

**DUDLEY METROPOLITAN BOROUGH**

**MINUTES OF THE PROCEEDINGS OF THE COUNCIL**  
**AT THE ANNUAL MEETING HELD ON THURSDAY, 19<sup>TH</sup> MAY, 2011**  
**AT 6.00 PM AT THE COUNCIL HOUSE, DUDLEY**

**PRESENT: -**

Councillor Miller (Mayor)  
Councillor Evans (Deputy Mayor)  
Councillors Adams, Ahmed, Ali, Mrs Ameson, Miss Arshad, A Aston, Mrs M Aston, Attwood, Banks, Barlow, Blood, Body, Burston, Caunt, Cotterill, Miss J Cowell, Mrs M Cowell, Crumpton, G H Davies, M Davis, Mrs Dunn, Mrs Faulkner, A Finch, K Finch, Foster, Mrs Greenaway, Hanif, Mrs D Harley, P Harley, Ms Harris, Hill, Islam, James, J Jones, L Jones, Mrs Jordan, Kettle, Knowles, Lowe, Mrs Martin, Mottram, Ms Nicholls, Ms Partridge, Mrs Ridley, Mrs Rogers, Ryder, Mrs Shakespeare, Mrs Simms, Southall, Sparks, Stanley, Taylor, A Turner, Mrs H Turner, K Turner, S Turner, Vickers, Mrs Walker, Waltho, Mrs Westwood, C Wilson, Ms Wood, J Woodall, P Woodall, Wright and Zada, together with the Chief Executive and other Officers.

**1      RECORDING OF MEETING**

In accordance with Council Procedure Rule 24.5, the Council gave its consent to an audio visual recording of this meeting being made.

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**2      PRAYERS**

The Mayor's Chaplain led the Council in prayer.

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**3      ELECTION OF MAYOR**

It was moved by Councillor L Jones, seconded by Councillor Wright and

RESOLVED

That Councillor Michael John Evans be elected Mayor of the Borough for the 2011/12 Municipal Year.

Councillor Evans then made and subscribed to the Statutory Declaration of Acceptance of Office and took the Chair.

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4      ELECTION OF DEPUTY MAYOR

It was moved by Councillor L Jones, seconded by Councillor Wright and

RESOLVED

That Councillor Doreen Ameson be elected Deputy Mayor of the Borough for the 2011/12 Municipal Year.

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5      ACCEPTANCE OF OFFICE OF DEPUTY MAYOR

Following a brief adjournment to enable the re-robing of the Mayor and Deputy Mayor and the retiring Mayor, Councillor Mrs Ameson made and subscribed to the Statutory Declaration of Acceptance of the Office of Deputy Mayor.

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6      ADDRESS BY THE MAYOR

The new Mayor addressed the Council, expressing his thanks to Members and others on his election. In so doing he, along with other Members, paid tribute to the retiring Mayor and Mayoress.

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7      TRIBUTES TO THE RETIRING MAYOR AND MAYORESS AND PRESENTATION OF BADGES

Following tributes to the retiring Mayor and Mayoress, Councillor Miller and Mrs Hilary Miller, the Mayor presented them with the Past Mayor and Past Mayoress badges.

Councillor Miller addressed the Council, expressing thanks for all the support that had enabled him to carry out his duties during the year, including the support of the Mayoress, Mrs Miller.

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8      MINUTES

RESOLVED

That the Minutes of the meeting of the Council held on 18<sup>th</sup> April, 2011 be approved as a correct record and signed.

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9 MAYOR'S ANNOUNCEMENTS

(a) Mayor's Consort

The Mayor's Consort for the 2011/12 Municipal Year would be Councillor Mrs Susan Greenaway.

(b) Deputy Mayor's Consort

The Deputy Mayor's Consort for the 2011/12 Municipal Year would be Mr Jeff Ameson.

(c) The Mayor's Chaplain

The Mayor's Chaplain for the 2011/12 Municipal Year would be Reverend Stephen Buckley.

(d) The Mayor's Charities

The Mayor's Charities to be supported in the 2011/12 Municipal Year would be:-

- The Soldiers, Sailors, Airmen and Families Association (SSAFA)
- The Leukaemia Unit at Russells Hall Hospital.

(e) "At Home" Event

The "At Home" event would take place on 6<sup>th</sup> July, 2011 at Brierley Hill Civic Hall.

(f) Civic Sunday

Civic Sunday would be held on 12<sup>th</sup> June, 2011 at All Saints Church, Sedgley.

(g) Armed Forces Day

Armed Forces Day would be held at Himley Hall on 26<sup>th</sup> June, 2011.

(h) Charity Cricket Match

The Charity Cricket Match between Councillors and Officers would be held on 22<sup>nd</sup> July, 2011.

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10 NEWLY ELECTED MEMBERS OF THE COUNCIL

The Mayor welcomed Councillors Miss Safeena Arshad, Adam Aston, Miss Jackie Cowell, Mrs Glenis Simms, Stuart Turner and Qadar Zada, who had been elected to the Council following the municipal elections on 5<sup>th</sup> May, 2011. Councillor Mrs Cheryl Billingham had also been elected but had submitted her apologies for the annual meeting.

The Mayor also paid tribute to the former Members who had not been re-elected, namely Mrs Anne Millward, David Simms, Dave Tyler and John Martin.

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11 APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors Mrs Billingham, J D Davies, Mrs Roberts and Mrs M Wilson. The Mayor updated the Council on the illness of Councillor Mrs Wilson and the Council wished her a speedy recovery to good health.

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12 DECLARATIONS OF INTEREST

No declarations of personal or prejudicial interests, in accordance with the Members' Code of Conduct, were received in respect of any item to be considered at this meeting.

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13 ELECTION OF THE LEADER OF THE COUNCIL

It was moved by Councillor Blood, seconded by Councillor Caunt and

RESOLVED

That, in accordance with the provisions of the Council's Constitution, Councillor L Jones be elected Leader of the Council.

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14 APPOINTMENT OF THE CABINET FOR THE 2011/12 MUNICIPAL YEAR

A list indicating the proposed composition and membership of the Cabinet, and the names of the opposition nominees to speak but not vote at meetings of the Cabinet, had been circulated around the Council Chamber. It was moved by Councillor L Jones, seconded by Councillor Blood and

RESOLVED

That the information contained in the report of the Leader on the appointment of the Deputy Leader and Members of the Cabinet for the 2011/12 Municipal Year, as set out in the list circulated at the meeting, be noted, as follows:

- (1) That Councillor Wright be appointed as Deputy Leader of the Council for the 2011/12 Municipal Year.
- (2) That the Leader of the Council and nine other members comprise the Cabinet for the 2011/12 Municipal Year and that the names of the Members to serve for the year be as follows:-

Councillors Adams, Blood, Mrs Faulkner, P Harley, L Jones, Stanley, A Turner, Vickers, Mrs Walker and Wright.

- (3) That the names of the Opposition Group Nominees to attend meetings of the Cabinet to speak, but not to vote, be received as follows:-

Councillors Ali, Crumpton, Foster, Lowe, Ms Partridge and Sparks.

- (4) That the assignment of Cabinet Portfolios be to the Members named below and the names of the corresponding Group Spokespersons be also as set out below:-

<u>Leader and Cabinet Members</u>	<u>Portfolio</u>	<u>Labour Group Spokesperson</u>
<u>Councillor</u>		<u>Councillor</u>
L Jones (Leader of the Council)	<b>Policy</b>	Sparks (Group Leader)
Wright (Deputy Leader of the Council)	<b>Human Resources, Law and Governance</b>	Ms Partridge
Mrs Faulkner	<b>Adult and Community Services</b>	Ms Harris
Mrs Walker	<b>Integrated Children's Services</b>	Crumpton

Vickers	<b>Performance Management and Quality Assurance (Children's Services)</b>	Hanif
Blood	<b>Finance</b>	Lowe
Stanley	<b>Environment and Culture</b>	Islam
A Turner	<b>Housing, Libraries and Adult Learning</b>	Waltho
Adams	<b>Regeneration</b>	Ali (Deputy Group Leader)
P Harley	<b>Transportation</b>	Foster

15 MEMBERSHIP OF COMMITTEES FOR 2011/12 AND RELATED MATTERS

A report on the structure, appointment and membership of Committees for 2011/12 and related matters was submitted. A list setting out the proposed composition and membership of Committees and the nominees of the Controlling Group and Opposition Group to serve had been circulated around the Council Chamber.

It was moved by Councillor L Jones, seconded by Councillor Wright and

RESOLVED

- (1) That, subject to the redesignation of Select Committees as Scrutiny Committees, the structure of Committees for 2011/12 be approved on the basis set out in the report and the Director of Corporate Resources be authorised to make any necessary and consequential changes to the Constitution relating to the ongoing working arrangements of Scrutiny Committees.
- (2) That the terms of reference and membership of the shadow Dudley Health and Wellbeing Board, as set out in Appendix 1 to the report now submitted, be approved and the Director of Corporate Resources, in consultation with the Leader and the Cabinet Member for Adult and Community Services, be authorised to make any necessary amendments and to adopt operational protocols in the light of future legislation and associated guidance.

- (3) That the terms of reference and onward delegation of functions of the Committees referred to in the report and as set out in the Council's Constitution be re-affirmed for the 2011/12 Municipal Year.
- (4) That, except for the Standards Committee and Area Committees, the composition and membership of Committees for the 2011/12 Municipal Year be determined in accordance with the political balance requirements of Sections 15 and 16 of the Local Government and Housing Act, 1989, as set out below:-

<u>COMMITTEE</u>	<u>NUMBER OF SEATS</u>		
	<u>Total</u>	<u>Conservative</u>	<u>Labour</u>
Children's Services Scrutiny Committee *	11	7	4
Community Safety and Community Services Scrutiny Committee	11	7	4
Health and Adult Social Care Scrutiny Committee	11	7	4
Environment Scrutiny Committee	11	7	4
Regeneration, Culture and Adult Education Scrutiny Committee	11	7	4
Appeals Panel (Children's Services Transport)	3	2	1
Appointments Committee	9	5	4
Audit Committee	9	5	4
Development Control Committee	9	6	3
Disciplinary/Dismissal/Grading Appeals Committee	9	5	4
Licensing and Safety Committee	12	7	5
Shadow Dudley Health and Wellbeing Board	3	2	1
Taxis Committee	9	5	4
Tree Preservation Orders Committee	9	5	4

Standards Committee \*

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3

3

\* excluding non elected Members

- (5) That the appointment of Members to Committees for the 2011/12 municipal year be approved as set out below:-

**Children's Services Scrutiny Committee**

Conservative (7)

Labour (4)

**Councillors**

**Councillors**

1. Attwood
2. Mrs Billingham
3. Mrs Dunn
4. Mrs Greenaway
5. J Jones
6. Miller
7. P Woodall

1. Miss Arshad
2. Crumpton
3. Hanif
4. S Turner

together with the following non-elected members:-

Voting Members

Parent Governor Representatives

1. Secondary Schools – vacancy
2. Primary Schools – vacancy
3. Special Schools – Mr D Tinsley

Church Representatives

1. Worcester Diocesan Board of Education – Reverend A Wickens
2. Archdiocese of Birmingham – Mrs M Ward

Non-Voting Members

Teacher Representatives

1. Primary Education – Mrs M Verdegem
2. Secondary/Special Education – Mr C Bruton

Free Churches

1. Mr S Taylor

Persons with experience of and interest in education in the Borough

1. Vacancy
2. Mrs J Lees



## **Community Safety and Community Services Scrutiny Committee**

Conservative (7)

Labour (4)

### **Councillors**

1. Attwood
2. Burston
3. Caunt
4. Mrs D. Harley
5. Kettle
6. Mrs Martin
7. Ryder

### **Councillors**

1. Cotterill
2. Foster
3. Ms Wood
4. Zada

## **Health and Adult Social Care Scrutiny Committee**

Conservative (7)

Labour (4)

### **Councillors**

1. Barlow
2. J D Davies
3. Mrs D Harley
4. Kettle
5. Miller
6. C Wilson
7. P Woodall

### **Councillors**

1. Mrs M Aston
2. K Finch
3. Ms Harris
4. Mrs Ridney

## **Environment Scrutiny Committee**

Conservative (7)

Labour (4)

### **Councillors**

1. Mrs M Cowell
2. Hill
3. James
4. Mrs Rogers
5. Mrs Shakespeare
6. Mrs H Turner
7. Mrs Westwood

### **Councillors**

1. A Finch
2. Mrs Jordan
3. Ms Partridge
4. Waltho

## **Regeneration, Culture and Adult Education Scrutiny Committee**

Conservative (7)

### **Councillors**

1. Attwood
2. Caunt
3. Evans
4. Knowles
5. Mrs Simms
6. K Turner
7. J Woodall

Labour (4)

### **Councillors**

1. Ali
2. G H Davies
3. Islam
4. Mottram

## **Appointments Committee**

Conservative (5)

### **Councillors**

1. Adams
2. Caunt
3. L Jones
4. Mrs Martin
5. Wright

Labour (4)

### **Councillors**

1. Ali
2. Foster
3. Ms Partridge
4. Sparks

## **Appeals Panel (Children's Services Transport)**

Conservative (2)

### **Councillors**

1. Mrs Dunn
2. Miller

Labour (1)

### **Councillor**

1. Crumpton

## **Audit Committee**

Conservative (5)

### **Councillors**

1. Burston
2. J D Davies
3. Hill
4. Taylor
5. Mrs Westwood

Labour (4)

### **Councillors**

1. Ahmed
2. Miss J Cowell
3. Lowe
4. Ms Partridge

### **Development Control Committee**

Conservative (6)

Labour (3)

#### **Councillors**

1. Banks
2. Barlow
3. J Jones
4. Southall
5. Mrs H Turner
6. C Wilson

#### **Councillors**

1. Ms Harris
2. Mrs Roberts
3. Mrs M Wilson

### **Disciplinary/Dismissal/Grading Appeals Committee**

Conservative (5)

Labour (4)

#### **Councillors**

1. Banks
2. Mrs M Cowell
3. James
4. Ms Nicholls
5. J Woodall

#### **Councillors**

1. A Aston
2. Ms Harris
3. Mottram
4. Ms Partridge

### **Licensing and Safety Committee**

Conservative (7)

Labour (5)

#### **Councillors**

1. Mrs Ameson
2. Barlow
3. Mrs Billingham
4. Mrs Dunn
5. Ryder
6. Taylor
7. J Woodall

#### **Councillors**

1. Mrs M Aston
2. A Finch
3. K Finch
4. Mottram
5. Mrs Roberts

### **Shadow Dudley Health and Wellbeing Board**

Conservative (2)

Labour (1)

#### **Councillors**

1. Mrs Faulkner
2. Mrs Walker

#### **Councillors**

1. Ali

### **Taxis Committee**

Conservative (5)

Labour (4)

#### **Councillors**

1. Mrs Ameson
2. Mrs Dunn
3. James
4. Southall
5. K Turner

#### **Councillors**

1. A Aston
2. Body
3. Miss J Cowell
4. Ms Wood

### **Tree Preservation Orders Committee**

Conservative (5)

Labour (4)

#### **Councillors**

1. J D Davies
2. Knowles
3. Ms Nicholls
4. Mrs Rogers
5. C Wilson

#### **Councillors**

1. Mrs M Aston
2. Cotterill
3. Miss J Cowell
4. K Finch

- (6) That with regard to the Children's Services Scrutiny Committee and the Health and Adult Social Care Scrutiny Committee, the proposals in relation to co-opted representatives and the arrangements for the filling of vacancies for co-opted Members, as set out in the report now submitted, be approved.
- (7) That the Licensing and Safety Committee be appointed in 2011/12 to undertake the statutory Committee functions in accordance with the Licensing Act, 2003, as referred to in the report now submitted, and that the Committee comprise 12 Members.
- (8) That the Council confirm that the proportionality requirements of the Local Government and Housing Act, 1989, shall not apply to Sub-Committees established by the Licensing and Safety Committee in 2011/12.
- (9) That the composition and membership of the Standards Committee for the 2011/12 Municipal Year be as set out below:-

## **Standards Committee**

(6 elected Members plus 3 independent Members)

Conservative (3)

Councillors Burston, Kettle and  
Mrs Martin

Labour (3)

Councillors Ahmed, Hanif and  
Ms Partridge

Independent Members

The Bishop of Dudley, Mrs V  
Ainsworth and Father A Williams

- (10) That the terms of reference of the Standards Committee, as set out in the Council's Constitution, be reaffirmed for the 2011/12 Municipal Year, pending further consideration of the implications of the Localism Bill when enacted.
- (11) That the arrangements for substitutes on Committees, as set out in Council Procedure Rules 5.2 to 5.4, be reaffirmed for the 2011/12 Municipal Year.
- (12) That the Director of Corporate Resources be authorised to make any necessary changes to the appointments to Committees or Sub-Committees that might arise from time to time during the 2011/12 Municipal Year, in accordance with the instructions of the Political Groups.
- (13) That the designation of Member Champions for 2011/12, as nominated by the Leader of the Council, be approved as follows:-

<b><u>Subject</u></b>	<b><u>Councillor</u></b>
Community Cohesion	L Jones
Equality	Mrs Shakespeare
Community Safety	A Turner
Information and Communications Technology (e-Champion)	L Jones
Heritage Buildings	Stanley
Cycling	Attwood
Member Development	Mrs Martin

Small Business	Knowles
Older People	Mrs Martin
Learning Disabilities	Vickers
Physical Disabilities	Banks
Mental Health	Mrs Greenaway
Autism	Burston
Adult Safeguarding	J D Davies
Customer Services	Mrs Shakespeare
Children's Champion	Barlow

- (14) That the Area Committees below be appointed for the 2011/12 Municipal Year, each respective Committee comprising the Councillors for the electoral wards indicated, and that the Protocol for Area Committees, as set out in the Council's Constitution, be reaffirmed:-

Brierley Hill Area Committee – Brierley Hill, Brockmoor and Pensnett, Kingswinford North and Wall Heath, Kingswinford South and Wordsley Wards.

Central Dudley Area Committee – Castle and Priory, Netherton, Woodside and St. Andrew's, St. James's, St. Thomas's and Quarry Bank and Dudley Wood Wards.

Halesowen Area Committee – Belle Vale, Cradley and Wollescote, Halesowen North, Halesowen South and Hayley Green and Cradley South Wards.

North Dudley Area Committee – Coseley East, Gornal, Sedgley and Upper Gornal and Woodsetton Wards.

Stourbridge Area Committee – Amblecote, Lye and Stourbridge North, Norton, Pedmore and Stourbridge East and Wollaston and Stourbridge Town Wards.

- (15) That the Chairman and Vice Chairman of the following Committees be appointed for 2011/12:-

<u>Committee</u>	<u>Chairman</u>	<u>Vice Chairman</u>
	Councillor	Councillor
Children's Services Scrutiny Committee	Mrs Dunn	Attwood
Community Safety and Community Services Scrutiny Committee	Kettle	Cotterill
Environment Scrutiny Committee	Mrs Shakespeare	Mrs H Turner
Health and Adult Social Care Scrutiny Committee	Mrs Ridney	J D Davies
Regeneration, Culture and Adult Education Scrutiny Committee	K Turner	Islam
Appeals Panel (Children's Services Transport)	Mrs Dunn	Miller
Appointments Committee	L Jones	Wright
Audit Committee	Taylor	Hill
Development Control Committee	C Wilson	Banks
Disciplinary/Dismissal /Grading Appeals Committee	James	Ms Nicholls
Licensing and Safety Committee	Ryder	Mrs Dunn
Taxis Committee	James	Southall
Tree Preservation Orders Committee	Knowles	Mrs Rogers
Standards Committee	Independent Chairman – The Bishop of Dudley	

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16 CONSTITUTION AND SCHEME OF DELEGATION

A report was submitted seeking consideration of the Constitution and Scheme of Delegation.

It was moved by Councillor L Jones, seconded by Councillor Wright and

RESOLVED

- (1) That the Constitution and Scheme of Delegation be reaffirmed for the 2011/12 Municipal Year.
- (2) That the Director of Corporate Resources be authorised to make any necessary and consequential amendments to the Constitution arising from the decisions made at this meeting, including any necessary revisions to Part 3 of the Constitution (Responsibility for Functions).
- (3) That all existing references in the Constitution to statutory provisions be taken to include any subsequent legislation, Statutory Instruments, Regulations, Orders or Guidance issued under those statutory provisions.
- (4) That a Constitution and Governance Member Working Group be established for 2011/12, with the terms of reference set out in paragraph 6 of the report now submitted, and that the Director of Corporate Resources, in consultation with the Leaders of the political groups, be authorised to determine the membership of the Working Group and to agree a programme of meetings

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17 ORDINARY MEETINGS OF THE COUNCIL, CABINET AND COMMITTEES FOR 2011/12

A report was submitted seeking consideration of dates of ordinary meetings of the Council, Cabinet and Committees for the 2011/12 Municipal Year.

It was moved by Councillor L Jones, seconded by Councillor Wright and

RESOLVED

That the programme of ordinary meetings of the Council, Cabinet and Committees for the 2011/12 Municipal Year be approved as set out in the Schedule attached to the report now submitted.

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18 APPOINTMENTS/NOMINATIONS TO OUTSIDE BODIES

A report was submitted seeking consideration of appointments to outside bodies for 2011/12.

It was moved by Councillor L Jones, seconded by Councillor Wright and

RESOLVED

- (1) That the Director of Corporate Resources, in consultation with the Leader of the Council, be authorised to make appointments and nominations to the bodies referred to in paragraph 2 of the report submitted, in view of the urgency involved in making those appointments and nominations.
- (2) That the appointment of Members to serve on various other outside bodies be reported to the next meeting of the Cabinet or to the relevant Area Committee, as appropriate.

The meeting ended at 6.50 p.m.

MAYOR