

**SELECT COMMITTEE**  
**ON REGENERATION, CULTURE AND**  
**ADULT EDUCATION**

Monday, 29<sup>th</sup> October, 2007 at 6.00 pm  
in Committee Room 2 at the Council House, Dudley

**PRESENT:-**

Councillor C Wilson (Chairman)  
Councillors Jackson, Jones, Rahman, Southall, Tomkinson, K Turner  
Tyler and Woodall

**Officers**

Assistant Director Housing Strategy and Private Sector (Lead Officer to the Committee), Director of Adult, Community and Housing Services, Assistant Director Libraries, Archives and Adult Learning, Senior Assistant Director of Finance (Directorate of Finance, ICT and Procurement), Assistant Director Economic Regeneration, Assistant Director Culture and Community, Head of Sport and Recreation, Planning Regulation and On-line Services Manager, Principal Planning Policy Manager, Principal Planning Obligations Officer and Tourism Development Officer (All Directorate of the Urban Environment) and Mr J Jablonski (Directorate of Law and Property).

Together with five members of the public.

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**APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were submitted on behalf of Councillors Crumpton and Mottram.

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**DECLARATIONS OF INTEREST**

The following members declared the interest indicated in the matters referred to on the agenda, as follows: -

- (a) Councillor Jones – Agenda item 10 – Progress report on Regeneration of Brierley Hill – A personal interest in that he is a Director of Brierley Hill Regeneration Partnership nominated to serve on that body by the Council.
- (b) Councillor Rahman – Agenda item 7 – Review of Netherton Regeneration Centre – A personal interest as he attends meetings of Netherton Regeneration Centre Strategy Steering Group.
- (c) Councillor Southall in

- (i) Agenda item 12 – Sports Village Position Statement – A personal interest in the light of the reference to the interest of Dudley Town Football Club in that he is a Council member of the Birmingham County Football Association to whom the Club are affiliated; and
  - (ii) Agenda item 9 – Planning Obligations – A personal and prejudicial interest as a member of the Development Control Committee in that he has engaged in the decision making process on which the report is based.
- (d) Councillor K Turner – A personal and prejudicial interest in respect of any reference to Castle Hill as he is a Trustee of Dudley Zoo.
- (e) Councillor Tyler declared the following personal interests in the agenda items referred to
- (i) Agenda item 6 – Dudley Archives and Local History Service Relocation – As his wife works at the Black Country Living Museum.
  - (ii) Agenda item 9 – Planning Obligations - As he is the Chair of Wall Heath Cyber Centre; and
  - (iii) Agenda item 9 – Planning Obligations - In that he is a Trustee of Dudley Zoo and Dudley Zoo Services.
- (f) Councillor C Wilson declared the following interests in the agenda items indicated:-
- (i) Agenda item 6 – Dudley Archives and Local History Service Relocation – A personal interest relating to his membership of the Development Control Committee.
  - (ii) Agenda item 9 – Planning Obligations – A personal and prejudicial interest as a member of the Development Control Committee.

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MINUTES

RESOLVED

That, the minutes of the meeting of the Committee held on 10<sup>th</sup> September, 2007, be approved as a correct record and signed.

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PUBLIC FORUM

SRCAE/25

A Mr Brian Guest of the Friends of Mount Pleasant School raised a number of questions and made comments regarding the proposed relocation of Dudley Archives and Local History Service from their present location at Mount Pleasant School, Coseley. As this matter was the next item to be considered on the agenda it was agreed that the points raised be considered as part of the consideration to be given to the next agenda item.

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### DUDLEY ARCHIVES AND LOCAL HISTORY SERVICE RELOCATION

In commenting on this matter Mr Guest asked questions regarding the timescale in which any relocation was to proceed; where the funding was going to come from and what was to happen to the archives in the meantime. In elaborating on the points made he referred in particular to the question of finance referred to in paragraphs 22 to 24 of the report of the Director of Adult, Community and Housing Services submitted and previous indications of cost given. In this regard he also queried why costings in respect of Mount Pleasant were not available and whether in fact value for money was being achieved. The wish for the archives to remain in Coseley was strongly emphasised and he believed that a new building could be put on the current site.

Following these opening remarks the Director of Adult, Community and Housing Services introduced the report submitted which updated the Committee on plans for the relocation of Dudley Archives and Local History Service on or near the Black Country Living Museum (BCLM) through the development of a partnership with Sandwell Metropolitan Borough Council and the BCLM. This proposal would fulfil a longstanding ambition for an archive located at an historic Black Country site, which celebrated the heritage of the Black Country.

The Director also commented that it was not viable to upgrade the Coseley site given the requirements of BS5454 recommendations for the storage and exhibition of archival documents and the standard for record repositories of the National Archives. Given this, revised plans for the provision of a modern Archive Service for Dudley had been looked at resulting in an agreement in principle with the partners mentioned to develop a project that would meet the needs for the twenty first century, and other requirements as outlined in paragraph 13 of the report submitted.

As regards timescale a projected completion in 2011/12 was indicated however this was contingent on various factors not least of which was the need to identify a full funding package.

It was also the case, as previously reported, that the focus had been, and continued to be, on securing and protecting the present archival material held.

In concluding her initial remarks the Director referred to the decisions of  
SRCAE/26

Cabinet made at their meeting held on 12<sup>th</sup> September, 2007 to approve the relocation of the Archive Service to a site in or near the Black Country Living Museum and the commissioning of an updated feasibility study for the preferred locations together with authorisation for herself and other officers to undertake the necessary consultations and agreements to develop and secure the proposals, all as detailed in paragraphs 17 to 21 of the report submitted.

Arising from the comments made members raised a number of issues and asked questions relating in particular to the effect on Coseley of the loss of the Archives Service and the perceived advantages of the current site; the extent to which the retention of the Mount Pleasant site had been investigated; the costings in respect of the options outlined; the need for the new direction indicated for the archives given the potential for withdrawal of licence by The National Archives; the question of the ownership of "C" Block at the Summerhill School, Kingswinford and its possible use by residents in that area; the implications of, say, Sandwell MBC withdrawing from the project and a request that the Director of Adult, Community and Housing Services write to Mr Guest giving details of the costings requested.

In responding to the points made the Director of Adult, Community and Housing Services reiterated the financial details given and the reasons for, and the work that had led to, the current decision to relocate the Dudley Archives and Local History Service on or near the BCLM. It was also emphasised that the capital receipt from the sale of the existing site was an integral part of the project. Mention was also made of the work that had been carried out with the Friends of the Archives who had also been consulted on the future plans.

Reference was also made to a project that the people of Coseley could be proud of in that a multi-million pound extra care housing development was to be developed in the area and the benefits, including jobs, that this would bring. This was considered to be a project of note that would attract people to the area.

Regarding "C" Block at Summerhill School, it was reported that the Director of Children's Services was aware of the interest expressed in the community use of the Block and, in response to a request made by Councillor Tyler, the Director of Adult, Community and Housing Services would ask the Director of Children's Services to write to Councillor Tyler regarding ownership of "C" Block.

It was noted that in the event of Sandwell MBC withdrawing from the project, and there were no indications that this would happen, the building to be built would be scaled down accordingly.

Arising from the questions asked it was also considered that a report on Coseley as a local centre could be prepared for consideration at a future meeting of the Committee. Local residents who wished to comment on the report could do so at the meeting.

Mr Guest was given further opportunities to speak on this matter and in so doing thanked the Committee for the opportunity to have the debate on this matter, reiterated that people did care about the archives and repeated a request made that they be kept in Coseley.

At the conclusion of the debate Mr Guest was thanked for his comments about the workings of the Select Committee.

#### RESOLVED

That the information contained in the report submitted, and as reported at the meeting, in respect of the plans for the relocation of the Dudley Archives and Local History Service on or near the Black Country Living Museum through the development of a partnership with Sandwell Metropolitan Borough Council and the Black Country Living Museum, be noted.

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#### REVIEW OF NETHERTON REGENERATION CENTRE

A report of the Director of Adult, Community and Housing Services was submitted on the progress and achievements of the Netherton Regeneration Centre to date and on the continuation strategy for the Centre.

#### RESOLVED

That the information contained in the report submitted, on the progress and achievements of the Netherton Regeneration Centre to date and the continuation strategy for the Centre, be noted.

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#### UPDATE OF THE COUNCIL'S CAPITAL STRATEGY

A report of the Director of Finance was submitted on the update of the Council's Capital Strategy. A copy of the Capital Strategy 2008-2013 was attached as an Appendix to the report submitted.

In Introducing the content of the report, and Appendix to the report, submitted the Senior Assistant Director of Finance referred members to the items contained in paragraphs 15 to 19 of the Appendix relating to the terms of reference of this Committee.

Arising from the introduction given members raised a number of questions on the items referred to in the relevant paragraphs and it was requested that the Assistant Director Economic Regeneration arrange for written responses to be sent to Councillors Tomkinson and Jones on the issues raised in respect of the seeking of resources from DEFRA to enable replacement of the Mines Drainage system at Pensnett and the current position regarding the Walsall to Stourbridge freight line respectively.

Regarding the proposal to extend Midland Metro from Wednesbury to Brierley Hill the suggestion was made that all the Council's MP's should be lobbied so that monies for this project were forthcoming in the shorter rather than the longer term.

A further suggestion was also made by the Lead Officer that if any member wished to comment on proposals outside the terms of reference of this Committee that they contact him so that the appropriate references could be made to the relevant officer/member.

#### RESOLVED

That the information contained in the report, and Appendix to the report, submitted on the Update of the Council's Capital Strategy 2008-2013, be noted and that the Cabinet be informed that there were no issues that the Committee wished to be taken into account when the Strategy was considered by full Council.

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#### PLANNING OBLIGATIONS – “SECTION 106” LEGAL AGREEMENT MONIES RECEIVED FROM THOSE PLANNING APPLICATIONS APPROVED BETWEEN 2001/2002 TO 2006/2007 INCLUSIVE

(Having earlier declared personal and prejudicial interests in respect of this matter Councillor C Wilson (Chairman) and Councillor Southall left the meeting during consideration of this matter.

In the absence of the Vice-Chairman, it was agreed that Councillor Tomkinson be the Chairman for this item).

(Councillor Tomkinson (in the Chair)).

A report of the Director of the Urban Environment was submitted on information in respect of planning gain from those planning applications approved in the three financial years of 2001/02, 2002/03 and 2006/07. Included in the report, for the sake of completeness, was information on the years 2003/04 to 2005/06 that had been reported to a meeting of a working group of this Committee held on 26<sup>th</sup> April, 2007.

The Planning Regulation and On-line Services Manager in her introduction of the report referred to an updated schedule that had been circulated at the meeting in respect of planning applications subject to a Section 106 Legal Agreement and signed between 1/4/2006 and 31/3/2007 which included details of applications P05/2407 and P06/1198 that had not been included in the details previously submitted to the Committee.

In responding to questions raised by members it was reported that the starting point for the negotiation of planning obligations or Section 106 Agreements was that they were non-negotiable however in extenuating circumstances some flexibility could be entertained. The suggestion made that the information supplied was in some way incomplete or ambiguous was also refuted and details were given on individual applications raised.

In connection with monies associated with planning application P02/1704 relating to Hagley Road, Halesowen, the Principal Planning Obligations Officer was requested to inform Councillor Turner as to which local parks were going to benefit from the monies received. Councillor Turner also requested that information be given on exactly how much money was left to be spent in each Ward and whether there were any restrictions on the use of such monies.

In response to a question regarding the changing policy framework it was reported that supplementary planning guidance was being prepared to flesh out the detail contained in the Unitary Development Plan which would, amongst other things, clearly set out details in respect of the set up and maintenance period in respect of projects.

Arising from a query raised by Councillor Tyler in respect of planning application numbers P00/50807 and P02/1521 in which he queried the details given under the heading "Planning Gain Received" the Principal Planning Obligations Officer undertook to write to him on the points raised.

Arising from the consideration given to this matter it was agreed that the schedules relating to the planning applications subject to a Section 106 Legal Agreement be circulated to all members of the Council so that they could check and, if necessary, query the information contained therein.

Arising from a further query by Councillor Rahman the Principal Planning Obligations Officer undertook to write to him to clarify the role of local Councillors in the process. It was also suggested that, as appropriate, the training given to members on planning issues include reference to planning applications subject to a Section 106 Legal Agreement.

RESOLVED

- 1) That the information contained in the report submitted, on planning gain for those planning applications approved in the three financial years of 2001/02, 2002/03 and 2006/07, and as circulated and reported on at the meeting, be noted.
- 2) That the Director of the Urban Environment be requested to submit a further updated report on planning obligations relating to "Section 106" Legal Agreement monies received, so that this Committee can continue to review and scrutinise this matter, to a meeting of this Committee to be held in approximately twelve months time; and
- 3) That the Director of the Urban Environment be requested to circulate to all members of the Council the schedules received by this Committee relating to planning applications subject to a Section 106 Legal Agreement between the years 2001/02 and 2006/07 for their information and comment as appropriate.

(At the conclusion of this item Councillor C Wilson resumed the Chairmanship of the Committee).

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PROGRESS REPORT ON REGENERATION OF BRIERLEY HILL

A report of the Director of the Urban Environment was submitted on progress to date in relation to the regeneration of Brierley Hill.

RESOLVED

That the information contained in the report submitted, on the significant progress made in the regeneration of Brierley Hill Town Centre, be noted.

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REPORT ON THE BLACK COUNTRY AS AN URBAN PARK –  
STRATA AND WREN'S NEST NATIONAL NATURE RESERVE

A report of the Director of the Urban Environment was submitted on proposals and progress to date in respect of the Black Country's submission to the Big Lottery Fund – A Million People: The Black Country as an Urban Park.

In relation to this matter a presentation was made by the Tourism Development Officer on the proposals which included the showing of a DVD about Strata.



During the presentation given it was noted that the project had now been accepted and would move forward to the televised public vote during December, 2007.

Following this initial success information had been received on the next stages leading to the public vote and in this connection it was noted that the campaign was being coordinated by the Black Country Consortium Limited and that there would be a campaign office at Dudley Museum and Art Gallery from 12<sup>th</sup> November, 2007. Voting will take place on-line and by telephone and individuals will be able to vote up to five times on-line, for each e-mail address, and five times from each telephone number. On-line voting would begin on Monday 26<sup>th</sup> November, 2007 and in order to vote there was a need to register on-line at [www.thepeoples50million.org.uk/home](http://www.thepeoples50million.org.uk/home). In respect of telephone voting this would begin at 9.00am on Friday 7<sup>th</sup> December, 2007 with telephone numbers printed in a national newspaper on that date. All voting would close at 12 noon on Monday 10<sup>th</sup> December.

As regard steps that could be taken to promote and encourage voting it was noted that a further DVD would be available for use by all schools and if members wished to have a copy of that DVD they should contact the Tourism Development Officer. It was also noted that amongst other things all local shopping centres were being contacted and Town Centre Managers used to promote the Black Country project.

#### RESOLVED

That the information contained in the report, as now presented and reported on at the meeting, in respect of the proposals and progress to date in respect of the Black Country's submission to the Big Lottery Fund – A Million People “The Black Country as an Urban Park”, be noted and that support be given to the bid to the Big Lottery Fund and the Heritage Lottery Fund together with active engagement in the promotion of the project with regard to the televised public vote in December.

#### SPORTS VILLAGE POSITION STATEMENT

A report of the Director of the Urban Environment was submitted on the outcome of the feasibility study into the potential development of a Sports Village in the north of the Borough.

During the presentation given of the content of the report submitted particular reference was made to the summary of the current position as set out in paragraph 12 of the report submitted and to the point made in paragraph 11 of the report that, for the reasons indicated, any further work should be shelved.

#### RESOLVED

That the information contained in the report submitted, on the outcome of the feasibility study into the potential development of a Sports Village in the north of the Borough, be noted in particular the conclusion reached that any further work on this project should be shelved for the reasons indicated in the report.

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QUARTERLY COROPORATE PERFORMANCE REPORT

A report of the Lead Officer of the Committee was submitted on performance in the first quarter of 2007/08, April to June, 2007, in relation to the activities relating to the terms of reference of this Committee.

RESOLVED

That the information contained in the report, and Appendices to the report, submitted on performance in the first quarter of 2007/08, April to June, 2007, in relation to activities relating to the terms of reference on this Committee, be noted.

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The Meeting ended at 9.20pm

CHAIRMAN