

## **Meeting of the Council**

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

You are hereby summoned to attend a meeting of the Dudley Metropolitan Borough Council for the purpose of transacting the business set out in the numbered agenda items listed below.

### **Agenda - Public Session** **(Meeting open to the public and press)**

#### Prayers

1. Apologies for absence
2. To receive any declarations of interest under the Members' Code of Conduct
3. To confirm and sign the minutes of the meeting held on 16<sup>th</sup> October, 2023 as a correct record (Pages 9 - 20).
4. Mayor's Announcements
5. To receive reports from meetings as follows:

Meeting of the Cabinet dated 25<sup>th</sup> October, 2023

Councillor P Harley to move:

- (a) Capital Programme Monitoring (Pages 21 - 24).

Meeting of the Appointments Committee dated 6<sup>th</sup> November, 2023:

Councillor P Harley to move:

(b) [Appointment of Director of Public Health and Wellbeing \(Pages 25 - 26\)](#).

6. Notices of Motion

(a) Telecommunication Companies – Planning Issues

To consider the following notice of motion received from Councillor R Priest on 21<sup>st</sup> September, 2023:

“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.”

*NB: The above motion was moved by Councillor R Priest and seconded by Councillor A Tromans at the Council meeting on 16<sup>th</sup> October, 2023.*

*An amendment in the following terms was subsequently moved by Councillor C Eccles, duly seconded and debated at the Council meeting on 16<sup>th</sup> October, 2023:*

“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.”

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

To consider the following notice of motion received from Councillor S Ali 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 clubs 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**

To consider the following notice of motion received from Councillor K Westwood on 17<sup>th</sup> November, 2023:

“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.”
7. Questions from Members under Council Procedure Rule 11
  8. To consider any business not on the agenda which by reason of special circumstances the Mayor is of the opinion should be considered at the meeting as a matter of urgency under the provisions of the Local Government Act 1972

**Distribution:** All Members of the Council



**Chief Executive**

**Dated: 24<sup>th</sup> November, 2023**

## **Meetings at Dudley Council House:**

### **Health and Safety**

- In view of ongoing health and safety requirements in the workplace, you are asked to comply with any safety instructions applicable to the venue. Various mitigating actions are in place to minimise any risks and to ensure we adhere to the latest guidance.

### **Public Gallery**

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### **Submitting Apologies for Absence**

- Elected Members can submit apologies by contacting Democratic Services (see our contact details below).

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- The public session of this meeting will be recorded and broadcast on the Council's [YouTube Channel](#)

## **General**

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## **If you need advice or assistance**

- If you (or anyone you know) requires assistance to access the venue, or if you have any other queries, please contact Democratic Services - Telephone 01384 815238 or E-mail [Democratic.Services@dudley.gov.uk](mailto:Democratic.Services@dudley.gov.uk)

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**Minutes of the proceedings of the Council  
Monday, 16<sup>th</sup> October, 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, T Crumpton, 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, A Hughes, 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, P Sahota, D Stanley, C Sullivan, A Taylor, E Taylor, A Tromans, M Webb, K Westwood, M Westwood and Q Zada together with the Chief Executive and other Officers.

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**34 Apologies for Absence**

Apologies for absence were submitted on behalf of Councillors T Russon and L Taylor-Childs.

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**35 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 had visits from Gateway Dementia Centre in Brettell Lane.

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.

Councillor Q Zada – Any references to health issues and any matters affecting his portfolio of property investments. Pecuniary interest in any matters directly affecting his employment or his portfolio of property investments.

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 T Crumpton – Minutes of the Adult Social Care Select Committee - declaration for transparency purposes that his father-in-law resided in a care home funded by the local authority.

Councillor P Lee – Minutes of the Children’s Services Select Committee – Pecuniary interest as he was engaged as a Dudley Foster Carer.

Councillor K Lewis – Minutes of the Children’s Services Select Committee – Pecuniary interest as an Early Years Provider.

Councillor R Collins – Minutes of the Public Health Select Committee (NHS Quality Accounts) - Non-pecuniary interest as a participant in Research and Innovation activities and as a Member of the Patient Participation Group.

Councillor P Lowe – Minutes of the Public Health Select Committee - Non-pecuniary interest due to his employment and being an active UNITE Trade Union Member.

Councillor K Westwood – Minutes of the Public Health Select Committee - Non-pecuniary interest as an employee at Dudley Group NHS Foundation Trust.

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36 **Minutes**

**Resolved**

That the minutes of the meetings held on 10<sup>th</sup> July, 2023 be approved as correct records and signed.

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37 **Mayor’s Announcements**

(a) **Roz Wall – Children’s Services**

The Mayor referred in sympathetic terms to the recent death of Roz Wall, an employee of Children’s Services. Councillor C Bayton paid tribute to the memory of Roz Wall.

(b) **Former Councillor Martin Bradney**

The Mayor referred in sympathetic terms to the recent death of former Councillor Martin Bradney. The Council observed a minute of silence as a mark of respect.

(c) Himley Bonfire and Fireworks

The Himley Bonfire and Fireworks event would be on 4<sup>th</sup> November, 2023.

(d) Armistice Service and Remembrance Sunday

The Armistice Service would be on 11<sup>th</sup> November and the Remembrance Sunday Service would be on 12<sup>th</sup> November, 2023.

(e) Christmas Lights Switch-on

Events would be held as follows:

Halesowen and Brierley Hill - 18<sup>th</sup> November, 2023

Stourbridge and Dudley - 25<sup>th</sup> November 2023

Sedgley - 26<sup>th</sup> November, 2023

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38 **Capital Programme Monitoring**

A report of the Cabinet was submitted.

The recommendations of the Cabinet were moved by Councillor P Harley, seconded by Councillor P Bradley and it was

**Resolved**

- (1) That progress with the 2023/24 Capital Programme, as set out in Appendix A to the report, be noted.
- (2) That the new firewalls budget of £460,000 be approved and included in the Capital Programme, as set out in paragraph 6 of the report.
- (3) That the approval and inclusion within the Capital Programme of the budget of £26,000 for the Holiday Activities and Food programme funded fully by the grant, as set out in paragraph 7 of the report, be noted.
- (4) That the transfer between the ICT Strategy and Storage Area Network of £75,000 be approved, as set out in paragraph 8 of the report.

- (5) That the urgent amendment to the Capital Programme for additional costs in the Fire Suppression works contract for £70,000 be approved and included in the Capital Programme, as set out in paragraph 9 of the report.
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### 39 **Treasury Management**

A report of the Audit and Standards Committee was submitted.

The recommendation in the report was moved by Councillor A Lees and seconded by Councillor P Bradley.

Following the debate, Councillor A Lees exercised his right of reply pursuant to Council Procedure Rule 14.9 and it was

#### **Resolved**

That the treasury activities, as outlined in the report, be noted.

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### 40 **Composition and Membership of Committees**

A report of the Lead for Law and Governance was submitted.

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

#### **Resolved**

- (1) That the revised composition and membership of Committees for the remainder of the 2023/24 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 in the Appendix to the report.
- (2) That the appointment of Councillor M Hanif as the Vice-Chair of the Overview and Scrutiny Committee and Councillor M Webb as the Vice-Chair of the Planning Committee, as shown in the Appendix to the report, be confirmed for the remainder of the 2023/24 municipal year.

- (3) That the revisions to the appointment of Lead Opposition Spokespersons (Shadow Cabinet Members), as shown in the Appendix to the report, be noted.
  - (4) That the Monitoring Officer be authorised to take any necessary and consequential actions that are required to implement the proposals contained in the report.
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#### 41 **Notices of Motion**

##### (a) Automatic External Defibrillators and Bleed Control Kits

Pursuant to Council Procedure Rule 12, Councillor K Casey had given notice of a motion, as set out in the agenda, on 3<sup>rd</sup> July, 2023.

The motion was moved by Councillor K Casey and seconded by Councillor A Aston.

During the debate on the motion, an amendment pursuant to Council Procedure Rule 14.6(a) was moved by Councillor K Lewis and seconded by Councillor L Johnson.

With the consent of the mover of the original motion, the amendment was put to the meeting and agreed. The original motion, as amended, became the substantive motion and it was

#### **Resolved**

That the motion, as set out below, be referred to the Cabinet Member for Public Health for detailed consideration of the full implications, including the ongoing arrangements for compliance and maintenance:

‘This Council recognises the importance of improving community safety right across the borough and is committed to improving the health and well-being of residents.

An Automatic External Defibrillator (AED) is a portable electronic device that automatically diagnoses life-threatening sudden cardiac arrest in a patient and is able to treat them through Defibrillation. Defibrillation is one of the four links in the ‘chain of survival’ – a series of actions that improve a person’s chances of surviving cardiac arrest. The four links are:

- Early recognition
- Early cardio-pulmonary resuscitation
- Early defibrillation
- Post resuscitation care.

Up to seven out of 10 people who suffer a cardiac arrest could survive if they are treated with a defibrillator within the first five minutes.

In addition to the importance of community defibrillators, the Council also recognises how crucial the minutes are in the aftermath of an accident or incident to ensure those injured are seen to, particularly in the event that someone could bleed to death whilst emergency services are called.

A Bleed Control Kit therefore can be used to seal wounds and stop bleeding whilst an ambulance is on its way, ensuring help is on hand immediately in the minutes following an accident or incident. These kits have been proven to save lives and need to be available publicly.

Although some defibrillators and bleed kits are available across the borough, their distribution is uneven, leaving gaps.

Therefore, this Council resolves to:

- (1) Review its provision of defibrillators and bleed control kits across its entire public estate.
- (2) Review and commit to installing 1 fully equipped dual public access defibrillator and bleed kit cabinet in each of the 24 wards across the Borough, looking at appropriate premises in public spaces, community centres, leisure facilities and areas of high public footfall.
- (3) Undertake a programme of training for staff who have daily contact with the public in the use of Defibrillators and Cardiopulmonary resuscitation (CPR) as well as the use of Bleed Control Kits.

- (4) Instruct Officers to work with colleagues in the NHS to identify gaps in the existing network and to seek any necessary funding approvals to implement this motion, as well as ensuring a proper mapping exercise of all kits across the Borough to ensure alignment.
- (5) Commend the work of community organisations such as St John Ambulance and The Daniel Baird Foundation for their life-saving work and campaigns to improve community safety.
- (6) Request that the Mayor, in her civic leadership role, bring together charities and campaign groups along with other key stakeholders to shape an action plan for adequate training in the community in locations where the new provision is introduced, ensuring that all local residents are aware of the Public Access Defibrillator/Bleed Control Kit cabinets and how to use them.'

(b) Declining the 15-Minute City Concept and Traffic Restrictions in Dudley Town

Pursuant to Council Procedure Rule 12, Councillor D Corfield had given notice of a motion on 14<sup>th</sup> August, 2023.

The motion was moved by Councillor D Corfield and seconded by Councillor P Bradley.

Following the debate, Councillor D Corfield exercised his right of reply pursuant to Council Procedure Rule 14.9.

The motion was put to the vote and it was

**Resolved** that

Restrictions on motorists in the form of Low Traffic Neighbourhoods (LTNs) and Clean Air Zones (CAZ) have been implemented by various councils, including neighbouring Birmingham City Council. Also, the Labour Mayor of London, Sadiq Khan, has implemented the unpopular Ultra Low Emission Zones (ULEZ) and Congestion Charge schemes.



These policies are anti-motorist, and we believe hardworking Dudley families should not face extra costs during the difficult times post-pandemic and instead we should stand on the side of all road users, including motorists.

Dudley stands as a dynamic hub surrounded by villages, market towns, and agricultural areas. Our connection with these neighbouring regions is vital for the economic, employment, and social growth of our borough. The introduction of a Congestion Charging Zone, LTNs, CAZ or other restrictions and charges on motorists impede the flow of crucial resources between our borough and Dudley Town.

The implementation of any of these schemes will only be counter-productive for business recovery on the Dudley Town High Street, due to it adding extra costs to customers and visitors.

We propose that instead of following the Labour Party on implementing restrictive and costly measures, we will look towards alternative measures to lower CO<sub>2</sub> levels while preserving residents' freedom of movement.

Dudley already boasts a commendable record in implementing green policies such as following the brownfield-first policy which was endorsed by West Midlands Mayor Andy Street and Marco Longhi MP, and we should continue building upon these achievements.

Considering these factors, this Council resolves:

- (1) To formally decline the implementation of policies with restrictive vehicle movement measures, Low Emission Zones or Congestion Charges in Dudley Town.
- (2) To acknowledge that more productive strategies exist to reduce CO<sub>2</sub> emissions and highlight Dudley's commendable track record in promoting sustainable policies in a more practical way.

(c) Telecommunication Companies – Planning Issues

Pursuant to Council Procedure Rule 12, Councillor R Priest had given notice of the following motion on 21<sup>st</sup> September, 2023:

“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.”

The motion was moved by Councillor R Priest and seconded by Councillor A Tromans.

During the debate on the motion, Councillor C Eccles moved an amendment, which was duly seconded, 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.

During the debate on the amendment, the Mayor indicated that, pursuant to Council Procedure Rule 12.5, the 30 minutes allowed to deal with all notices of motion had expired.

This motion and amendment, together with the other remaining motion on the agenda, would therefore stand referred to the next ordinary meeting of the Council. The notices of motion would be included in the summons for that meeting in accordance with Council Procedure Rule 12.2.

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## 42 **Questions under Council Procedure Rule 11**

### Written Questions

No written questions were submitted in advance.

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

The Cabinet Member for Adult Social Care (Councillor M Rogers) responded to questions from Councillor A Aston concerning the introduction of telecare service charges.

The Cabinet Member for Finance, Legal and Human Resources (Councillor S Clark) responded to questions from Councillor S Ali concerning the outstanding outcomes of the motion on dropped kerb funding for disabled residents as agreed by the Council in April, 2023.

The Leader of the Council (Councillor P Harley) responded to questions from Councillor S Phipps concerning the Pro-Palestine demonstration held in Dudley Town Centre on 16<sup>th</sup> October, 2023.

The Cabinet Member for Children's Services and Education (Councillor R Buttery) responded to a question from Councillor A Hughes concerning the school transport appeal process.

The Leader of the Council (Councillor P Harley) undertook to arrange a written response from the Cabinet Member for Housing and Safer Communities to a question from Councillor J Cowell concerning potential service charges for Dudley tenants.

The Cabinet Member for Highways and Environmental Services (Councillor D Corfield) responded to questions from Councillor K Denning concerning the introduction of a charge for the use of tennis courts facilities at Priory Park, Dudley.

The Deputy Leader of the Council (Councillor P Bradley) responded to a question from Councillor R Priest concerning the redevelopment of a site at Colley Gate, Cradley.

The Cabinet Member for Finance, Legal and Human Resources (Councillor S Clark) responded to questions from Councillor H Bills concerning the Household Support Fund.

The Cabinet Member for Climate Change (Councillor Dr R Clinton) responded to questions from Councillor A Tromans concerning progress made on the Council's response to the Climate Emergency.

The Cabinet Member for Highways and Environmental Services (Councillor D Corfield) responded to questions from Councillor S Ali concerning potholes and sunken paving repairs.

The Cabinet Member for Highways and Environmental Services (Councillor D Corfield) responded to questions from Councillor M Westwood concerning highways maintenance.

The Leader of the Council (Councillor P Harley) responded to questions from Councillor S Keasey concerning arrangements for the Musicom event held at Himley in July, 2023.

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43 **Urgent Business**

There was no urgent business for consideration at this meeting.

The meeting ended at 7.33pm

MAYOR

## **Meeting of the Council – 4<sup>th</sup> December, 2023**

### **Report of the Cabinet**

#### **Capital Programme Monitoring**

##### **Purpose**

1. To propose amendments to the Capital Programme.

##### **Recommendations**

2. The Council is recommended:
  - 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.
  - To confirm that the property occupied by Homescene be acquired under the authority delegated in 2021 as set out in paragraph 5.
  - To delegate authority to the Chief Executive, following consultation with the Leader, to consider the outcome of the viability assessment and determine whether to proceed to the economic assessment and to delegate authority to the Director of Finance and Legal to amend the budget if this is the case, as set out in paragraph 6.

##### **Background**

3. The table below summarises the *current* 3 year Capital Programme updated where appropriate to reflect latest scheme spending profiles.

	2023/24	2024/25	2025/26
	£'000	£'000	£'000
Public Sector Housing	65,158	50,816	44,114
Private Sector Housing	16,354	3,388	71
Environment	9,973	12,768	3,000
Transport	14,020	9,570	8,530
Regeneration and Corporate Landlord	21,304	22,249	11,359
Culture, Leisure and Bereavement	2,937	2,904	1,500
Schools and SEND	14,227	20,924	27,600
Social Care, Health and Well Being	702	2,300	0
Digital, Commercial and Customer Services	2,135	1,100	1,161
<b>Total spend</b>	<b>146,810</b>	<b>126,019</b>	<b>97,335</b>
Revenue	3,963	3,922	3,702
Major Repairs Reserve (Housing)	25,517	26,000	26,456
Capital receipts	24,193	17,344	21,610
Grants and contributions	41,215	23,788	17,448
Capital Financing Requirement	51,922	54,965	28,119
<b>Total funding</b>	<b>146,810</b>	<b>126,019</b>	<b>97,335</b>

Note that the capital programme is subject to the availability of Government funding. Changes to the Public Sector Housing capital programme are being taken to Cabinet in a separate report.

#### UK Shared Prosperity Funding Year 2 Allocation

- Following approvals at the Cabinet on 16<sup>th</sup> March, 2023, the proposed funding allocation for year 2 UK Shared Prosperity Funding (UKSPF) has been received from the West Midlands Combined Authority which includes a capital funding allocation of £459,746 for 2023/24 as part of the West Midlands regional business support programme. The intention is to provide capital grants to local businesses by way of a Small to Medium Enterprise (SME) Grants and Net Zero Grants programme. It is proposed that £460,000 is included in the 2023/24 Capital Programme and will be fully funded by grant.

#### Flood Street

- At the Council meeting on 11<sup>th</sup> October, 2021, authority was delegated to officers to acquire other parties' land interests in the Portersfield developable area which, at that time, included the property currently occupied by Homescene. Since that approval, the developable area has changed and that property is no longer within it. However, it is still deemed that acquisition of this property is of strategic importance for regeneration purposes. Exact figures cannot be provided at this point as contract negotiations are still ongoing but there is sufficient headroom within the original allocation to fund this purchase. The Council is

therefore asked to confirm that this property can be acquired under the authority delegated in 2021.

6. Officers have been working with the West Midlands Growth Company to appoint external advisors to assess the potential for an ice rink and hotel development at Flood Street, Dudley. This exercise is split into two phases: a viability assessment and an economic impact assessment. The second phase will only go ahead if the first phase is successful (i.e. if it demonstrates that the development is viable in its own right and without Council subsidy). The West Midlands Growth Company has agreed to initially meet the £50,000 cost of the viability assessment on the basis that, if it is successful, the Council will contribute £15,000 to the viability assessment and pay the £5,000 cost of the economic impact assessment. It is proposed that authority be delegated to the Chief Executive, following consultation with the Leader, to consider the outcome of the viability assessment and determine whether to proceed to the economic assessment and delegate authority to the Director of Finance and Legal to amend the budget if this is the case.

### **Finance**

7. This report is financial in nature and information about the individual proposals is contained within the body of the report.

### **Law**

8. The Council's budgeting process is governed by the Local Government Act 1972, the Local Government Planning and Land Act 1980, the Local Government Finance Act 1988, the Local Government and Housing Act 1989, and the Local Government Act 2003.

### **Risk Management**

9. Risks, and their management, are considered prior to proposals being brought forward to include projects in the Capital Programme. This includes risks relating to the capital expenditure itself, funding of that expenditure (e.g. grant availability and conditions), and ongoing revenue costs and/or income.

### **Equality Impact**

10. These proposals comply with the Council's policy on Equality and Diversity. With regard to Children and Young People:

- The Capital Programme for Schools will be spent wholly on improving services for children and young people. Other elements of the Capital Programme will also have a significant impact on this group.
- Consultation is undertaken with children and young people, if appropriate, when developing individual capital projects within the Programme.
- There has been no direct involvement of children and young people in developing the proposals in this report.

### **Human Resources/Organisational Development**

11. The proposals in this report do not have any direct Human Resources / Organisational Development implications.

### **Commercial / Procurement**

12. All procurement activity will be carried out in accordance with the Council’s Contract Standing Orders, and the relevant officers will take the procurements through the Procurement Management Group to monitor compliance at the relevant Gateways.

### **Environment / Climate Change**

13. Individual capital projects should be separately assessed for their environmental impact before they commence and major schemes with climate change impacts will include details of this in their progress reports going forward.

### **Council Priorities and Projects**

14. Proposed capital projects are in line with the Council’s capital investment priorities as set out in the approved Capital Strategy.



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**Leader of the Council**



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## **Meeting of the Council – 4<sup>th</sup> December, 2023**

### **Report of the Appointments Committee**

#### **Appointment of Director of Public Health and Wellbeing**

##### **Purpose**

1. To consider a recommendation from the Appointments Committee concerning the appointment of the Director of Public Health and Wellbeing.

##### **Recommendation**

2. 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.

##### **Background**

3. On 6<sup>th</sup> November, 2023, the Appointments Committee undertook interviews and made a recommendation to appoint Dr Mayada Abu Affan to the post of Director of Public Health and Wellbeing. Dr Mayada Abu Affan is currently the Acting Director of Public Health and Wellbeing at Dudley MBC.
4. The Terms of Reference of the Appointments Committee require that recommendations must be made to the full Council on any new appointments that exceed a threshold of £100,000.

##### **Finance**

5. The salary for the Director of Public Health and Wellbeing is £116,894. The cost is included in existing budgetary provisions.

## **Law**

6. The Council's Constitution was adopted under the provisions of the Local Government Act 2000. Under Article 4.02 of the Constitution, any new appointments that exceed a threshold of £100,000 must be by way of a recommendation from the Appointments Committee to the Full Council.
7. The Director of Public Health and Wellbeing is a statutory Officer acting as the principal adviser to Members and Officers on all health matters. The post has statutory responsibilities under the National Health Service Act 2006 and the Health and Social Care Act 2012.

## **Risk Management**

8. The Director plays a key role in identifying, monitoring and managing key corporate risks, and ongoing material risks, as part of the Council's Risk Management Framework.

## **Equality Impact**

9. The Director is required to ensure that service provision reflects the diversity of communities and undertake duties with full regard to the Council's policies on equality and diversity.

## **Human Resources/Organisational Development**

10. The appointment of the Director is in accordance with the requirements of the Council's Constitution and the Council's human resources policies.

## **Commercial/Procurement**

11. The Director is required to implement the Council's corporate strategic policies, including those relating to financial management, the responsible use of resources and best value in all areas of service delivery.

## **Council Priorities**

12. The Director plays a key role in the delivery of key Council priorities including the Borough Vision, Council Plan and Future Council Programme.



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**Leader of the Council**