

DUDLEY METROPOLITAN BOROUGH

MINUTES OF THE PROCEEDINGS OF THE COUNCIL
AT THE MEETING HELD ON MONDAY, 30TH NOVEMBER, 2009
AT 6.15 PM AT THE COUNCIL HOUSE, DUDLEY

PRESENT:-

Councillor Miller (Deputy Mayor)
Councillors Adams, Ahmed, Ali, Mrs. Ameson, Mrs. Aston, Attwood, Banks, Barlow, D. Blood, Mrs. E. Blood, Body, Ms. Boleyn, Burston, Caunt, Cotterill, Mrs. Coulter, Mrs. Cowell, Crumpton, G. H. Davies, J. D. Davies, J. R. Davies, M. Davis, Mrs. Dunn, Evans, Mrs. Faulkner, J. Finch, K. Finch, Foster, Mrs. Greenaway, Hanif, Mrs. D. Harley, P. Harley, Ms. Harris, Hill, Islam, James, Jones, Kettle, Knowles, Lowe, J. R. Martin, Mrs. Millward, Mottram, Ms. Nicholls, Nottingham, Ms. Partridge, Perry, Mrs. Ridley, Mrs. Roberts, Mrs. Rogers, Ryder, Mrs. Shakespeare, Southall, Sparks, Stanley, Taylor, A. Turner, K. Turner, Tyler, Vickers, Mrs. Walker, Waltho, C. Wilson, Mrs M. Wilson and Wright, together with the Chief Executive and other Officers.

PRAYERS

The Mayor's Chaplain led the Council in prayer.

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APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of the Mayor (Councillor Mrs. P. Martin) and Councillors Mrs. Jordan, Simms, Mrs. H. Turner, While-Cooper and Woodall.

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DECLARATIONS OF INTEREST

Declarations of Personal and Prejudicial Interests, in accordance with the Members' Code of Conduct, were made by the following in respect of the matters indicated:

Councillor Burston – Minute No. 57 of Halesowen Area Committee (Delegated Capital Budget). Personal interest as the Area Committee Nominee for Lutley Community Centre Committee.

Councillor Mrs. Faulkner – Minute No. 57 of Halesowen Area Committee (Delegated Capital Budget). Personal and prejudicial interests in respect of bids from Hope Street Friends Group, as she worked closely with them and St Paul's Blackheath Parish Church in view of her being the Independent Referee for Awards For All Scheme.

Councillor Mrs. Shakespeare – Minute No. 57 of Halesowen Area Committee (Delegated Capital Budget). Personal and prejudicial interest in view of having an association with Members of Hope Street Friends Group.

Councillor K. Turner – Minute No. 57 of Halesowen Area Committee (Delegated Capital Budget). Personal and prejudicial interests in respect of bids from Caslon Community Partnership, as a contributor to the Partnership and Director, Vice-Chair and Treasurer of Groundwork Black Country and the Rotary Club of Halesowen and Rowley Regis in view of him being a Member.

Councillor K. Turner – Minute No. 47 of Halesowen Area Committee (Emergency Services Issues). Personal and prejudicial interest in view of him being a nominee of the Council for the West Midlands Fire and Rescue Authority, the Chair of Audit of that body and a Chartered Assessor.

Councillor Vickers – Minute No. 57 of Halesowen Area Committee (Delegated Capital Budget). Personal and prejudicial interest regarding the application for funding from Lye and Wollescote Partnership as a Member of the Executive Committee.

Councillor Knowles – Minute No. 28 of the Select Committee on Regeneration, Culture and Adult Education (Small Business Engagement Accord). Personal interest as a retired member of the Federation of Small Businesses.

Councillor K. Turner – Minute No. 28 of the Select Committee on Regeneration, Culture and Adult Education (Small Business Engagement Accord). Personal interest in reference to the Castle Hill Development as a Trustee of Dudley Zoological Gardens.

Councillor K. Finch – Minute No. 42(ii) of the Development Control Committee (Planning application No. P09/0878 - Bromford Housing Group and Keepmoat Homes). The Council noted that he was a Member of the North Priory Project Board where the application had previously been discussed but that he had taken no part in the discussions.

Councillor C. Wilson – Minute No. 42(iii) of the Development Control Committee (Planning application No. P09/1088 - Land Adjacent to Oldswinford School Sports Hall, Prospect Hill, Stourbridge). Personal and prejudicial interest in view of having an association with Oldswinford Hospital.

Councillor Wright – Minute No. 44(vi) of the Development Control Committee (Planning application No. P09/0941 (Land Adjacent Stoneycroft Cottage, Vale Row, Upper Gornal). Personal and prejudicial interest as he knew and had worked for the applicant.

Councillor Wright – Minute No. 49(xxii) of the Development Control Committee (Planning application No. P09/1442 - 762 High Street, Kingswinford). Personal and prejudicial interest as he knew and had worked for the applicant.

Councillor Ali – Minute No. 61 of the Cabinet (Proposed Dudley Mosque and Community and Training Enterprise Centre). Personal and prejudicial interest in view of his worshipping at Dudley Central Mosque on a fairly regular basis and as a community member of a short-life working group.

Councillor M. Davis - All items relating to social services. Personal interest as a service user.

Councillor Ms. Harris - Any references in the agenda papers to matters relating to health and social care in so far as they relate to the business of Dudley Primary Care Trust as partners, co-commissioners and co-providers of services in the Borough. Personal interest as Chair of Dudley Primary Care Trust.

Councillors Evans, Sparks and Tyler - Agenda Item No. 5(a) (Capital Programme Monitoring – reference to Castle Hill and Zoo Development, Dudley). Personal interests in view of their respective involvement with Dudley Zoo.

Councillors Ahmed and Islam – Minute No. 61 of the Cabinet (Proposed Dudley Mosque and Community Training and Enterprise Centre). Personal and prejudicial interests as worshippers at the Mosque and the nature of the matter under discussion could affect the financial position of the Mosque.

Councillor Ms. Harris – Minute No. 49(i) of the Development Control Committee (Planning application No. P09/0745 – Post Office, 5 Yew Tree Lane, Coseley). Personal interest as the spouse of an objector to the application.

Councillor Mrs. Coulter – Minute No. 54(b)(ii) of Central Dudley Area Committee (Capital Allocations – reference to Woodside Community Association). Personal interest as a co-opted member in respect of that Association.

Councillor Mrs. Coulter – Minute No. 54(b)(iii) of Central Dudley Area Committee (Capital Allocations – reference to the First Primrose Guides). Personal interest as the father of the Leader of the Guides was a personal friend.

That the minutes of the meeting held on 12th October, 2009, be approved as a correct record and signed.

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MAYOR'S ANNOUNCEMENTS

(a) Black Country Challenge Student Awards

The Deputy Mayor referred to the success of young people at the recent Black Country Student Awards. Following remarks from Councillor Mrs. Walker, the Deputy Mayor presented the Secondary Students, Primary Students and Star Pupil Awards to the young people who were in attendance at the meeting. The Council expressed its congratulations to the Students on their outstanding achievements.

(b) Charity Coffee Morning

The Deputy Mayor reported that a Charity Coffee Morning would be held on Friday, 11th December, 2009 between 10.00am and 1.00pm at the Council House. All Members were invited to support this event, with proceeds going to the Mayor's Charities.

(c) Staff Carol Service

The Deputy Mayor reported that the Staff Carol Service would be held on Monday, 14th December, 2009 at 12.30pm at Top Church, Dudley. Members were welcome to attend.

(d) Civic Carol Service

The Deputy Mayor reminded the Council that the Civic Carol Service would be held on Thursday, 17th December, 2009 at 7.30 p.m. at Holy Trinity Church, Amblecote, Stourbridge.

(e) Mayor

The Deputy Mayor reported that the Mayor was recovering well from her recent medical treatment. The Council expressed its best wishes for a speedy recovery.

(f) The Arctic Challenge

The Deputy Mayor informed that Council that the Mayoral Attendant (Mike Crannage) would be undertaking the Arctic Challenge, in support of the Mayor's Charities, during March, 2010. Sponsorship forms were available and the Council wished Mr. Crannage every success in this undertaking.

CAPITAL PROGRAMME MONITORING

A report of the Cabinet was submitted.

It was moved by Councillor Mrs. Millward, seconded by Councillor Jones and

RESOLVED

- (1) That subject to the bid for Social Housing Grant being successful, the project to build new Council Homes be included in the Capital Programme, as set out in paragraph 3 of the report now submitted.
- (2) That the extra works relating to the refurbishment of the Lister Road Garage Toilets at a cost of £20,000 be approved, and the Capital Programme be amended accordingly, as set out in paragraph 4 of the report now submitted.
- (3) That the drainage works at the former Council landfill site at Mucklow Hill at a cost of £100,000 be approved, and included in the Capital Programme, as set out in paragraph 5 of the report now submitted.
- (4) That, subject to funding being available, the acquisition of land at Castle Hill, Dudley by the Council be included in the Capital Programme as set out in paragraph 6 of the report now submitted.
- (5) That the Schools Travel Plan Grant funding of £76,000 be noted, and the associated expenditure be included in the Capital Programme, as set out in paragraph 7 of the report now submitted.
- (6) That the Integrated Children's Systems Grant funding of £65,000 be noted, and the associated expenditure be included in the Capital Programme, as set out in paragraph 8 of the report now submitted.
- (7) That the additional Play Pathfinder funding allocation of £17,000 be noted, and the associated expenditure be included in the Capital Programme, as set out in paragraph 9 of the report now submitted.
- (8) That a Multi Use Games Area be constructed as part of the new Coseley Youth Centre, at a cost of £65,000, and the Capital Programme be amended accordingly, as set out in paragraph 10 of the report now submitted.

- (9) That the £13,000 of remaining funding from the capital project to install an infill roof at Dudley Market be used to carry out necessary improvement works on obsolete electrical supplies feeding the Market, and to purchase enhanced ICT equipment for collection of Market tolls, as set out in paragraph 11 of the report now submitted.
 - (10) That the Offender – Based Interventions funding allocation of £33,000 be noted, and that the related expenditure be included in the Capital Programme, as set out in paragraph 12 of the report now submitted.
 - (11) That the expenditure of a further £9,000 on Contingency and Disaster Management Accommodation be approved, and the Capital Programme amended accordingly, as set out in paragraph 13 of the report now submitted.
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55

ANNUAL REVIEW OF THE CONSTITUTION

A report of the Cabinet was submitted.

It was moved by Councillor A. Turner, seconded by Councillor Jones and

RESOLVED

- (1) That the annual review of the Constitution be noted.
- (2) That the Interim Director of Law, Property and Human Resources continue to monitor and review the Scheme of Delegation and Responsibility for Functions as referred to in paragraph 8 of the report now submitted.
- (3) That the proposed ward name changes, as referred to in paragraph 10 of the report now submitted, be pursued formally with the Electoral Commission as soon as possible and that the Chief Executive, in consultation with Group Leaders, be authorised to take any necessary action in connection with the ward name changes.
- (4) That the Councillor Call for Action procedure, as referred to in paragraph 24 and Appendix 1 to the report now submitted, be approved and the Interim Director of Law, Property and Human Resources be authorised to make the necessary amendments to the Constitution.

- (5) That the arrangements to integrate the scrutiny of the Local Area Agreement and partner organisations into the existing working arrangements of the five Select Committees, as referred to in paragraph 34 of the report now submitted, be approved and the Interim Director of Law, Property and Human Resources be authorised to make any consequential amendments to the Constitution.
 - (6) That the amendments to the Protocol for Area Committees, as set out in paragraph 36 of the report now submitted be approved.
 - (7) That a further report be submitted in due course on any necessary revisions to the Constitution arising from the enactment of the Local Democracy, Economic Development and Construction Bill.
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GAMBLING POLICY

A report of the Cabinet was submitted.

It was moved by Councillor A. Turner, seconded by Councillor Jones and

RESOLVED

That subject to the recommended amendment as referred to in paragraph 7 of the report now submitted, the revised Gambling Policy, as attached as Appendix 1 to the report, be approved for publication on 4th January, 2010.

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BLACK COUNTRY JOINT CORE STRATEGY – APPROVAL OF THE JOINT CORE STRATEGY FOR PUBLICATION

A report of the Cabinet was submitted.

It was moved by Councillor Jones, seconded by Councillor Mrs. Millward and

RESOLVED

- (1) That the Black Country Joint Core Strategy be approved in order that the document can be published and that the document be submitted to the Secretary of State for Examination.

- (2) That the Director of the Urban Environment, in consultation with the Leader of the Council and the Cabinet Member for Regeneration, be authorised to agree any minor changes to the document prior to submission to the Secretary of State.
 - (3) That the Leader of the main Opposition Group, or the Opposition Spokesperson for Regeneration, be notified of any changes made in good time.
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58

PUBLICATION OF THE BRIERLEY HILL AREA ACTION PLAN FOR PUBLIC CONSULTATION AND SUBMISSION

A report of the Cabinet was submitted.

It was moved by Councillor Jones, seconded by Councillor Mrs. Millward and

RESOLVED

- (1) That the Brierley Hill Area Action Plan be approved in order that the document can be published and the document be submitted to the Secretary of State for Examination.
 - (2) That the Director of the Urban Environment, in consultation with the Leader of the Council and Cabinet Member for Regeneration, be authorised to agree any minor changes to the document prior to submission to the Secretary of State.
 - (3) That the Leader of the main Opposition Group, or the Opposition Spokesperson for Regeneration, be notified of any changes made in good time.
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59

ANNUAL REPORT – MEMBERS’ CODE OF CONDUCT

A report of the Standards Committee was submitted.

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

RESOLVED

That the annual report on the Members’ Code of Conduct, as now submitted, be approved including the action points set out in paragraphs 12 to 14 of the report.

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CODE OF CONDUCT FOR EMPLOYEES

A report of the Standards Committee was submitted.

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

RESOLVED

- (1) That the amendment of paragraph 15 of the Code of Conduct for Employees, as set out in Appendix 1 to the report now submitted, be approved.
- (2) That, subject to the amendment referred to in resolution (1) above, the existing Code of Conduct for Employees remain operational until such time as the Department for Communities and Local Government issues further information on a proposed national Code.

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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 Committee Chairmen agreed to have reconsidered.

The Deputy Mayor wished all Members and Officers a happy Christmas and a peaceful, prosperous new year.

The meeting ended at 8.30 p.m.

MAYOR