

DUDLEY METROPOLITAN BOROUGH

MINUTES OF THE PROCEEDINGS OF THE COUNCIL
AT THE MEETING HELD ON MONDAY 7th OCTOBER, 2013
AT 6.00 PM AT THE COUNCIL HOUSE, DUDLEY

PRESENT: -

Councillor A Finch (Mayor)
Councillor M Aston (Deputy Mayor)
Councillors A Ahmed, K Ahmed, Ali, Arshad, A Aston, Attwood, Mrs Billingham, Bills, Blood, Body, Boleyn, Branwood, Burston, Caunt, Cotterill, Cowell, Duckworth, Elcock, Evans, K Finch, Foster, Hale, Hanif, Harley, Harris, Hemingsley, Herbert, Hill, Islam, James, J Jones, L Jones, Kettle, Lowe, Marrey, J Martin, Mrs P Martin, Miller, Mottram, Ms Nicholls, Partridge, Perks, Ridney, Roberts, Mrs Rogers, Russell, Mrs Shakespeare, Mrs Simms, Sparks, Sykes, Taylor, Mrs H Turner, K Turner, S Turner, Tyler, Vickers, Mrs Walker, Mrs Westwood, C Wilson, Wood, Wright and Zada, together with the Chief Executive and other Officers.

PRAYERS

The Mayor's Chaplain led the Council in prayer.

25 **APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of Councillors Mrs Ameson, Baugh, Casey, Crumpton, Jordan, Waltho, M Wilson and Woodall.

26 **DECLARATIONS OF INTEREST**

Declarations of interests, in accordance with the Members' Code of Conduct, were made by the following Members:

Councillor Ridney – Minute No. 6 of the Coseley East/Sedgley Community Forum (Area Grants) – Non-pecuniary interest as a Governor at Hurst Hill School.

Councillors Ali and Waltho – Minute No. 13 of Castle and Priory/St James's and St. Thomas's Community Forum (Area Grants) – Non-pecuniary interests in view of their involvement with St Thomas's Network.

Councillor K Turner – Minute No. 12 of the Belle Vale, Hayley Green and Cradley South Community Forum (Area Grants) - Non-pecuniary interest as a Director of Halesowen Age Concern.

Councillor Body – Minute No. 12 of the Adult, Community and Housing Services Scrutiny Committee (Welfare Reform)– Non pecuniary interest as a his son was a Council tenant.

The following Members in respect of Minute No. 16 of the Development Control Committee (Plans and Applications to Develop) – Non-pecuniary interests in individual applications for the reasons described below:

Councillors J Martin and Zada – P13/0542 (11 Gorsty Avenue, Brockmoor, Brierley Hill) as they knew the objectors.

Councillor Wright – P13/0677 (7 Straits Road, Lower Gornal, Dudley) as he was acquainted with the applicant.

Councillor Wright – P13/0707 (39 Hillbrow Crescent, Halesowen) as he was a friend of the applicant.

Councillor Mrs Westwood – P13/0677 as the applicant was her employer.

Councillor Mrs Westwood – P13/0707 as she knew the applicant.

Councillor Casey – P13/0677 as he knew the applicant.

The following Members in respect of Minute No. 24 of the Development Control Committee (Site Visits) – Non-pecuniary interests in individual applications for the reasons described below:

Councillors J Martin and Zada – P13/0542 (11 Gorsty Avenue, Brockmoor, Brierley Hill) as they knew the objectors.

The following Members in respect of Minute No. 25 of the Development Control Committee (Plans and Applications to Develop) – Non-pecuniary interests in individual applications for the reasons described below:

Councillor Wright – P12/1054 (former Gala Bingo Club, Castle Hill, Dudley) as he was a Trustee of the Black Country Living Museum.

Councillor Perks – P13/0591 (63 Platts Crescent, Amblecote, Stourbridge) as she knew the objectors.

Councillor J Martin - Minute No. 31 of the Development Control Committee (Plans and Applications to Develop) – P12/1287 (Brierley Hill Freight and Steel Terminal, Moor Street, Brierley Hill) – Non-pecuniary interest as a registered objector to the application.

Councillor Wright - Minute No. 37 of the Development Control Committee (Plans and Applications to Develop) – P13/1101 (North and South Bound Tipton Road, Dudley) – Non-pecuniary interest as a Trustee of the Black Country Living Museum.

Councillor Mrs Rogers – Minutes of the Ernest Stevens Trusts Management Committee – Non-pecuniary interests as Chair of the Friends Group for Mary Stevens Park and Swinford Common and also in view of her involvement with the Project Implementation Team – Heritage Lottery Bid for Mary Stevens Park and attendance at stakeholder meetings.

Councillor Mrs Rogers – Minute No. 8 of the Ernest Stevens Trusts Management Committee (Stevens Park and Recreation Ground Foundation Trust – Grant Application) – Non-pecuniary interest as she attended the Annual General Meeting at the Alderman Tye Scout and Guide Headquarters, South Road, Stourbridge.

Councillor Hanif – Minutes of the Ernest Stevens Trusts Management Committee – Non-pecuniary interest as an attendee at stakeholder meetings and Friends of Parks Groups.

Councillor Partridge – Minutes of the Ernest Stevens Trusts Management Committee – Non-pecuniary interest as an attendee at Friends of Parks Groups.

Councillor Wright - Any references to Midland Heart - Non-pecuniary interest as a tenant of Midland Heart.

Councillor Crumpton - All matters affecting schools - Non-pecuniary interest as a relative worked as a supply teacher.

Councillor A Aston – All matters relating to West Midlands Ambulance Service (WMAS) – Pecuniary interest as an employee of WMAS.

Councillor Caunt - Agenda Item No. 5(d) (Adoption of the Stourbridge Area Action Plan) - Non-pecuniary interest as Chairman of Stourbridge Navigation Trust.

Councillor C Wilson - Minutes of the Ernest Stevens Trusts Management Committee – Non-pecuniary interest as a Director and Trustee of Mary Stevens Hospice.

27 MINUTES

RESOLVED

That the meeting of the Council held on 15th July, 2013, be approved as a correct record and signed.

28 MAYOR'S ANNOUNCEMENTS

(a) Honorary Alderman Kenneth Johnson

The Mayor reported on the death of Honorary Alderman Kenneth Johnson, referring to his long and distinguished service with the Council and his service as a Member of West Midlands Fire Authority. Members stood in silent tribute as a token of respect to his memory. Other Members then paid individual tributes.

(b) Mayor's Charity and Associated Events

The Mayor reported on the following recent events and the monies raised for his charity fund. The Mayor thanked everyone involved for organising and participating in the events concerned:

- Members versus Officers Cricket Match
- Annual Football Tournament
- Fun Day at Netherton Park
- Great Black Country Road Run
- Dudley Town FC versus Councillors/Officers Football Match

(c) Councillor Waltho - 20 Lakeland Mountains Challenge

The Mayor congratulated Councillor Waltho on the completion of the above challenge in aid of several local charities.

(d) Spotlight on Talent Event

The Mayor reported on the above charity event on 22nd October, 2013 to showcase the talents of local people with learning difficulties.

(e) European and Local Elections – 22nd May, 2014

The Mayor reported that the above elections would both take place on 22nd May, 2014 and consequently, the annual meeting of the Council would be held on 5th June, 2014.

29 CAPITAL PROGRAMME MONITORING

A report of the Cabinet was submitted.

It was moved by Councillor Sparks, seconded by Councillor Lowe and

RESOLVED

- (1) That current progress with the 2013/14 Capital Programme as set out in Appendix A to the report now submitted be noted.
- (2) That the expenditure on the modernisation of Tiled House Lane Residential Care Home be approved and included in the Capital Programme, as set out in paragraph 5 of the report now submitted.
- (3) That the additional expenditure at the Oak Lane Traveller Site be approved and included in the Capital Programme, as set out in paragraph 6 of the report now submitted.

- (4) That in respect of Mary Stevens Park, Stourbridge, the Director of the Urban Environment be authorised to accept the Heritage Lottery Fund (HLF) grant funding; the Director of Corporate Resources be authorised to sign the necessary funding agreements with HLF; and the capital element of the project be included in the Capital Programme, as set out in paragraph 7 of the report now submitted.
 - (5) That in respect of Rapid Charging Points for Electric Vehicles, the Director of the Urban Environment be authorised to accept the funding; the project be included in the Capital Programme; and the Director of the Urban Environment be authorised to agree the locations for the charging points and procure and install the equipment in consultation with the Cabinet Member for Transport, as set out in paragraph 8 of the report now submitted.
 - (6) That the Outdoor Gym project be approved and included in the Capital Programme, as set out in paragraph 9 of the report now submitted.
 - (7) That the funding allocation in respect of the post-16 provision at Pens Meadow Special School be noted, and the project included in the Capital Programme, as set out in paragraph 10 of the report now submitted.
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30 REPORT OF THE INDEPENDENT REMUNERATION PANEL ON THE MEMBERS' ALLOWANCES SCHEME

A report of the Cabinet was submitted.

It was moved by Councillor Sparks, seconded by Councillor Lowe and

RESOLVED

That the recommendations contained in the report of the Independent Remuneration Panel concerning the Members' Allowances Scheme, as now submitted, be approved and adopted.

31 ADOPTION OF THE HALESOWEN AREA ACTION PLAN

A report of the Cabinet was submitted.

It was moved by Councillor Foster, seconded by Councillor Lowe and

RESOLVED

That the Halesowen Area Action Plan be approved and adopted.

32 ADOPTION OF THE STOURBRIDGE AREA ACTION PLAN

A report of the Cabinet was submitted.

It was moved by Councillor Foster, seconded by Councillor Lowe and

RESOLVED

That the Stourbridge Area Action Plan be approved and adopted.

33 CODE OF CONDUCT FOR EMPLOYEES

A report of the Audit and Standards Committee was submitted.

It was moved by Councillor Cowell, seconded by Councillor Lowe and

RESOLVED

That the revised Code of Conduct for Employees, as now submitted, be approved and adopted.

34 TREASURY MANAGEMENT

A report of the Audit and Standards Committee was submitted.

It was moved by Councillor Cowell, seconded by Councillor Lowe and

RESOLVED

That the treasury management activity, as outlined in the report now submitted, be noted.

35 NOTICE OF MOTION

Pursuant to Council Procedure Rule 12, Councillor J Martin had given notice of a motion on 20th September, 2013.

The motion, as set out in the agenda, was moved by Councillor J Martin and seconded by Councillor Branwood.

Following a speech by Councillor James, a closure motion pursuant to Council Procedure Rule 14.11 was moved to the effect that the question be now put. The Mayor was of the opinion that the original motion had not been sufficiently discussed and the closure motion was not put to the vote.

Following speeches by a further four members, it was moved by Councillor Hanif, duly seconded and

RESOLVED

That the question be now put.

Councillor J Martin then exercised his right to reply to the debate pursuant to Council Procedure Rule 14.9.

The original motion was thereupon put to the vote and it was

RESOLVED

That this Council:

Notes that the 'Bedroom Tax' (disingenuously referred to by the Conservative led Government as their spare room subsidy) will hit hundreds of the poorest households in the Dudley Borough. The Equality Impact Assessment conducted by the Government estimates that two thirds of affected households include a person with a disability.

Believes that the policy will fail as forcing tenants to move to smaller, but in many cases, more expensive private rented accommodation will in many cases lead to higher benefit payments.

Notes that the Bedroom Tax will do nothing to help those on the Council's housing waiting list.

Believes that with house building at the lowest level since the 1920's, Government should be investing in new social housing in the borough creating real homes, rather than making clumsy and punitive benefit cuts that penalise the least well off.

Calls on registered social landlords operating in the Borough to refrain from seeking possession of properties where arrears are substantially due to tenants struggling to cope with the impact of the 'Bedroom Tax'.

Asks the Government to axe the Bedroom Tax (spare room subsidy), which will cut the benefit paid to some of Dudley Borough's most vulnerable residents.

Calls upon the Chief Executive to write to the Secretary of State for the Department of Work and Pensions asking the Government to repeal the Bedroom Tax (spare room subsidy) as a matter of urgency.

Pursuant to Council Procedure Rule 16.4, at the demand of in excess of six members present at the meeting, the voting on the above motion was recorded as follows:

For the Motion (37):

Councillors A Ahmed, K Ahmed, Ali, Arshad, A Aston, M Aston, Bills, Body, Boleyn, Branwood, Cotterill, Cowell, Duckworth, A Finch, K Finch, Foster, Hale, Hanif, Harris, Hemingsley, Herbert, Islam, Lowe, Marrey, J Martin, Mottram, Partridge, Perks, Ridley, Roberts, Russell, Sparks, Sykes, S Turner, Tyler, Wood and Zada

Against the Motion (27)

Councillors Attwood, Mrs Billingham, Blood, Burston, Caunt, Elcock, Evans, Harley, Hill, James, J Jones, L Jones, Kettle, Mrs P Martin, Miller, Ms Nicholls, Mrs Rogers, Mrs Shakespeare, Mrs Simms, Taylor, Mrs H Turner, K Turner, Vickers, Mrs Walker, Mrs Westwood, C Wilson and Wright

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QUESTIONS UNDER COUNCIL PROCEDURE RULE 11

During questions asked under Council Procedure Rule 11, there were no decisions that the Leader, Cabinet Members or Chairs agreed to have reconsidered.

The meeting ended at 7.41 p.m.

MAYOR