

**DUDLEY METROPOLITAN BOROUGH**

**MINUTES OF THE PROCEEDINGS OF THE COUNCIL**  
**AT THE MEETING HELD ON MONDAY, 25<sup>TH</sup> FEBRUARY 2013**  
**AT 6.00 PM AT THE COUNCIL HOUSE, DUDLEY**

**PRESENT:**

Councillor Mottram (Mayor)  
Councillor A Finch (Deputy Mayor)  
Councillors A Ahmed, K Ahmed, Ali, Mrs Ameson, A Aston, M Aston, Attwood, Mrs Billingham, Bills, Blood, Body, Boleyn, Branwood, Burston, Casey, Caunt, Cowell, Crumpton, Duckworth, Elcock, Evans, K Finch, Foster, Hale, Hanif, Harley, Harris, Hemingsley, Herbert, Hill, James, J Jones, L Jones, Jordan, Lowe, Marrey, J Martin, Mrs P Martin, Miller, Ms Nicholls, Partridge, Perks, Ridley, Roberts, Mrs Rogers, Russell, Mrs Simms, Sparks, Sykes, Taylor, K Turner, S Turner, Tyler, Vickers, Mrs Walker, Waltho, Mrs Westwood, C Wilson, M. Wilson, Wood, Wright and Zada together with the Chief Executive and other Officers.

**PRAYERS**

The Mayor's Chaplain led the Council in prayer.

58 **APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of Councillors Arshad, Cotterill, Davies, Islam, Kettle, Mrs Shakespeare, Mrs H Turner and Woodall.

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59 **DECLARATIONS OF INTEREST**

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

Councillor Burston – Minute No. 30 of the Community Safety and Community Services Scrutiny Committee (Closed Circuit Television (CCTV) in the Dudley Borough) – Non-Pecuniary Interest as the report referred to CENTRO by whom he was employed.

Councillor Wright – Minute No. 51(i) of the Development Control Committee - Planning Application P12/0581 (Trindle Road, Dudley) – Non-Pecuniary Interest in view of reference made to the West Midlands Fire Service, as a member of the West Midlands Fire and Rescue Authority.

Councillor Wright – Minute Nos. 58(i), 58(ii), 58(iv) and 58(vi) of the Development Control Committee (Planning Application P11/1274 – Former Kuehne and Nagel UK, Netherton - Planning Application P12/1273 – Priory Road Car Park, Dudley; Planning Application P12/1354 – Dudley Canal Trust, Dudley; and Planning Application P12/1426 – Former Wordsley Hospital) – Non-Pecuniary Interests in view of reference made to the West Midlands Fire Service and Black Country Living Museum as a Member of the West Midlands Fire and Rescue Authority and a Trustee of Black Country Living Museum.

Councillor Wright – Minute No. 58(iii) of the Development Control Committee (Planning Application P12/0928 – Fire Station, Hagley Road, Halesowen) – Non-Pecuniary Interest as the application was submitted by the West Midlands Fire Service and he was a member of the West Midlands Fire and Rescue Authority.

Councillor Harris – Minute No. 59 of the Development Control Committee (Design in Brierley Hill Town Centre Supplementary Planning Document) - Non-Pecuniary Interest as a Member of the Brierley Hill Town Centre Partnership and Honorary Treasurer of Brierley Hill Civic Society as they were consultees on the Supplementary Planning Document.

Councillor Perks - Minute No. 58(vi) of the Development Control Committee (Planning Application P12/1354 – Dudley Canal Trust, Todds End Field, Dudley) - Non-Pecuniary Interest in view of reference made to the Black Country Living Museum as a volunteer at the Museum.

Councillor Wright – Minute No. 64(viii) of the Development Control Committee (Planning Application P12/1464 – Land and Garages off School Drive, Dudley) - Non-Pecuniary Interest as he had been lobbied on domestic sprinklers and he was a member of the West Midlands Fire and Rescue Authority.

Councillor Zada – Minute No. 64(iii) of the Development Control Committee (Planning Application P12/0462 – New Health Centre, Vacant Land between Jackson Street and Clinic Drive) – Non-Pecuniary Interest as he worked for the National Health Service.

Councillor Cowell – Minute No. 15 of the Licensing and Safety Committee (Quarry Bank (Alcohol Consumption in Designated Public Place) Order 2013) – Non-Pecuniary Interest as a ward member for the area.

Councillor Body – Minute No. 116 of the Taxis Committee (Review of Private Hire Driver's Licence) - Non-pecuniary interest as he knew the complainant.

Councillor Wright – References to Midland Heart – Non-pecuniary interest as a tenant of Midland Heart.

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

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

Councillor M Aston – Delegated Decision Sheet No. 7 (Leadership and Management of Children’s Centres) – Non-pecuniary interest due to involvement with Priory Children’s Centre.

Councillor Boleyn – Minute No. 32 of the Regeneration, Culture and Adult Education Scrutiny Committee (Glass Museum – Project Development) – Pecuniary Interest as Secretary to the Trustees of British Glass Foundation.

Councillor Evans – Any references to Queen Victoria’s Children’s Centre – Non-pecuniary interest as a Member of the Advisory Board.

The Chief Executive, Directors, Assistant Directors and the Treasurer – interests as previously noted in the Minutes of the Cabinet on 12<sup>th</sup> February, 2013 - Agenda Item No. 6(c) – (Pay Policy Statement) in view of the financial information and employment terms and conditions referred to in the report.

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60 MINUTES

RESOLVED

That the minutes of the meeting of the Council held on 26<sup>th</sup> November, 2012 be confirmed as a correct record and signed.

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61 MAYOR’S ANNOUNCEMENTS

(a) Councillor B Sykes

The Mayor welcomed Councillor Sykes to the first full Council meeting since her election for the Wollaston and Stourbridge Town ward at the by-election on 31<sup>st</sup> January, 2013.

(b) Bessie Priest – Silver Award – Social Worker of the Year

The Mayor reported that Bessie Priest, an employee of the Children’s Services Directorate, had recently achieved a silver award in the Social Worker of the Year Awards. Following remarks from Councillor Crumpton, the Mayor presented the award to Bessie Priest and the Council congratulated her on this achievement. Ms Priest addressed the Council.

(c) Honorary Freeman J. T. Wilson MBE

The Mayor referred in sympathetic terms to the recent death of Honorary Freeman J. T. Wilson MBE. The Council observed a period of silence as a token of respect to his memory. Members of the Council then paid individual tributes. The funeral would be held on 6<sup>th</sup> March, 2013.

(d) Mayor's Ball

The Mayor reported that the Mayor's Ball would be on 22<sup>nd</sup> March, 2013 at the Copthorne Hotel, Brierley Hill.

(e) Mayor's Attendant - Coast to Coast Challenge in Costa Rica

The Mayor welcomed the safe return of his Attendant, Mike Crannage, who had successfully completed the Coast to Coast Challenge in Costa Rica in support of the Mayor's Charity Fund.

(f) Mayor's Chaplain

The Mayor congratulated his Chaplain, Heather Humphrey, on becoming a Canon in November, 2012. She had been appointed as a Member of the College of Canons at Worcester Cathedral.

(g) Mayor's Charity Indoor Cricket Tournament

The Mayor reported that a Charity Cricket event would be held at the former Pensnett High School on 2<sup>nd</sup> March, 2013.

(h) Leader of the Opposition Group

The Mayor congratulated Councillor Harley on his recent election as the Leader of the Opposition Group on the Council.

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62 FREEDOM OF THE BOROUGH APPOINTMENTS

A report of the Chief Executive was submitted.

It was moved by Councillor Sparks and seconded by Councillor Ali

That the criteria set out in paragraphs 6 and 7 and the mechanism for making a recommendation, as outlined in paragraphs 8 and 9 of the report now submitted, be approved and adopted.

The following amendment was moved by Councillor Harley and seconded by Councillor Wright

That the wording of (b) of the criteria as described in paragraph 6 of the report be amended to read

'Any person born in the Borough or with a particular connection with the Borough who has made an eminent contribution to charity or voluntary work that has benefitted either the Borough or its people.'

and in addition, (c) be amended to read

‘Any person born in the Borough or with a particular connection with the Borough who has made an eminent contribution to the life of the Borough or to its people, in the fields of culture, medicine, science, social care, the economy, education, public services, politics, sport or entertainment.’

Following a speech by the mover of the original motion, the amendment was put to the vote and lost.

The original motion was thereupon put to the meeting and it was

RESOLVED

That the criteria set out in paragraphs 6 and 7 and the mechanism for making a recommendation, as outlined in paragraphs 8 and 9 of the report now submitted, be approved and adopted.

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63      CAPITAL PROGRAMME MONITORING

A report of the Cabinet was submitted.

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

RESOLVED

- (1) That current progress with the 2012/13 Capital Programme, as set out in Appendix A to the report now submitted, be noted and that budgets be amended to reflect the reported variances.
- (2) That the further allocation of Disabled Facilities Grant (DFG) funding of £263,000 be noted and the associated expenditure included in the Capital Programme, and that a further £350,000 of Adult Social Care revenue resources be used to fund DFGs, as set out in paragraph 8 of the report now submitted.
- (3) That the contribution of £100,000 to the redevelopment of Gibbs Road House be approved and included in the Capital Programme, as set out in paragraph 9 of the report now submitted.
- (4) That the contribution of £68,000 to the improvement works being undertaken to CHADD House be approved and included in the Capital Programme, as set out in paragraph 10 of the report now submitted.
- (5) That the £550,000 allocation for Housing Assistance Grants be continued on an ongoing basis and included in the Capital Programme, as set out in paragraph 11 of the report now submitted.
- (6) That the Community Capacity Grant allocations be noted, and the associated spend on relevant Adult Personal Social Services projects be included in the Capital Programme, as set out in paragraph 12 of the report now submitted.

- (7) That the award from the Fuel Poverty fund be noted, and the associated expenditure included in the Capital Programme, as set out in paragraph 13 of the report now submitted.
- (8) That the Council's contribution of £120,000 to the re-provision of the Saltwells Wardens' Base be approved and the project be included in the Capital Programme, as set out in paragraph 14 of the report now submitted.
- (9) That the Weekly Collection Support Scheme funding allocation for Recycling be noted, and that the related project be approved and included in the Capital Programme, as set out in paragraph 15 of the report now submitted.
- (10) That the Wheeled Bins project be approved and included in the Capital Programme, as set out in paragraph 16 of the report now submitted.
- (11) That the Recycling Bunker project be approved and included in the Capital Programme, as set out in paragraph 17 of the report now submitted.
- (12) That the Depot Improvements project be approved and included in the Capital Programme, as set out in paragraph 18 of the report now submitted.
- (13) That the Stourbridge Crematorium Improvement project be approved and included in the Capital Programme, as set out in paragraph 19 of the report now submitted.
- (14) That the funding allocation for Highway Maintenance be noted and the associated expenditure included in the Capital Programme, as set out in paragraph 20 of the report now submitted.
- (15) That the submission of the bid in partnership with Wolverhampton City Council for Local pinch point funding to improve the A4123 Birmingham New Road junction with Shaw Road be approved and that subject to the bid being successful the project be included in the Capital Programme, as set out in paragraph 21 of the report now submitted.
- (16) That the improvement works to Car Park Infrastructure be approved and included in the Capital Programme, as set out in paragraph 22 of the report now submitted.
- (17) That the allocation of capital funding for New 2 Year Old Places be noted and the associated spend included in the Capital Programme, as set out in paragraph 23 of the report now submitted.
- (18) That the Capital Programme be amended to include an increase in the capital budget of £472,000 for the Transforming Our Workplace project, as set out in paragraph 24 of the report now submitted.

- (19) 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 B to the report now submitted, be approved.
  - (20) That the Minimum Revenue Provision (MRP) Policy for 2013/14 be approved as set out in paragraph 28 of the report now submitted.
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64 DEPLOYMENT OF RESOURCES: HOUSING REVENUE ACCOUNT AND PUBLIC SECTOR HOUSING CAPITAL

A report of the Cabinet was submitted.

It was moved by Councillor K Ahmed, seconded by Councillor Ali and

RESOLVED

- (1) That the revised Housing Revenue Account budget for 2012/13 and the Housing Revenue Account budget for 2013/14, as outlined in Appendix 1 to the report now submitted, be approved.
- (2) That the public sector housing revised capital budget for 2012/13 and the capital budget for 2013/14 to 2017/18, as set out in Appendix 2 to the report now submitted, be approved.
- (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 outlined in paragraphs 23 and 24 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 outlined in paragraph 25 of the report now submitted.
- (5) That the Council confirm that all capital receipts arising from the sale of Housing Revenue Account assets (other than those specifically committed to support private sector housing) should continue to be used for the improvement of Council homes, as outlined in paragraph 25 of the report now submitted.
- (6) That the Director of Adult, Community and Housing Services, in consultation with the Cabinet Member for Housing, Libraries and Adult Learning be authorised to procure and enter into contracts for the delivery of the capital programme, as outlined in paragraph 26 of the report now submitted.

- (7) That the Housing Revenue Account medium term financial strategy, as outlined in Appendix 4 to the report now submitted, be approved.
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65 PAY POLICY STATEMENT

A report of the Cabinet was submitted.

It was moved by Councillor Partridge, seconded by Councillor Ali and

RESOLVED

That the pay policy statement, as set out in the Appendix to the report now submitted, be approved and adopted.

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66 ERNEST STEVENS TRUSTS MANAGEMENT COMMITTEE

A report of the Cabinet was submitted.

It was moved by Councillor Partridge, seconded by Councillor Ali and

RESOLVED

- (1) That an Ernest Stevens Trusts Management Committee be established with the terms of reference, as outlined out in Appendix 1 to the report now submitted, subject to the deletion of the word "Mary" from paragraph 1(1) of the terms of reference.
  - (2) That the Committee comprise a total of six Members, with one Councillor being appointed to represent each of the following wards in accordance with the overall political balance requirements of the Local Government and Housing Act 1989 (currently Labour 4; Conservative 2):-  
  
Cradley and Wollescote  
Lye and Stourbridge North  
Norton  
Pedmore and Stourbridge East  
Quarry Bank and Dudley Wood  
Wollaston and Stourbridge Town.
  - (3) That the Chair and Vice-Chair and Members be appointed to serve on the Committee for the remainder of this municipal year based on the nominations submitted to the Director of Corporate Resources by the two Group Leaders.
  - (4) That no special responsibility allowances be paid to the Chair and Vice-Chair of the Committee pending a review of the Members' Allowances Scheme during 2013.
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67 TREASURY MANAGEMENT

A report of the Audit and Standards Committee was submitted.

It was moved by Councillor Zada, seconded by Councillor Ali and

RESOLVED

- (1) That the treasury activities in 2012/13, as outlined in the report now submitted, be noted.
- (2) That the Treasury Strategy 2013/14, 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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68 REVISED WORDING OF THE SEVEN PRINCIPLES IN PUBLIC LIFE

A report of the Audit and Standards Committee was submitted.

It was moved by Councillor Zada, seconded by Councillor Ali and

RESOLVED

That the Director of Corporate Resources be authorised to update the Members' Code of Conduct and any other references in the Constitution or associated documentation to include the revised wording of the seven principles in public life.

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69 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 Chairs agreed to have reconsidered.

The meeting ended at 8.22 p.m.

MAYOR