

DUDLEY METROPOLITAN BOROUGH

MINUTES OF THE PROCEEDINGS OF THE COUNCIL
AT THE MEETING HELD ON MONDAY, 1ST MARCH, 2010
AT 6.00 PM AT THE COUNCIL HOUSE, DUDLEY

PRESENT:-

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

PRAYERS

The Mayor's Chaplain led the Council in prayer.

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APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received on behalf of Councillors Adams and J. D. Davies.

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DECLARATIONS OF INTEREST

Declarations of personal and prejudicial interests, in accordance with the Members' Code of Conduct, were made by the following Members in respect of specific items connected with Minute No. 80 below as follows:

Councillor M. Davis - items relating to social services - personal interest as a service user.

Councillor Ms. Harris - references to matters relating to health and social care in so far as they relate to the business of Dudley Primary Care Trust as partners, co-commissioners and co-providers of services in the Borough - personal interest as Chair of Dudley Primary Care Trust.

Councillor K. Turner - references to West Midlands Fire Service; Dudley Zoo or Castle Hill Development; Groundwork Black Country and Age Concern - personal and prejudicial interests as a member of West Midlands Fire and Rescue Authority; as a Trustee of Dudley Zoological Gardens; as a Director and Vice-Chairman of Groundwork Black Country; and as Vice-Chairman of Age Concern Halesowen.

Councillor K. Turner - references to Caslon Community (Liveability Fund) and Birmingham Airport - personal interests as a contributor with reference to Caslon Community (Liveability Fund) and as a Member of the Birmingham Airport Consultative Committee.

Councillor Foster - references to West Midlands Fire Service - personal and prejudicial Interest as an employee of the West Midlands Fire Service.

Councillors G.H. Davies and Ryder - references to West Midlands Fire Service - personal interest as Members of the West Midlands Fire and Rescue Authority.

Councillor Body - references to Homer Hill Park - personal interest as Chairman of the Friends of the Park.

Councillors Ali and C. Wilson – references to St. Thomas’s Community Network – personal and prejudicial interests as Directors of that organisation.

Councillor Mrs. Ridney – references to St. Thomas’s Community Network only insofar as the activities of the Coseley School were affected by the services provided by the Network – personal interest as the Chairman of Governors at the Coseley School.

Councillors Mrs. Dunn and Vickers - references to St. Thomas’s Community Network only insofar as the activities of the Dudley Church of England Schools Foundation were affected by the services provided by the Network – personal interests as Trustees of the Dudley Church of England Schools Foundation.

SUSPENSION OF COUNCIL PROCEDURE RULES

It was moved by Councillor Mrs. Millward, seconded by Councillor Jones and

RESOLVED

That, under Council Procedure Rule 22.1, the time restriction of five minutes referred to in Council Procedure Rule 14.4, be suspended to enable the Cabinet Member for Finance and the Lead Spokespersons for the other political groups to speak for longer than five minutes on Minute No. 80 below and to enable the Cabinet Member for Finance to speak for longer than five minutes to exercise his right of reply to the debate.

REVENUE BUDGET STRATEGY AND SETTING THE COUNCIL TAX
2010/11

A joint report of the Chief Executive and the Interim Director of Finance was submitted, setting out recommendations concerning the deployment of General Fund Revenue Resources, a number of statutory calculations that had to be made by the Council and the Council Tax to be levied for the period from the 1st April, 2010 to 31st March, 2011.

It was moved by Councillor D. Blood, and seconded by Councillor Jones, that the recommendations as set out in the report submitted to the meeting be approved and adopted.

Following speeches by the Lead Opposition spokespersons, the report was the subject of general debate by Members.

During the debate on the original motion, the following amendment was moved by Councillor Ms. Harris and seconded by Councillor Islam:-

“That the following words be included at the end of the original motion as an addition to the recommendation printed in paragraph 57 of the report submitted to the meeting:-

...however, the Children’s Services budget and any other relevant budgets must be reconsidered in the light of the proposed changes in funding to St. Thomas’s Network and no reduction in funding will be acted upon until there has been a full examination of the consequences by the Children’s Trust and the appropriate Overview and Scrutiny Committee.”

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

(In view of their having declared a personal and prejudicial interest in respect of the St. Thomas’s Network, Councillors Ali and C. Wilson both left the Council Chamber and took no part in the voting on the above amendment. Both Councillors returned to the Chamber once the vote had been taken).

During further debate on the original motion, an amendment was moved by Councillor Crumpton and seconded by Councillor Foster. The Chief Executive advised that it would be necessary to seek an adjournment of the meeting to enable the Interim Director of Finance to assess the potential implications of the amendment on the Council’s budgetary estimates.

The meeting stood adjourned at 8.02pm and reconvened at 8.20pm.

The Chief Executive informed the Council that the revised terms of the amendment, as moved by Councillor Crumpton and seconded by Councillor Foster, was as follows:-

That the original motion be amended to provide for the insertion of a new paragraph 22A within the report submitted to the meeting to read as follows:-

22A That no action be taken on the proposed cut to the Young Persons Substance Misuse budget pending a full impact assessment and investigation by the appropriate Select Committee.”

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

During further debate on the original motion, a closure motion pursuant to Council Procedure Rule 14.11(a)(i) was moved by Councillor Caunt and duly seconded by Councillor Nottingham. The Mayor, being of the opinion that the original motion had been sufficiently discussed, put the closure motion to the meeting and it was

RESOLVED

That the question be now put.

Pursuant to Council Procedure Rule 14.11(b), Councillor D. Blood was afforded and exercised his right of reply to the debate. The original motion was thereupon put to the vote and it was:-

RESOLVED

- (1) That the budget requirement for 2010/11 and allocations to services be approved as follows:

Service	£m
Children's Services	67.055
Adult, Community and Housing Services	100.573
Urban Environment	55.784
Chief Executive's	10.004
Finance, ICT and Procurement	17.674
Law and Property	1.738
Total Service Allocations	252.828
Less: Area Based Grant	-20.877
Plus: Contribution to General Fund Balances	3.500
BUDGET REQUIREMENT	235.451

- (2) That the following amounts be now calculated by the Council for the year 2010/11 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992 (the Act):
- (a) £700.963000m being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (e) of the Act (*The Council's spending and contribution to reserves*)
 - (b) £465.512000m being the aggregate of the amounts which the Council estimates for the items set out in Sections 32(3)(a) to (c) of the Act (*The Council's income and use of reserves*)
 - (c) £235.451000m being the amount by which the aggregate at (a) above exceeds the aggregate at (b) above, calculated by the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year (*The Council's budget requirement*)
 - (d) £125.577559m being the aggregate of the sums which the Council estimates will be payable for the year into its general fund in respect of redistributed non-domestic rates or revenue support grant [increased by the amount of the sums which the Council estimates will be transferred in the year from its collection fund to its general fund in accordance with Section 97(3) of the Local Government Finance Act 1988] or [reduced by the amount of the sums which the Council estimates will be transferred in the year from its General Fund to its Collection Fund in accordance with Section 97(4) of the Local Government Finance Act 1988] and [increased by the amount of any relevant sum which the Council estimates will be transferred from its collection fund to its general fund pursuant to the directions under section 98(4) of the Local Government Finance Act 1988] or [reduced by the amount of any relevant sum which the Council estimates will be transferred from its general fund to its collection fund

pursuant to the directions under section 98(5) of the Local Government Finance Act 1988].

(e) £1125.3889 being the amount at (c) above less the amount at (d) above i.e. £109.873441m all divided by the Council Tax base of 97631.53, calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its council tax for the year (*The Council's basic amount of tax*)

(f) Dudley Council Tax for each Valuation Band

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
750.26	875.30	1000.35	1125.39	1375.48	1625.56	1875.65	2250.78

being the rounded amounts given by multiplying the amount at (e) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different bands.

(3) Precepts for each Valuation Band

That it be noted that for the year 2010/11, the major precepting authorities have issued the following amounts in precepts to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of the dwellings shown below:

	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
West Midlands Police	66.30	77.35	88.40	99.45	121.55	143.65	165.75	198.90
West Midlands Fire & Rescue	31.89	37.20	42.52	47.83	58.46	69.09	79.72	95.66

- (4) That, having calculated the aggregate in each case of the amounts in Appendix 2 to the report submitted to the meeting, the Council, in accordance with Section 30(2) of the Local Government Finance Act, 1992, agrees the following levels of Council Tax for 2010/11:

Valuation Bands

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
848.45	989.85	1131.27	1272.67	1555.49	1838.30	2121.12	2545.34

- (5) That the Chief Executive and Directors be authorised to take all necessary steps to implement the proposals contained in the report submitted to the meeting, in accordance with the Council's Financial Management Regime.
- (6) That the Council reminds the Chief Executive and Directors to exercise strict budgetary control in accordance with the Financial Management Regime and care and caution in managing the 2010/11 budget, particularly in the context of commitments into later years and the impact that overspending in 2010/11 will have on the availability of resources to meet future budgetary demands.
- (7) That the Medium Term Financial Strategy (MTFS) set out in appendix 6 to the report submitted to the meeting be approved, and that 2009/10 service budgets be revised to reflect the variances set out in paragraphs 10 and 11 and summarised in paragraph 14 of the MTFS.

The meeting ended at 9.30 p.m.

MAYOR