consultation with the Group Leaders, it was proposed to trial a revised format for the Question Time session at this meeting. This would involve:

- A 30-minute time limit on the session.
- The first three questions to be offered to the main Opposition Group Leader.
- Other Members would then be invited to ask questions taking account of the list of Members who indicate to speak.
- If the 30-minute time limit was reached, any further questions could be submitted in writing.
- The usual process for two minutes per question (and any supplementary question) would apply.

It was moved by Councillor P Harley, seconded by Councillor P Bradley and

**Resolved**

That under Council Procedure Rule 22.1, the provisions of Council Procedure Rule 11 be suspended for this meeting to enable the revised Question Time session to take place as outlined above.

**Written Questions**

No written questions were submitted in advance.

## Verbal Questions to the Leader, Cabinet Members and Chairs

The Leader of the Council (Councillor P Harley) responded to questions from Councillor P Lowe concerning the 'perilous' financial position of the Council and the need for a robust and cross-party approach to tackle the associated challenges.

The Cabinet Member for Finance, Legal and Human Resources (Councillor S Clark) responded to questions from Councillor S Ali concerning the financial position of the Council; the possibility of the Council facing a 'bankruptcy' situation or issuing a Section 114 Notice in 12 months-time and possible plans to make future cuts to services.

The Leader of the Council (Councillor P Harley) responded to questions from Councillor S Ridney concerning the need for equal representation and gender balance in the membership of the Appointments Committee.

The Leader of the Council (Councillor P Harley) responded to questions from Councillor R Priest concerning nuisance caused by off road bikes, particularly in Wollescote Park and other streets; any action the local authority was taking and the possibility of making representations to the Police and Crime Commissioner concerning the allocation of resources to tackle this issue.

The Leader of the Council (Councillor P Harley) responded to questions from Councillor S Keasey requesting an apology to non-binary people for comments made by Councillor P Harley in response to the question asked by Councillor S Ridney above.

The Cabinet Member for Housing and Safer Communities (Councillor L Taylor-Childs) responded to questions from Councillor A Tromans concerning the requirement for all social homes to have an Energy Performance Certificate (EPC) rating of C or higher by 2030 and issues concerning thermal and energy efficiency standards for Council properties.

The Cabinet Member for Highways and Environmental Services (Councillor D Corfield) responded to questions from Councillor M Westwood concerning the Council's capacity to take enforcement action and the implications of letting of a contract to a private company to deal with issues of illegal and dangerous parking.

---

52 **Urgent Business**

There was no urgent business for consideration at this meeting.

The Mayor wished everyone a happy Christmas and a peaceful, prosperous new year.

The meeting ended at 7.35pm

MAYOR