

DUDLEY METROPOLITAN BOROUGH

MINUTES OF THE PROCEEDINGS OF THE COUNCIL
AT THE MEETING HELD ON MONDAY, 27TH FEBRUARY, 2012
AT 6.00 PM AT THE COUNCIL HOUSE, DUDLEY

PRESENT: -

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

WEBCAST OF COUNCIL MEETING

In accordance with Council Procedure Rule 24.5, the Council gave its consent to this meeting being recorded and broadcast on the Internet.

PRAYERS

The Mayor's Chaplain led the Council in prayer.

59 **APOLOGIES**

Apologies for absence from the meeting were received on behalf of Councillors Barlow, J D Davies, Mottram, Mrs Roberts and C Wilson.

60 **DECLARATIONS OF INTEREST**

Councillors Ahmed and Ali – Minute No. 50 of Central Dudley Area Committee (Dudley Town Centre Regeneration) – Personal Interests as Members of the Dudley Regeneration Partnership Board.

Councillor Stanley – Minute No. 48 of North Dudley Area Committee (reference to 2132 Squadron Air Training Corps) – Personal and Prejudicial Interest as a Member of the Squadron's Committee.

Councillor Mrs Aston – Minute No. 33 of the Health and Adult Social Care Scrutiny Committee (reference to West Midlands Ambulance Service) – Personal Interest as her son was employed by West Midlands Ambulance Service.

Councillor Mrs Dunn – Minutes Nos. 24 and 25 of the Children’s Services Scrutiny Committee (references to Care Proceedings and Corporate Parenting) – Personal Interest as a Governor with responsibility for looked after children at two schools.

Councillor Hanif – Minute No. 25 of the Children’s Services Scrutiny Committee (reference to Corporate Parenting) – Personal Interest as a Governor of Rufford Primary School.

Councillor Mrs Ridney – Minutes Nos. 24 and 25 of the Children’s Services Scrutiny Committee (references to Care Proceedings and Corporate Parenting) – Personal Interests as the Chairman of the Governors of the Virtual School and as the Governor for looked after children at Christchurch and Hurst Hill Primary Schools and the Coseley School.

Councillor Mrs Ridney – Minute No. 24 of the Children’s Services Scrutiny Committee (reference to Care Proceedings) – Personal Interest as her son-in-law acted in Court on behalf of the Council.

Councillor Mrs Dunn – Minute No. 32 of the Children’s Services Scrutiny Committee (reference to the Fostering Service) – Personal Interest as her stepdaughter was a foster carer.

Councillor Mrs H Turner – Minute No. 50 of the Development Control Committee (Planning Application No. P11/0680 – Twin Oaks Farm, Lapal Lane South, Halesowen) – Personal and Prejudicial Interest as she knew the family.

Councillor Southall – Minute No. 50 of the Development Control Committee (Planning Application No. P11/0652 (Dudley College, Mons Hill Campus, Wrens Hill Road, Dudley) – Personal Interest as his daughter was employed by Dudley College.

Councillor Ryder – Minute No.105 of the Taxis Committee (Review of Hackney Carriage Driver’s Licence) – Personal and Prejudicial Interest as a member of the West Midlands Fire and Rescue Authority.

Councillor Knowles – Minute No. 41 of the Tree Preservation Orders Committee (Planning Application No. P11/1624 – 1 Summercourt Square, Kingswinford) – Personal Interest as he was a friend of the applicant.

Councillors Ali, Lowe and Sparks – Minute No. 82 of the Cabinet (Implementation of Single Status Grading and Pay Review) – Personal Interest in view of their membership, employment and/or involvement with the trade unions referred to in this item.

Councillor Crumpton – Minutes of the Cabinet - Personal Interest in respect of all relevant items in view of the temporary employment of his sister with the Council as a teacher.

Councillor Lowe – Minute No. 93 of the Cabinet (Inspection of Safeguarding and Looked After Children) – Personal Interest in view of the employment of his wife in a National Health Service Partner Organisation as a Health Visitor.

Councillor Mrs Faulkner – Any references to matters relating to the Dudley Group of Hospitals – Personal Interest as an appointed Governor – Dudley Group of Hospitals Foundation Trust.

Councillor Wright – Any references 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 Crumpton – All matters affecting schools – Personal Interest as a relative works as a supply teacher.

Councillor A Aston – Any references to matters affecting West Midlands Ambulance Service (WMAS) – Personal Interest as an employee of WMAS.

Councillor Burston – Minute No. 46 of North Dudley Area Committee (Transport Issues) – Personal Interest in view of his employment with CENTRO.

The Chief Executive, all Directors and Assistant Directors – Agenda Item No. 7 (Pay Policy Statement) – Personal Interests in view of the financial information and employment terms and conditions referred to in the report.

61 MINUTES

RESOLVED

That the minutes of the meeting held on 28th November, 2011, be approved as a correct record and signed.

62 MAYOR'S ANNOUNCEMENTS

(a) Former Councillor Joe Plant and Councillor Margaret Cowell

The Mayor referred in sympathetic terms to the recent deaths of former Councillor Joe Plant and Councillor Margaret Cowell. The Council observed a period of silence as a token of respect to their memories. The Mayor and individual Members paid tributes to both Joe Plant and Margaret Cowell.

(b) Deputy Mayor

The Mayor welcomed the Deputy Mayor back from a recent period of absence following an operation.

(c) Mayor's Ball

The Mayor reminded the Council that his Charity Ball would be on Friday, 23rd March, 2012 at the Copthorne Hotel.

63 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 current progress with the 2011/12 Capital Programme, as set out in Appendix A to the report now submitted, be noted and that budgets be amended to reflect the reported variances.
 - (2) That the further allocation of Disabled Facilities Grant funding of £132,000 be noted and the associated expenditure included in the Capital Programme, as set out in paragraph 5 of the report now submitted.
 - (3) That the Street Lighting Energy Saving Programme be approved, as set out in paragraph 6 of the report now submitted.
 - (4) That subject to obtaining planning permission, the provision of Salt Barn and Waste Transfer building facilities and related works at Lister Road Depot be approved and included in the Capital Programme, as set out in paragraph 7 of the report now submitted.
 - (5) That the 2012/13 grant allocations for schools' capital projects be noted and the associated spend included in the Capital Programme, as set out in paragraph 8 of the report now submitted.
 - (6) That the urgent amendments to the Capital Programme, as set out in paragraphs 9 to 11 of the report now submitted, be noted.
 - (7) That the Prudential Indicators as required to be determined by the Chartered Institute of Public Finance and Accountancy (CIPFA) Prudential Code for Capital Finance in Local Authorities and the Local Government Act 2003, as set out in Appendix B to the report now submitted, be approved.
 - (8) That the Minimum Revenue Provision (MRP) Policy for 2012/13, be approved as set out in paragraph 15 of the report now submitted.
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64 UPDATE OF THE COUNCIL'S CAPITAL STRATEGY

A report of the Cabinet was submitted.

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

RESOLVED

That the revised Capital Strategy be approved.

65 DEPLOYMENT OF RESOURCES: HOUSING REVENUE ACCOUNT AND PUBLIC SECTOR HOUSING CAPITAL

A report of the Cabinet was submitted.

It was moved by Councillor A Turner, seconded by Councillor Wright and

RESOLVED

- (1) That the revised Housing Revenue Account budget for 2011/12 and the Housing Revenue Account budget for 2012/13, as outlined in Appendix 1 to the report now submitted, be approved.
- (2) That the public sector housing revised capital budget for 2011/12 and the capital budget for 2012/13 to 2016/17, as outlined in Appendix 2 to the report now submitted, be approved.
- (3) That the Director of Adult, Community and Housing Services and the Director of Corporate Resources be authorised to bid for and enter into funding arrangements for additional resources to supplement investment in the public sector housing stock, as outlined in paragraphs 26 and 27 of the report now submitted.
- (4) That the Director of Adult, Community and Housing Services, in consultation with the Cabinet Member for Housing, Libraries and Adult Learning, be authorised to manage and allocate resources to the capital programme, as outlined in paragraph 28 of the report now submitted.
- (5) That the Council confirm that all capital receipts arising from the sale of the Housing Revenue Account assets (other than those specifically committed to support private sector housing) should continue to be used for the improvement of Council homes, as outlined in paragraph 28 of the report now submitted.

- (6) That the Director of Adult, Community and Housing Services be authorised to procure and enter into contracts for the delivery of the capital programme, as outlined in paragraph 29 of the report now submitted.
- (7) That the new Housing Revenue Account medium term financial strategy, as outlined in Appendix 4 to the report now submitted, be approved.

66 HOUSING REPAIRS AND MAINTENANCE: PROCUREMENT AND DELIVERY OF SERVICES

A report of the Cabinet was submitted.

The Cabinet Member for Housing, Libraries and Adult Learning indicated that a ballot of trade unions had recently taken place and it was now understood that a positive outcome had been obtained.

It was moved by Councillor A Turner, seconded by Councillor Wright and

RESOLVED

- (1) That the progress made in respect of the negotiations with the unions to create an organisation with agreed terms and conditions that is capable of change to meet the future needs of the service be noted.
- (2) That the officers be authorised to take either of the following actions following the conclusion of the trade union ballot:-
 - (a) To implement the new terms and conditions in the event of a successful ballot.
 - (b) In the event of a 'no' vote, to proceed with the procurement process for a joint venture organisation.

67 TREASURY MANAGEMENT

A report of the Audit Committee was submitted.

It was moved by Councillor Taylor, seconded by Councillor Caunt and

RESOLVED

- (1) That the treasury activities in 2011/12, as outlined in the report now submitted, be noted.
- (2) That the Treasury Strategy 2012/13, attached as Appendix 2 to the report now submitted, be noted.

- (3) That the Treasurer be authorised to effect such borrowings, repayments and investments as are appropriate and consistent with the approved Treasury Strategy and relevant guidance.
- (4) That the Treasury Policy Statement, attached as Appendix 3 to the report now submitted, be approved.

68 NOTICE OF MOTION UNDER COUNCIL PROCEDURE RULE 12

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

"The Council notes the receipt of an e-Petition, organised by Black Country Chamber of Commerce, with 1,324 signatures in support of Dudley Borough's bid for city status.

This Council fully supports the terms of the petition and emphasises its commitment to the creation of a vibrant and prosperous city where people are proud to live, learn and work and where businesses are keen to invest. We are ambitious about Dudley's future and proud of its past."

The motion was moved by Councillor Adams and seconded by Councillor Wright.

During the debate and at the conclusion of a speech by another Member, pursuant to Council Procedure Rule 14.10 (c), it was moved by Councillor Caunt, duly seconded and

RESOLVED

That the question be now put.

The substantive motion was put to the meeting and it was

RESOLVED

That the Council notes the receipt of an e-Petition, organised by Black Country Chamber of Commerce, with 1,324 signatures in support of Dudley Borough's bid for city status.

This Council fully supports the terms of the petition and emphasises its commitment to the creation of a vibrant and prosperous city where people are proud to live, learn and work and where businesses are keen to invest. We are ambitious about Dudley's future and proud of its past.

69 PAY POLICY STATEMENT

A report of the Director of Corporate Resources was submitted.

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

RESOLVED

- (1) That the pay policy statement, as set out in the Appendix to the report now submitted, be approved.
- (2) That the Director of Corporate Resources be authorised to amend the Constitution to provide for the submission of the pay policy statement to full Council on an annual basis.

70 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 7.35 p.m.

MAYOR