

**Minutes of the proceedings of the Council
Monday, 16th 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.

34 Apologies for Absence

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

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.

36 **Minutes**

Resolved

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

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 4th November, 2023.

(d) Armistice Service and Remembrance Sunday

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

(e) Christmas Lights Switch-on

Events would be held as follows:

Halesowen and Brierley Hill - 18th November, 2023

Stourbridge and Dudley - 25th November 2023

Sedgley - 26th November, 2023

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.
-

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.

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.
-

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 3rd 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 14th 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 CO₂ 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 CO₂ 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 21st 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.

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 16th 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.

43 **Urgent Business**

There was no urgent business for consideration at this meeting.

The meeting ended at 7.33pm

MAYOR