

DUDLEY METROPOLITAN BOROUGH

**MINUTES OF THE PROCEEDINGS OF THE COUNCIL
AT THE MEETING HELD ON MONDAY, 16TH JULY, 2007
AT 6.00 PM AT THE COUNCIL HOUSE, DUDLEY**

PRESENT:-

Councillor Stanley (Mayor)
Councillor Burston (Deputy Mayor)
Councillors Adams, Ahmed, Ali, Mrs. Ameson, Mrs. Aston, Attwood, Banks, D. Blood, Mrs. E. Blood, Body, Ms. Boleyn, Caunt, Mrs. Collins, Cotterill, Mrs. Cowell, Ms. Craigie, Crumpton, G.H. Davies, J. R. Davies, Mrs. Dunn, Evans, Mrs. Faulkner, J. Finch, K. Finch, Ms. Foster, Fraser-Macnamara, Hanif, Harley, Ms. Harris, Hill, Islam, Jackson, James, Jones, Mrs. Jordan, Kettle, Knowles, Lavender, Lowe, J. Martin, Miller, Mottram, Ms. Nicholls, Nottingham, Ms. Partridge, Rahman, Mrs. Ridley, Roberts, Mrs. Rogers, Ryder, Mrs. Shakespeare, Simms, Sparks, Taylor, Tomkinson, A. Turner, Mrs. H. Turner, K. Turner, Tyler, Mrs. Walker, Waltho, While-Cooper, C. Wilson, Mrs. M. Wilson, Woodall and Wright; together with Directors and other Officers.

PRAYERS

The Mayor's Chaplain, Revd. J. Ward-Mott, led the Council in prayer.

19 **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were received on behalf of Councillors Mrs. Coulter, Mrs. P. Martin, Mrs. Millward and Southall.

20 **DECLARATIONS OF INTEREST**

Members declared interests, in accordance with the Members' Code of Conduct, as follows:-

Councillor Ahmed – Minute No. 18 of the Central Dudley Area Committee (Highways Minor Works Capital Programme for 2007/08) - Personal interest as a Corporation Member of Dudley College.

Councillors Mrs. Aston and Cotterill - Minute No. 16 of Central Dudley Area Committee (Matter raised by Councillor Ms. Craigie under Ward Issues) – Personal interests as members of the congregation of a Methodist Church.

Councillor Jones – Minute No. 16 of Stourbridge Area Committee (Review of the Closure of Stourbridge High Street). Personal and prejudicial interest in view of a personal friend being directly affected by the closure.

Councillor Lowe – Minute No. 18 of Stourbridge Area Committee (Dudley Local Improvement Finance Trust (LIFT)) – Personal interest as an officer of UNISON, some of whose members were employed by the Dudley Primary Care Trust.

Mr. J. Polychronakis, Director of Law and Property – Minute No. 14 of Stourbridge Area Committee (Capital Allocations – Application by Pedmore Cricket Club) – Personal and prejudicial interest as a member of the Pedmore Cricket Club.

Councillor Rahman – Minutes of the Select Committee on Regeneration, Culture and Education - Personal interest in any matter referred to on the agenda in relation to Leisure Centres as a user of Dudley Leisure Centre.

Councillor Wright – Minute No. 115(ii) of the Development Control Committee (Planning No. P07/0470 – Corner of Wood Road and Stickley Lane, Lower Gornal, Dudley) - Personal and prejudicial interest as the Governing Body of Ellowes Hall School, of which he was a member, had submitted a formal objection to the application.

Councillor Mrs. H. Turner – Minute No. 120(viii) of the Development Control Committee (Plan No. P07/0442 - Hickton Steels, corner of George Road and Stourbridge Road, Halesowen) - Personal and prejudicial interest as the applicant was known to her.

Councillor Mrs. M. Wilson – Minute No. 4(iii) of the Development Control Committee (Plan No. P06/2177 – Phase V Service Yard C, Merry Hill, Brierley Hill) - Personal and prejudicial interest as the company making the application was particularly active in her ward, she had attended several meetings with them, and had received hospitality from them at the Mayor's Dinner.

Councillor C. Wilson - Minute No. 10(iv) of the Development Control Committee (Plan No. P07/0056 – 37 Sedgley Road, Woodsetton) - Personal and prejudicial interest in view of his previous business dealings with the firm making the application.

All Members of the Council – Minute No. 7 of the Standards Committee (Member's Allowances Scheme) - Personal interest as recipients of Members Allowances.

Councillors Mrs. Aston, Evans, J. Finch, K. Finch and Waltho - All references to the redevelopment of the North Priory Estate - Personal interests as members of the North Priory Project Board.

Councillor Mrs. Aston - Delegated Decision No. 84 (Admission arrangements and admission numbers for community and voluntary controlled primary schools and co-ordinated scheme for all primary schools) - Personal interest as a School Governor at Cotwall End Primary School.

Councillor K. Turner - Minute No. 120(viii) of the Development Control Committee (Plan No. P07/0442 – Hickton Steels, corner of George Road and Stourbridge Road, Halesowen) - Personal interest as an associate of the developer.

Councillor Ms. Harris - Agenda Item No. 5(b) - Capital Programme Monitoring (reference to Day Opportunities for People with a learning disability) - Personal interest as Chair of Dudley Primary Care Trust - Providers of specialist nursing services for learning disability clients.

Councillor Ms. Harris - Agenda Item No. 7(a) - Annual Report of the Select Committee on Children's Services (reference to Joint Area Review) - Personal interest as Chair of Dudley Primary Care Trust - Providers of Children and Adolescent Mental Health Services to the Borough.

Councillor J. R. Davies - Agenda item 5(b) - Capital Programme Monitoring (reference to Todds End Visitors Centre) - Personal and prejudicial interest as a Committee Member of the Dudley Canal Trust.

Councillor J. R. Davies - Delegated Decision No. 87 (Citizen's Advice Bureau Pilot in Phase 1 Children's Centres) - Personal interest in view of having colleagues within that organisation.

Councillor J. R. Davies – Delegated Decision No. 88 (Grant for the Dudley Citizens Advice Bureau) - Personal interest in view of having colleagues within that organisation.

Councillor A. Turner – Minute No.120(viii) of the Development Control Committee (Plan No. P07/0442 – Hickton Steels, corner of George Road and Stourbridge Road, Halesowen) – Personal interest as applicant was known to him.

Councillor Burston - Minute No. 12 of the Select Committee on the Environment (Review of Dudley Bus Services) - Personal interest due to employment with CENTRO.

Councillor Ahmed – Agenda Item No. 5(a) – Capital Programme Monitoring (Reference to Wren's Nest Nature Reserve Warden's Base – Lease with Dudley College) – Personal interest as a Corporation Member of Dudley College.

Councillor Ms. Craigie – Delegated Decision Nos. 83 and 84 (Admission Arrangements and Admission Numbers for Primary and Secondary Schools) – Personal interest in view of her School Governorship.

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MINUTES

RESOLVED

That the minutes of the annual meeting of the Council held on 17th May, 2007 be approved as a correct record and signed.

22

MAYOR'S ANNOUNCEMENTS

(a) Regional Teacher of the Year Award

The Mayor announced that Simon Duncan, a Teacher at Red Hall Primary School, had been awarded the title of 'Regional Teacher of the Year'. Members congratulated Mr. Duncan on this outstanding achievement and the Mayor presented the award on behalf of the Council.

(b) Black Country Youth Games

The Mayor announced that the Black Country Youth Games had taken place in Wolverhampton on 29th June, 2007. The Council was informed of the success of the event and Members acknowledged the work of the Sports Development Team. The Mayor had received a commemorative plaque in recognition of the collaborative work across the Black Country.

(c) Sports Development Team – QUEST Accreditation

The Mayor announced that the Sports Development Team in the Directorate of the Urban Environment, had attained the QUEST accreditation in June, 2007. QUEST was the recognised UK Quality Scheme for Sport and Leisure. Members paid tribute to the achievements of all the employees concerned and the Mayor presented the awards to Rachel Doyle and Wendy Remorini of the Sports Development Team.

(d) Reputation Awards 2007

The Mayor reported that the Council had been successful in obtaining a silver award in the national Reputation Awards 2007 organised by LG Communications, the Local Government Association and the I&DEA. The award had been made in respect of the "Don't Dirty Dudley" media campaign and the Mayor presented the award to the Marketing and Communications Team in recognition of this achievement.

(e) Mayor's Charity Funding 2005/06

Following an invitation from the Mayor, Councillor Kettle addressed the Council with regard to the outcome of the Mayor's Charity Funding during his Mayoral year in 2005/06.

(f) Deaths of Ron Westerby and Elizabeth Harris

The Mayor referred, in sympathetic terms, to the deaths of Ron Westerby, the Council's former Chief Education Officer and Elizabeth Harris, a leading charity and community worker in the Borough. The Council stood in silent tribute as a token of respect to their memory. The Mayor and Members of the Council paid tributes to both Ron Westerby and Elizabeth Harris for their significant contributions and respective achievements within the Borough.

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BEST VALUE PERFORMANCE PLAN 2007

A report of the Cabinet was submitted.

It was moved by Councillor Caunt, seconded by Councillor Fraser-Macnamara and

RESOLVED

- (1) That the Best Value Performance Plan (BVPP) for 2007 be approved.
- (2) That the action taken in publicising the BVPP on the Internet by the required date of 29th June, 2007, be endorsed.

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CAPITAL PROGRAMME MONITORING

A report of the Cabinet was submitted.

It was moved by Councillor Caunt, seconded by Councillor Fraser-Macnamara and

RESOLVED

- (1) That the additional expenditure on Disabled Facilities Grants be approved, and the Capital Programme be amended accordingly, as set out in paragraph 3 of the report.
- (2) That the expenditure on home adaptations consequent to the re-provision of Grange House be approved and included in the Capital Programme, as set out in paragraph 4 of the report.

- (3) That the additional Kick Start grant be noted, and the Capital Programme be amended accordingly, as set out in paragraph 5 of the report.
- (4) That the proposal that the sale of the Lower Gornal Centre site and that a new smaller centre for people with a learning disability, with 50 – 60 places, be built in the North of the Borough, and that the scheme be included in the Capital Programme, be approved as set out in paragraph 6 of the report.
- (5) That the schedule of street lighting replacement works be approved and included in the Capital Programme, as set out in paragraph 7 of the report.
- (6) That the project to construct a replacement Warden's Base at the Wren's Nest Nature Reserve be approved and included in the Capital Programme, and that the Director of Law and Property be authorised to enter into the necessary lease arrangements with Dudley College, as set out in paragraph 8 of the report.
- (7) That the enhancements to the Liveability programme be approved, as set out in paragraph 9 of the report.
- (8) That the expenditure on Black Waste Bins be approved and included in the Capital Programme, as set out in paragraph 10 of the report.
- (9) That the extra expenditure relating to Civil Parking Enforcement be approved and included in the Capital Programme, as set out in paragraph 11 of the report.
- (10) That the Security Improvements at the Council House, Mary Stevens Park, be approved and included in the Capital Programme, as set out in paragraph 12 of the report.
- (11) That the annual expenditure on Major Kitchen Equipment be included in the Capital Programme, as set out in paragraph 13 of the report.
- (12) That the project management costs for Building Schools for the Future (BSF) of up to £3m be included in the Capital Programme, as set out in paragraph 14 of the report.
- (13) That the "Other Services" Capital Programme for 2007/08 be approved, as set out in paragraph 16 of the report.

- (14) That the urgent amendments to the Capital Programme, as set out in paragraphs 18 and 19 of the report be noted.
- (15) That the Director of Finance be authorised to accept grant offers (in respect of the Brierley Hill Sustainable Access Network) on behalf of the Council, subject to the terms and conditions as required by the Department for Transport, and as detailed in the Addendum to the report circulated at the meeting.

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HOUSING STRATEGY 2007 - 2010

A report of the Cabinet was submitted.

It was moved by Councillor Evans, seconded by Councillor Fraser-Macnamara and

RESOLVED

That the adoption of the Housing Strategy 2007 – 2010 be endorsed and that the Director of Adult, Community and Housing Services be authorised to carry out any actions related to the implementation of the Housing Strategy Action Plan.

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NOTICES OF MOTION UNDER COUNCIL PROCEDURE RULE 12
FAIRTRADE

The motion set out below, notice of which had been given by Councillor Lowe, had been included in the agenda for the Council meeting on 16th April, 2007. Due to the expiry of the 30 minutes time limit prescribed in the Council Procedure Rules, the motion had not been disposed of at that meeting:-

“This Council notes that the Fairtrade Foundation, established in the UK in 1992, seeks to achieve the following:

- To alleviate poverty in developing countries by encouraging industry and consumers in the UK to support fair-trade.
- Through the Fairtrade Mark to guarantee standards for prices and working conditions for Third World producers and growers of products bearing the Mark.

This Council welcomes the initiatives by the Stourbridge Fairtrade Town Status Steering Group and by other groups in Dudley Metropolitan Borough to encourage the sale and use of Fairtrade goods. The increased sale of such goods in the UK directly reduces poverty and supports sustainable community development in the Third World.

There are now over 250 Fairtrade Towns, Cities, Boroughs and Villages in the UK. This Council understands that one of the requirements for Stourbridge and other towns to achieve Fairtrade Town Status is that a resolution must be passed by Dudley MBC in support of Fairtrade and with a commitment to offering Fairtrade tea and coffee at meetings, in its offices, and canteens.

Dudley Council, as an important consumer and opinion leader, should research, develop, and support a strategy, to facilitate the promotion and purchase of foods with the Fairtrade mark, as part of its commitment to promote and support sustainable development and give producers a fair deal.

Accordingly, this Council resolves to establish a working party with two members from each Group. The working party will consult interested community groups, working with designated council officers to:

- Develop activities by Dudley Borough Council supportive of Fairtrade.
- Present recommendations to the Cabinet for passing a supportive Fairtrade Resolution thereby facilitating Stourbridge and other towns in the Borough to seek to achieve Fairtrade Town Status during the 2007/8 Council year.”

With the consent of the Council, Councillor Lowe moved an amended motion, which was duly seconded by Councillor A. Turner. Following a debate, the amended motion was put to the meeting and it was:

RESOLVED

That Dudley MBC supports the principle of Fairtrade and the Fairtrade Foundation.

The Council welcomes the work of supporters of the Fairtrade Foundation within the Metropolitan Borough and supports the efforts of all townships within the Borough in their quest for Fairtrade Town Status. The Council agrees to continue to offer Fairtrade tea and coffee at its meetings and in the offices.

ANNUAL REPORT OF THE SELECT COMMITTEE ON CHILDREN'S SERVICES

A report of the Chairman of the Select Committee on Children's Services was submitted.

It was moved by Councillor Nottingham, seconded by Councillor Fraser-Macnamara and

RESOLVED

That the annual report of the Select Committee on Children's Services for 2006/07 be approved and adopted.

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ANNUAL REPORT OF THE SELECT COMMITTEE ON COMMUNITY SAFETY AND COMMUNITY SERVICES

A report of the Chairman of the Select Committee on Community Safety and Community Services was submitted.

It was moved by Councillor A. Turner, seconded by Councillor Fraser-Macnamara and

RESOLVED

That the annual report of the Select Committee on Community Safety and Community Services for 2006/07 be approved and adopted.

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ANNUAL REPORT OF THE SELECT COMMITTEE ON REGENERATION, CULTURE AND ADULT EDUCATION

A report of the Chairman of the Select Committee on Regeneration, Culture and Adult Education was submitted.

It was moved by Councillor C. Wilson, seconded by Councillor Fraser-Macnamara and

RESOLVED

That the annual report of the Select Committee on Regeneration, Culture and Adult Education for 2006/07 be approved and adopted.

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REVISED CODE OF CONDUCT FOR MEMBERS

A report of the Standards Committee was submitted.

It was moved by Councillor Fraser-Macnamara, seconded by Councillor Caunt and

RESOLVED

- (1) That the revised Code of Conduct, including the ten general principles set out in Appendix 1 of the report as a preamble to the Code, be adopted with effect from 17th July 2007.

- (2) That all members be notified of the need to renew their registration of interests.
- (3) That a copy of the revised Code of Conduct and the Guide issued by the Standards Board for England be provided to every member of the Council.
- (4) That arrangements be made for every member to sign a written undertaking to observe the Code before 16th September, 2007.
- (5) That further training on the new Code be made available to members of the Council.

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TREASURY MANAGEMENT

A report of the Audit Committee was submitted.

It was moved by Councillor Taylor, seconded by Councillor Fraser-Macnamara and

RESOLVED

- (1) That the treasury management activities in 2006/07, as set out in the report, be approved.
- (2) That the Treasury Strategy 2007/08, as set out in Appendix 1 to the report, be approved.
- (3) That the Director of Finance be authorised to effect such borrowings, repayments and investments as are appropriate and consistent with the approved Treasury Strategy and relevant guidance.

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QUESTIONS UNDER COUNCIL PROCEDURE RULE 11

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

The meeting ended at 8.43 pm

MAYOR