

DUDLEY METROPOLITAN BOROUGH

**MINUTES OF THE PROCEEDINGS OF THE COUNCIL
AT THE MEETING HELD ON MONDAY 26TH FEBRUARY, 2007
AT 6.00 PM AT THE COUNCIL HOUSE, DUDLEY**

PRESENT:-

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

PRAYERS

The Mayor's Chaplain, Canon John Everest, led the Council in prayer.

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APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received on behalf of Councillors Bradney, Burt, M. Davis, Johnston and Mrs. Pearce.

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DECLARATIONS OF INTEREST

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

Councillor Lowe - Minute No. 50 of Stourbridge Area Committee (Request to declare land at Clinic Drive, Lye surplus to requirements). Personal interest in view of being a Unison Regional Officer (Union members employed by Dudley Primary Care Trust).

NB: The Director of Law and Property disclosed a personal and prejudicial interest in respect of a question raised within Minute No. 49 of Stourbridge Area Committee (Public Forum – question relating to Atlantic House) in view of his membership of The Warehouse (Dudley Drugs Project).

Councillors Donegan and A. Turner - Minute No. 71 of Stourbridge Area Committee relating to the application to purchase Valley Road Youth and Community Centre, Providence Street, Lye. Personal and prejudicial interest in view of membership of the Valley Road Youth and Community Centre Committee.

Councillors Attwood and Rogers - Minute No. 73 of Stourbridge Area Committee (The Ernest Stevens Trusts – Final Accounts) relating to the offer of grant by the Cory Environmental Trust and the application by the Friends of Mary Stevens Park for permission to hold an open day at Mary Stevens Park, Stourbridge in May 2007 and to charge an admission fee, towards the cost of the event. Personal and prejudicial interests in view of their respective involvement with the Friends of Mary Stevens Park.

Councillor Attwood – Minute No. 73 of Stourbridge Area Committee (The Ernest Stevens Trusts – Final Accounts) - reference to Family Fun Day in May, 2007, organised by Stourbridge and Black Country Events Corporation sponsored by the Friends of Mary Stevens Park. Personal and prejudicial interest in view of Chairmanship of the organisations involved.

NB: Councillor Attwood made a further disclosure in respect of Minute No. 73 of Stourbridge Area Committee (Ernest Stevens Trusts – Final Accounts) – with reference to the grant allocation, the Council noted that the Minute should technically refer to Cory Environmental Trust of Britain. Personal and prejudicial interest as the Chairman of the Friends of Mary Stevens Park.

Councillor Burston – Minute No. 48 of Halesowen Area Committee (Halesowen Town Centre Bus Station, Vale Retail and Compulsory Purchase Order Inquiry Update). Personal interest in view of employment by Centro.

Councillors Burston, Hill and James – Minute No. 72 of Halesowen Area Committee (Earls High School Foundation – Final Accounts). Personal interests in view of being Governors of that School.

Councillors G. H. Davies, Mottram and Wright had taken no part in the discussion of Minute No. 46 of North Dudley Area Committee insofar as it related to Moden Close/Vale Street, Upper Gornal. The Members had left the Area Committee meeting while the item was being discussed due to their membership of the Development Control Committee.

Councillor Fraser-macnamara – Minute No. 46 of North Dudley Area Committee (Delegated Capital Allocations) in so far as it related to the application by the Sedgley and District Community Association. Personal and prejudicial interest in view of his membership of the Committee of the Association.

Councillor Blood - Minute No. 44 of North Dudley Area Committee (Capital Allocations) in so far as the item related to the application by Grounds Force at Belle View Primary School. Personal interest in view of his membership of Grounds Force.

Councillor Ms. Harris - Minute No. 44 of Brierley Hill Area Committee - in so far as the item related to the application by the Bowls Club of Dudley MBC Employees Club. Personal interest in view of membership of the Employees Club. (NB: This interest was also disclosed by the Director of the Urban Environment).

Councillor Mrs Wilson - Minute No. 45 of Brierley Hill Area Committee relating to the withdrawal of the cash collection facility at Chapel Street flats; and in relation to Minute No. 39 of Brierley Hill Area Committee (Receipt of Petitions) regarding the petition received calling for the reinstatement of the cash office at Chapel Street flats. Personal interest in view of her residency at Chapel Street flats.

Councillor Ms Harris –Minute No. 57 of Brierley Hill Area Committee (Land Issues – Disposal of Land at Cottage Street, Brierley Hill - possible implications for the property ‘The Poplars’, in Cottage Street, which was owned by the Dudley Primary Care Trust). Personal interest in view of being the Chair of the Trust.

Councillor Miller –Minute No. 57 of Brierley Hill Area Committee - Personal interest in view of his designation as the Cabinet Member for Adult and Community Services.

Councillor Southall (together with other Members of the Development Control Committee) – Minutes Nos. 61 and 62 of Brierley Hill Area Committee (Public Consultation on Four Draft Conservation Area Character Appraisals and Wordsley Hospital Conservation Area). Personal interests in view of membership of the Development Control Committee.

Councillors Cotterill and Sparks - Minute No. 60 of Central Dudley Area Committee (Capital Allocations – Application by the Friends of Stevens Park, Quarry Bank). Personal interests in view of their membership of the Group.

Councillor Rahman – Minute No. 60 of Central Dudley Area Committee (Capital Allocations – Application by The Ar Rahman Care Trust - Dudley). Personal and prejudicial interest in view of his Chairmanship of the Group.

Councillor Mrs. Jordan – Minute No. 34 of the Select Committee on Health and Adult Social Care (Public Forum). Personal and prejudicial interest in view of personal knowledge of the individuals concerned in the case to be brought before the Committee by a member of the public.

Councillor J. R. Davies – Minute No. 37 of the Select Committee on Regeneration, Culture and Adult Education (Proposed Revenue Budget 2007/08) insofar as it related to the activities of the Citizens Advice Bureau. Personal interest in view of having colleagues within that organisation.

Councillor Southall – Minutes Nos. 35 and 36 of the Select Committee on Regeneration, Culture and Adult Education (Public Forum and Archives Update Report) in view of the possible relocation of the Archives Service Personal interests in view of membership of the Development Control Committee.

Councillor Ms. Harris – Minute No. 36 of the Select Committee on the Environment (Proposed Revenue Budget 2007/08) insofar as reference was made to Learning Disabilities Services. Personal interest in view of being the Chair of Dudley Primary Care Trust.

Councillor Ms. Craigie - Minute No. 42 of the Select Committee on the Environment (Review of Zonal Housing Repairs and Service Standards for Repairs). Personal interest as the Secretary of Dudley Residential Leaseholders Association.

Councillor Mrs. Wilson - Minute No. 81(iii) of the Development Control Committee (planning application no. P06/2178 – Merry Hill Centre and the Waterfront, Merry Hill, Brierley Hill – Introduction of a car park management system to include entrance and exit barriers, enhanced entrance lighting general car park modifications, VMS road signs and external pay stations. Also the permanent use of Engine Lane and former RMC site for staff car parking to include resurfacing, lighting and CCTV coverage). Personal interest due to living in close proximity to the centre.

Councillor Donegan - Minute No. 81(ii) of the Development Control Committee (planning application no. P06/1606 – 178-179 High Street, Lye – Single storey rear extension and new shop front). Personal and prejudicial interest due to comments previously expressed at a Lye Safety Committee.

Councillor Southall - Minute No. 89 (iv) of the Development Control Committee (planning application no. P06/2167 – Dudley College of Technology, The Broadway, Dudley – Erection of new care and manufacturing centre and new learner services centre. Reorganisation of site roads and car parking. Demolition of locally listed building known as blocks D and E). Personal and prejudicial interest in view of daughter being employed by the College.

Councillor Wright - Minute No. 89 (xii) of the Development Control Committee (planning application no. PO6/2067 – 39 Ladbroke Grove, Dudley – Extension to roof to create bedroom en-suite in loft space with rear dormer window, car port at side to support extended roof area (re-submission of refused application PO6/0668)) – Personal and prejudicial interest in view of being a personal acquaintance of the proposed builder.

Councillor Mrs Ridney - Minute No. 78 of the Cabinet (The Dudley Play Strategy). Personal interest as the Chair of the Coseley School.

Councillor Burston - Agenda Item No. 5(a) – Update of the Council's Capital Strategy (References to Midland Metro schemes, bus station refurbishments and Bus Showcase schemes). Personal interest in view of employment by CENTRO.

Councillor Burston - Agenda Item No. 5(c) - Transport Settlement – References to Midland Metro schemes, bus station refurbishments and Bus Showcase schemes. Personal interest in view of employment by CENTRO.

Councillor Burston – Minute No. 38 of the Select Committee on the Environment (Wednesbury - Brierley Hill Metro Extension). Personal interest in view of employment by CENTRO.

Councillor Mrs Collins – Agenda Item No. 5(a) – Update of the Council's Capital Strategy (references to Libraries, Archives and Adult Learning). Personal interest as a committee member of the Friends of the Archives.

Councillors Mrs Aston and Finch - All references to North Priory Estate Regeneration Project Update and North Priory Estate Compulsory Purchase Powers. Personal interest as members of the North Priory Project Board and Steering Group.

Councillor Mrs Aston - Agenda Item 5(b) – Capital Programme Monitoring (Reference to Personalised Learning Centre at Dormston School). Personal interest as Governor at Dormston School.

Councillor Mrs Aston - Minutes Nos. 47(e) and 61(2) of North Dudley Area Committee – Delegated Capital Budget – References to Age Concern, Sedgley. Personal interest as member of the Age Concern Committee.

Councillor Mrs Aston - Minute No. 37 of the Select Committee on Health and Adult Social Care (West Midlands Ambulance Service). Personal interest in view of her son being an employee of the Ambulance Service.

Councillor Attwood - Agenda Item No. 5(b) - Capital Programme Monitoring (references to Mary Stevens Park, Stourbridge). Personal and prejudicial interest as Chairman of Friends of Mary Stevens Park.

Councillor Taylor – Minute No. 89(i) of the Development Control Committee (Planning application P06/1639 relating to Halesowen College). Personal interest as a Governor of Halesowen College.

The Deputy Mayor (Councillor Stanley) - Agenda Item No. 5(d) – Deployment of Resources: Housing Revenue Account and Public Sector Housing Capital. References to garage sites and garage rents – North Dudley Area Housing Panel. Personal interest in view of membership of the Area Housing Panel.

Councillor J. R. Davies – Agenda Item No. 5(a) Capital Strategy – references to the Liveability Fund. Personal interests as an attendee of Friends of Parks Groups.

Councillor J. R. Davies – All references to the proposed revenue budget in respect of the funding for Dudley Citizens Advice Bureau. Personal interest in view of having colleagues within that organisation.

Councillor Ms. Harris – Minutes Nos. 36, 38, 41 and 43 of the Select Committee on Health and Adult Social Care. Personal interests as Chair of Dudley Primary Care Trust.

Councillor Mrs. Coulter - Agenda Item No. 5(a) – Update of Council's Capital Strategy – Culture and Community – All references to Parks and Liveability Fund. Personal and prejudicial interests as an attendee at meetings of the Friends of Netherton Park and the Chairperson being a personal friend.

Councillor Mrs. Coulter - Agenda Item No. 5(d) – Deployment of Resources: Housing Revenue Account and Public Sector Housing Capital. Personal and prejudicial interest in view of renting two garages from the Council.

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MINUTES

RESOLVED

That the minutes of the Meeting of the Council held on 5th December, 2006 and the Extraordinary Meeting of the Council held on 12th February, 2007 be approved as a correct record and signed.

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MAYOR'S ANNOUNCEMENTS

(a) Mayor's Charity Dinner – 17th April, 2007

The Mayor reported on the arrangements for his Charity Dinner to be held on Tuesday, 17th April, 2007 at Brierley Hill Civic Hall.

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UPDATE ON THE COUNCIL'S CAPITAL STRATEGY

A report of the Cabinet was submitted.

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

RESOLVED

That the Council's Capital Strategy, as attached to the report now submitted, be approved.

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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 expenditure of a further £0.5m 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 Director of Adult, Community and Housing Services be authorised to make a formal bid to the Department for Communities and Local Government for funding for additional plots at the Oak Lane Gypsy Site, and that subject to such funding being received the project be approved and included in the Capital Programme as set out in paragraph 4 of the report.
- (3) That the expenditure of £35,000 on Stairlifts be approved and included in the Capital Programme, as set out in paragraph 5 of the report.
- (4) That the Capital Programme be amended to reflect the increased estimated cost of the People Using Local Services Everyday (PULSE) team relocation, as set out in paragraph 6 of the report.

- (5) That subject to the increase in revenue budget being approved, the expenditure on a further 50,000 wheeled bins be approved and included in the Capital Programme, and that the expenditure of the Waste Performance and Efficiency Grant on vehicles for use in the green waste collection service be approved and included in the Capital Programme, as set out in paragraph 7 of the report.
- (6) That the acquisition of a new Document Management System for Planning and Development be approved and included in the Capital Programme, as set out in paragraph 8 of the report.
- (7) That the grant from the Cory Environmental Trust of Britain for improvements at Mary Stevens Park be noted, and the scheme be included in the Capital Programme, as set out in paragraph 9 of the report.
- (8) That any capital expenditure associated with any Compulsory Purchase Order(s) made in respect of the Crown Centre and Bell Street multi-storey car park, Stourbridge be included in the Capital Programme, as set out in paragraph 10 of the report.
- (9) That the Personalised Learning Centre project at the Dormston School be approved and included in the Capital Programme, as set out in paragraph 11 of the report.
- (10) That the Youth Offending Team Infrastructure project be approved and included in the Capital Programme, as set out in paragraph 12 of the report.
- (11) That the Computers for Pupils funding be noted, and that the related expenditure be approved and included in the Capital Programme, as set out in paragraph 13 of the report.
- (12) That subject to an appropriate decision by the Cabinet Member for Children's Services, the project to relocate Rosewood Special School be approved and included in the Capital Programme, as set out in paragraph 14 of the report.
- (13) That the extra funding for the Wrens Nest Primary School replacement be noted and the Capital Programme be amended accordingly, as set out in paragraph 15 of the report.
- (14) That the urgent amendments to the Capital Programme, as set out in paragraphs 16 and 17 of the report be noted.

- (15) 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 A to the report, be approved.

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TRANSPORT SETTLEMENT – PROPOSED TRANSPORT CAPITAL PROGRAMME FOR 2007/08 AND ROAD SAFETY GRANT

A report of the Cabinet was submitted.

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

RESOLVED

- (1) That the Transport Capital Settlement for 2007/2008 be noted.
- (2) That the contents of the report now submitted and the allocation of Transport Capital Funding, as set out in Appendix 1 thereto, be approved.
- (3) That approval be given to:-
 - (a) The schemes and programming identified in Appendix 2 to the report – Bridge Strengthening; and that advance work be undertaken on bridges not included in the current year.
 - (b) The schemes and programming identified in Appendix 3 to the report – Retaining Walls; that advance work be undertaken on walls not included in the current year and that the Director of the Urban Environment be authorised to bring construction work forward as funding permits.
 - (c) The schemes identified in Appendix 4 to the report – Railway Road Vehicle Incursion; that design work be undertaken as resources permit, and that the Director of the Urban Environment be authorised to bring forward construction as funding permits.
 - (d) The schemes identified in Appendix 5 to the report – Upgrading of Parapets; that design work be undertaken as resources permit and that the Director of the Urban Environment be authorised to bring forward construction as funding permits.

- (e) The schemes identified in Appendix 6 to the report – Bus Showcase; and that the Director of the Urban Environment be authorised to undertake work as funding is made available.
- (f) The schemes and programming identified in Appendix 7 to the report – Local Safety Schemes; and that the Director of the Urban Environment be authorised to undertake work from the reserve programme as funding permits.
- (g) The schemes and programming identified in Appendix 8 to the report – Proposed Safer Routes To School Measures; and that the Director of the Urban Environment be authorised to undertake work from the reserve programme as funding permits.
- (h) The schemes and programming identified in Appendix 9 to the report – Pedestrian Crossing Programme; and that the Director of the Urban Environment be authorised to undertake work from the reserve programme as funding permits.
- (i) The acquisition of land and property purchase associated with approved schemes as funding allows.
- (j) That the Director of the Urban Environment continue to initiate studies into future minor improvement schemes.
- (k) That the Cabinet Member for Transportation, in consultation with the Director of the Urban Environment, be authorised to identify, and where appropriate, implement any remedial works to local safety schemes of a minor nature, the introduction of antiskid material and provision of variable speed message signs and mobile speed camera sites.
- (l) That the Director of Law and Property, in conjunction with the Director of the Urban Environment, commence property acquisition by negotiation for schemes identified in Appendix 1 to the report.

- (m) That any scheme within the Local Safety Schemes and Safer Routes to School programmes of work which cannot be implemented within the relevant timescale or financial resources available for that particular programme of works be deferred and submitted for re-assessment for possible inclusion in a future programme of works.
- (n) That the Director of the Urban Environment continue to progress the highway improvement programme associated with outcomes from the Black Country Study and regeneration initiatives as set out in the Appendices to the report.
- (o) That the Cabinet Member for Transportation, in consultation with the Director of the Urban Environment, be authorised to approve the programme of Street Lighting improvement and the programme of Highway Maintenance.
- (p) That the Road Safety Grant be allocated as set out in the report.

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**DEPLOYMENT OF RESOURCES: HOUSING REVENUE ACCOUNT
ANND PUBLIC SECTOR HOUSING CAPITAL**

A report of the Cabinet was submitted.

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

RESOLVED

- (1) That the revised Housing Revenue Account (HRA) budget for 2006/07 and the HRA budget for 2007/08, as outlined in Appendix 1 to the report, be approved.
- (2) That the public-sector housing revised capital budget for 2006/07 and capital budget for 2007/08 to 2010/11, as set out in Appendix 2 to the report, be approved.
- (3) That the Director of Adult, Community and Housing Services, in consultation with the Cabinet Member for Housing, be authorised to manage and allocate resources to the capital programme as outlined in paragraph 23 of the report.

- (4) 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 24 of the report.
 - (5) That the medium-term financial strategy, as set out in Appendix 4 to the report, be approved.
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APPOINTMENT OF A PARENT GOVERNOR REPRESENTATIVE TO THE SELECT COMMITTEE ON CHILDREN'S SERVICES

A report of the Director of Law and Property was submitted.

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

RESOLVED

That the appointment of Mr. J. Jones to the Select Committee on Children's Services, as an elected Parent Governor representing the primary sector, be approved for the remainder of the 2006/07 municipal year.

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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.

With reference to Minute No. 57 of Brierley Hill Area Committee (Land Issues), Councillor Mrs. Jordan drew the attention of the appropriate Cabinet Members to a request made at the Area Committee meeting that any monies received from the sale of the land in the Cottage Street area should be ring fenced for the Brierley Hill area. (NB: The amendment of the minutes as a correct record would be considered at the next meeting of Brierley Hill Area Committee).

The meeting ended at 7.37 pm

MAYOR