

DUDLEY METROPOLITAN BOROUGH

MINUTES OF THE PROCEEDINGS OF THE COUNCIL
AT THE MEETING HELD ON MONDAY, 10TH OCTOBER, 2011
AT 6.00 PM AT THE COUNCIL HOUSE, DUDLEY

PRESENT:

Councillor Evans (Mayor)
Councillor Mrs Ameson (Deputy Mayor)
Councillors Ali, Miss Arshad, A Aston, Mrs M Aston, Attwood, Banks, Barlow, Mrs Billingham, Blood, Burston, Caunt, Cotterill, Miss J Cowell, Mrs M Cowell, Crumpton, G H Davies, M Davis, 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, Miller, 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, Mrs M Wilson, Ms Wood, J Woodall, P Woodall, Wright and Zada; together with the Chief Executive and other officers.

PRAYERS

The Mayor's Chaplain led the Council in prayer.

32 **APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of Councillors Adams, Ahmed, Body, J D Davies, Mrs Dunn, Mrs Martin and Mrs Roberts.

33 **DECLARATIONS OF INTEREST**

Declarations of personal and prejudicial interests, in accordance with the Members' Code of Conduct, were made by the following in respect of the matters indicated:-

Councillor Burston – Minute No. 17 of Halesowen Area Committee (Transportation Issues) – personal interest in regard to reference made to bus lanes as he was employed by CENTRO.

Councillor K Turner – Minute No. 11 of Halesowen Area Committee (Emergency Services Issues) - personal interest as a Member of the West Midlands Fire and Rescue Authority and Minute No. 19 (Delegated Capital Budget) in view of him being on the Electoral Register for St. Margaret's of Antioch and any reference made to Halesowen Victorian Fair as a Member of the Halesowen and Rowley Regis Rotary Club.

Councillor Mrs H Turner – Minute No. 19 of Halesowen Area Committee (Delegated Capital Budget) - personal interest in view of her being on the Electoral Register for St. Margaret's of Antioch.

Councillor J Woodall – Minute No. 19 of Halesowen Area Committee (Delegated Capital Budget) – personal interest as a member of Halesowen Parish Church of St. John the Baptist.

Councillor Ali – Minute No. 16 of the Regeneration, Culture and Adult Education Scrutiny Committee (Petition regarding parking in Dudley Town Centre) – personal and prejudicial interest in view of him being involved in the initial consideration of this matter at the meeting of Central Dudley Area Committee held on 18th January, 2011.

Councillor Southall – Minute No. 27 of the Development Control Committee (Planning Application No. P11/0866, 80 Mellowdew Road, Wordsley) – personal and prejudicial interest as a long-standing acquaintance of one of the objectors.

Councillor Ali – Minute No. 31 of the Development Control Committee (Planning Application Nos. P07/0053/E1 and P11/0888 (both relating to Vacant Land at Hall Street, Dudley) – personal and prejudicial interests as Secretary to the Dudley Central Mosque.

Councillor Mrs Rogers – Minute No.13 of the Tree Preservation Orders Committee (Confirmation of Tree Preservation Order) – personal interest as she indirectly knew the applicants through her husband.

Councillor C Wilson – Minute No. 13 of the Tree Preservation Orders Committee (Confirmation of Tree Preservation Order) – personal and prejudicial interest as he had previously visited 9 Chaddesley Drive, Pedmore and declared his approval to the application.

Councillor Ali – Minute No 23 of the Cabinet (Pay and Grading Review – Implementation of Single Status – Management Proposals for a Collective Agreement) - personal interest as a member of the trade unions being consulted, namely GMB and UNISON.

Councillor Mrs Walker – Minute No. 37 of the Cabinet (A Strategy for Services for Adults with Autism in Dudley) – personal interest in view of the fact that she had a grandson with autistic difficulties.

Councillor Mrs Faulkner - Any references to the Dudley Group of Hospitals - Personal interest as an appointed Governor - Dudley Group of Hospitals Foundation Trust.

Councillor Mrs Faulkner - Delegated Decision 17 (Directorate of Adult, Community and Housing Services Adult Community Learning to manage the delivery of the adult learning provision at Leasowes Community College) - personal interest as a Governor of Leasowes Community College.

Councillor Wright - Any reference to any issues relating to Midland Heart - personal interest as a tenant of Midland Heart.

Councillor M Davis - Any licensing matters affecting the Stourbridge Academy, Stourbridge - personal and prejudicial interest due to his personal association.

Councillor Cotterill - Minute No. 38 of the Cabinet (Modernisation of Adult Social Care) and any associated matters - personal interest as a relative is employed in the elderly care service.

Councillor Mrs M Aston - Minute No. 16 of the Children's Services Scrutiny Committee (Children's Centres in Dudley) - personal interest as an attendee at Priory School Children's Centre committee meetings.

Councillor Vickers - All references to the Assembly of Governors of the Black Country Partnership NHS - personal interest as a Council appointee.

Councillor Vickers - Annual Report of the Environment Scrutiny Committee - reference to Flood Risk Management - personal interest as the Dudley Council and Black Country Councils representative on the Flood and Coastal Committee.

Councillor Vickers - all references to the Shadow Dudley Health and Wellbeing Board - personal interest as the Chairman of that Board.

Councillor Foster - Minutes of the Halesowen Area Committee and references to the Fire Station closure - personal and prejudicial interest in view of her employment with West Midlands Fire Service.

34 MINUTES

RESOLVED

That the minutes of the meeting of the Council held on 18th July, 2011 be approved as a correct record and signed.

35 MAYOR'S ANNOUNCEMENTS

(a) Charity Cricket Match

The Mayor reported that a charity cricket match had been held on 22nd July, 2011 at Stourbridge Cricket Club, raising £600 towards the Mayor's Charity. The Mayor thanked everyone involved in the event. The Mayor presented the winners trophy to Councillor Hanif as the captain of the Members team and the runners up trophy to the Chief Executive on behalf of the officers.

(b) Armistice Day and Remembrance Sunday

The Mayor reported that the Armistice Day event would take place in Dudley on 11th November and Remembrance Sunday was on 13th November, 2011.

(c) Mayor's Attendant – Charity Sahara Desert Run

The Mayor updated the Council on the progress of his attendant, Mike Crannage, who was taking part in the Sahara Desert Run in aid of the Mayor's Charity.

(d) Councillor Waltho

The Mayor referred to Councillor Waltho's recent attempt to climb seven mountains in Scotland in aid of local charities. Although this had been affected by adverse weather, the Council placed on record its appreciation for the ongoing charity work undertaken by Councillor Waltho.

(e) Extraordinary Meeting of the Council

The Mayor reminded Members that an extraordinary meeting of the Council would be held on 18th October, 2011 at 5.00pm.

36 COUNCIL PLAN 2013: 2011 ANNUAL REFRESH

A report of the Cabinet was submitted.

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

RESOLVED

That the Council Plan 2011 refresh be endorsed and the alignment of the Council Plan and Directorate Strategic Plans to the Community Strategy be noted.

37 CAPITAL PROGRAMME MONITORING

A report of the Cabinet was submitted.

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

RESOLVED

(1) That the budget for improvements to the Oak Lane site be increased by £103,000 and that the Capital Programme be amended accordingly, as set out in paragraph 3 of the report now submitted.

- (2) That the Disabled Facilities Grant budget for 2012/13 of £2.6m be approved and included in the Capital Programme, as set out in paragraph 4 of the report now submitted.
- (3) That the Local Sustainable Transport Fund allocation be noted and the capital element of the project be included in the Capital Programme, as set out in paragraph 5 of the report now submitted.
- (4) That the urgent amendments to the Capital Programme, as set out in paragraphs 6 and 7 of the report now submitted, be noted.

38 FOOD SERVICE PLAN

A report of the Cabinet was submitted.

It was moved by Councillor Stanley, seconded by Councillor Wright and

RESOLVED

That the Food Service Plan for 2011/12 be approved.

39 NOTICE OF MOTION UNDER COUNCIL PROCEDURE RULE 12

Pursuant to Council Procedure Rule 12, Councillor A Turner had given notice of the following motion:

"That this Council implements 20mph speed limit zones outside all schools in the Metropolitan Borough of Dudley.

That the Council notes that this will be consistent with two of the key objectives of the Council and will further demonstrate our commitment to the safety and wellbeing of the children in our Borough."

The motion was moved by Councillor A Turner and seconded by Councillor C Wilson.

An amendment was proposed by Councillor P Harley to the effect that the first paragraph of the motion be amended to read:-

"That this Council implements 20mph speed limit zones outside schools in the Metropolitan Borough of Dudley where this is appropriate."

In accordance with Council Procedure Rule 14.7, with the consent of the meeting and the seconder, Councillor A Turner accepted the alteration of the original motion to incorporate the proposed amendment. The motion, as amended, thereupon became the substantive motion.

A further amendment was moved by Councillor Sparks, and duly seconded, to the effect that the following words be inserted after the word 'schools' in the original motion:-

"and nurseries in residential areas, and 20mph during the hours of school crossing patrols on major roads"

Following a debate, the amendment was put to the vote and lost.

During further debate on the substantive motion, Councillor L Jones proposed a further amendment, which was duly seconded, to the following effect:

"That a further report be submitted to the Cabinet on the implementation of this resolution."

In accordance with Council Procedure Rule 14.7, with the consent of the mover and seconder and of the meeting, the substantive motion was altered to incorporate the further amendment.

The substantive motion, as amended, was thereupon put to the meeting and it was

RESOLVED

That this Council implements 20mph speed limit zones outside schools in the Metropolitan Borough of Dudley where this is appropriate.

That the Council notes that this will be consistent with two of the key objectives of the Council and will further demonstrate our commitment to the safety and wellbeing of the children in our Borough.

That a further report be submitted to the Cabinet on the implementation of this resolution.

40 ANNUAL REPORT OF THE ENVIRONMENT SCRUTINY COMMITTEE

The annual report of the Scrutiny Committee was submitted.

It was moved by Councillor Mrs Shakespeare, seconded by Councillor Caunt and

RESOLVED

That the annual report be received and noted.

41 ANNUAL REPORT OF THE HEALTH AND ADULT SOCIAL CARE SCRUTINY COMMITTEE

The annual report of the Scrutiny Committee was submitted.

It was moved by Councillor Mrs Ridney and seconded by Councillor Caunt that the annual report be received and noted.

In responding to the debate, the Chairman of the Health and Adult Social Care Scrutiny Committee indicated that an item concerning the Modernisation of Adult Social Care would be included on the agenda for the next meeting of the Health and Adult Social Care Scrutiny Committee.

RESOLVED

That the annual report be received and noted.

42 MEMBERSHIP OF THE CABINET

A report of the Leader was submitted.

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

RESOLVED

That the revised membership of the Cabinet, together with the consequential changes to the membership of the Shadow Dudley Health and Wellbeing Board and nominations to other bodies, be noted.

43 TREASURY MANAGEMENT

A report of the Audit Committee was submitted

It was moved by Councillor Taylor, seconded by Councillor C Wilson and

RESOLVED

That the treasury activities outlined in the report be noted.

44 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 Chairmen agreed to have reconsidered.

The meeting ended at 8.10pm

MAYOR