

DUDLEY METROPOLITAN BOROUGH

MINUTES OF THE PROCEEDINGS OF THE COUNCIL
AT THE MEETING HELD ON MONDAY, 16TH JULY, 2012
AT 6.00 PM AT THE COUNCIL HOUSE, DUDLEY

PRESENT:

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

PRAYERS

The Mayor's Chaplain led the Council in prayer.

18 **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were received on behalf of Councillors Blood, Cotterill, Mrs P Martin and Woodall.

19 **DECLARATIONS OF INTEREST**

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

Councillors L Jones and Kettle – Minute No. 13 of the Stourbridge Area Committee (Ernest Stevens Trust – Mary Stevens Hospice: Consent for Alterations and to Sub-Let to Lymphcare Ltd.) – Personal interests in view of their Directorship of Mary Stevens Hospice.

Councillor C Wilson – Minute No. 13 of the Stourbridge Area Committee (Ernest Stevens Trust – Mary Stevens Hospice: Consent for Alterations and to Sub-Let to Lymphcare Ltd.) – Personal interest in view of his Trusteeship of Mary Stevens Hospice.

Councillor Harris – Minute No. 16 of Brierley Hill Area Committee (Brierley Hill High Street Working Group – High Street Enhancements) – Personal interest insofar as the report related to the Brierley Hill Sustainable Access Network major scheme as the Honorary Treasurer of Brierley Hill Civic Society.

Councillor Harris – Minute No. 6 of the Health and Adult Social Care Scrutiny Committee (Regulations for the Health and Social Care Act 2012) – Personal interest in view of her involvement in the Department of Health consultation exercise.

Councillor Mrs Walker - Minute No. 8 of the Children’s Services Scrutiny Committee (Youth Service – Provision for Targeted Vulnerable Young People) – Personal interest as her grandson attended one of the clubs referred to in the report.

Councillor Mrs Simms – Minute No. 9 of the Children’s Services Scrutiny Committee (Action Plans in response to the Ofsted Inspection of Safeguarding and Looked After Children) – Personal interest in view of her employment with Barnardos.

Councillor C Wilson - Minute No. 78 of the Development Control Committee (Planning Application No. P11/1603 - Unit 17A Gainsborough Trading Estate, Rufford Road, Oldswinford) – Personal and Prejudicial interest as he had worked for the applicant in the past.

Councillor K Ahmed - Minutes of the Taxis Committee in relation to Private Hire/Hackney Carriage Drivers – Personal and Prejudicial interests in view of him personally knowing the drivers mentioned in the relevant agenda items.

Councillor Mrs Rogers - Minutes Nos. 53 and 57 of the former Tree Preservation Orders Committee – Planning Application No. P12/0229 (2A Berkeley Drive, Kingswinford) - Personal interest as her son had provided the applicant with a Tree Survey Report in June 2011.

Councillor Cowell - Minute No. 57 of the former Tree Preservation Orders Committee – Planning Application No. P12/0229 (2A Berkeley Drive, Kingswinford) - Personal interest as he nephew had provided the applicant with a Tree Survey Report.

Councillor C Wilson - Minute No. 57 of the former Tree Preservation Orders Committee - Planning Application No. P12/0438 - Personal and Prejudicial interest as he knew the applicant and his family.

Councillor Vickers - Minute No. 33 of the Shadow Dudley Health and Wellbeing Board (Dudley Clinical Commissioning Group – Commissioning Intentions 2012/13) – Personal interest as a member of the Black Country Partnerships NHS Foundation Trust.

Councillor Ali - Minute No. 17 of the Cabinet (Public Health) – Personal interest in view of his employment in the National Health Service in a neighbouring Primary Care Trust.

Councillor Lowe - Minute No. 13 of the Cabinet (Complaint to the Local Government Ombudsman – Enforcement Matter) – Personal interest since he was acquainted with some of the people referred to in the Ombudsman’s report.

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

Councillor Crumpton – References to Schools - Non-pecuniary interest as a relative worked as a supply teacher.

Councillor A Aston - references to matters affecting West Midlands Ambulance Service (WMAS) - Pecuniary interest as an employee of WMAS

Councillor Boleyn – Agenda Item No. 6(c) – Annual Report of the Regeneration, Culture and Adult Education Scrutiny Committee (Glass Feasibility Stage 2) and Minute No. 8 of the Regeneration, Culture and Adult Education Scrutiny Committee (Work Programme for 2012/13) – Pecuniary interest as an employee of the British Glass Foundation as the Secretary to Trustees.

20 MINUTES

RESOLVED

That the minutes of the annual meeting of the Council held on 17th May, 2012, be approved as a correct record and signed.

21 MAYOR’S ANNOUNCEMENTS

(a) Tom Meredith

The Mayor referred in sympathetic terms to the recent death of Tom Meredith. Mr Meredith had been the Council’s interim Chief Executive between 1986 and 1988 and previously the Chief Environmental Health Officer. The Council observed a period of silence as a token of respect to his memory.

(b) Councillor Colin Elcock

The Mayor welcomed Councillor Elcock to his first Council meeting following his election in the Norton ward on 21st June, 2012.

(c) Annual Charity Cricket Match

The Mayor reported that a charity cricket match had been held on 29th June, 2012 at Stourbridge Cricket Club, raising £700 towards the Mayor's Charity. The Mayor thanked everyone involved in the event. The Mayor presented the winners trophy to Councillor Hanif as the captain of the Members team and the runners up trophy to the Chief Executive on behalf of the officers.

(d) Charity Football Competition

The Mayor reported that a Charity football competition was being arranged at Redhill School on 28th August, 2012 in support of the Mayor's Charity.

(e) 100 Miles for Queen and Charity

The Mayor reported that the above Charity challenge had been undertaken by Councillor Waltho in June, 2012, raising over £2,000 for local good causes including the Mayor's Charity.

(f) Mayor's Attendant – "Coast to Coast" Charity Challenge

The Mayor reminded the Council that his attendant, Mike Crannage, would be undertaking the 'Coast to Coast' Challenge in Costa Rica, South America during February, 2013 in aid of the Mayor's Charity. Sponsorship details would be made available.

(g) Charity Crown Green Bowling Match

The Mayor reported that a Crown Green Bowling match would be held on 24th August, 2012 at Mary Steven's Park. All Members were invited to attend to support the event in aid of the Mayor's Charity.

22 DUDLEY COUNCIL PLAN 2013: 2012 ANNUAL REFRESH

A report of the Cabinet was submitted.

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

RESOLVED

That the refresh of the Council Plan 2012 be endorsed and that the alignment of the Cabinet's priorities to Council Plan and Directorate Strategic Plans be noted.

23 CAPITAL PROGRAMME MONITORING

A report of the Cabinet was submitted.

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

RESOLVED

- (1) That current progress with the 2012/13 Capital Programme, as set out in Appendix A to the report now submitted, be noted.
- (2) That the additional resources of £0.078m identified from usable housing capital receipts be earmarked for Disabled Facilities Grants, and that the Capital Programme be amended accordingly, as set out in paragraph 6 of the report now submitted.
- (3) That the Oak Lane Improvements budget be increased by £105,000, and the Capital Programme amended accordingly, as set out in paragraph 7 of the report now submitted.
- (4) That the MOT Testing Facility project be approved and included in the Capital Programme, as set out in paragraph 8 of the report now submitted.
- (5) That Area Committee Capital Allocations unspent from previous years and rolled forward into 2012/13 be no longer restricted to funding capital projects, as set out in paragraph 9 of the report now submitted.
- (6) That the urgent amendments to the Capital Programme, as set out in paragraphs 10 and 11 of the report now submitted, be noted.

24 REVIEW OF HOUSING FINANCE

A report of the Cabinet was submitted.

It was moved by Councillor K Ahmed, seconded by Councillor Body and

RESOLVED

- (1) That the revised Housing Revenue Account budget for 2012/13, as set out in paragraph 4 and Appendix 1 of the report now submitted, be approved.
 - (2) That the revised Public Sector Housing capital programme for 2012/13 to 2016/17, as set out in paragraph 5 and Appendix 2 of the report now submitted, be approved.
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A report of the Audit and Standards Committee was submitted.

It was moved by Councillor Zada, seconded by Councillor Arshad and

RESOLVED

- (1) That the new local Members' Code of Conduct, as set out in Appendix 1 to the report now submitted, be approved and adopted.
 - (2) That the Bishop of Dudley and Mrs Valerie Ainsworth be appointed as Independent Persons for the period ending with the annual meeting of the Council on 16th May, 2013, pursuant to the transitional provisions contained in Regulations made under the Localism Act 2011.
 - (3) That Mr Fred Bell and Mr Thomas Turner be appointed as Independent Persons under the provisions of the Localism Act 2011, for a four year period ending with the annual meeting of the Council in May, 2016.
 - (4) That the arrangements for registering and declaring interests as referred to in the Code of Conduct and the form set out in the Appendix to the Code be endorsed.
 - (5) That the Monitoring Officer be authorised to make consequential amendments to the Constitution and Procedure Rules to include references to the revised arrangements for the disclosure of Members' interests.
 - (6) That the Monitoring Officer, in consultation with an Independent Person and the Chair of the Audit and Standards Committee, be authorised to grant dispensations to Councillors and Co-opted Members from requirements relating to interests set out in the Members' Code of Conduct subject to individual requests being referred to the Standards Sub-Committee in appropriate circumstances.
 - (7) That the Monitoring Officer be authorised to produce local arrangements and procedures for dealing with standards allegations and complaints made under the Members' Code of Conduct.
 - (8) That the provision of mandatory training to all Members of the Council and Co-opted Members on the provisions of the local Members' Code of Conduct be approved.
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26 ANNUAL REPORT OF THE CHILDREN'S SERVICES SCRUTINY COMMITTEE

The annual report of the Scrutiny Committee was submitted.

It was moved by Councillor S Turner, seconded by Councillor Boleyn and

RESOLVED

That the annual report be received and noted.

27 ANNUAL REPORT OF THE COMMUNITY SAFETY AND COMMUNITY SERVICES SCRUTINY COMMITTEE

The annual report of the Scrutiny Committee was submitted.

It was moved by Councillor Kettle, seconded by Councillor Branwood and

RESOLVED

That the annual report be received and noted.

28 ANNUAL REPORT OF THE REGENERATION, CULTURE AND ADULT EDUCATION SCRUTINY COMMITTEE

The annual report of the Scrutiny Committee was submitted.

It was moved by Councillor Tyler, seconded by Councillor G Davies and

RESOLVED

That the annual report be received and noted.

29 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 Chairs agreed to have reconsidered.

The meeting ended at 7.05 p.m.

MAYOR

CL/23