

**DUDLEY METROPOLITAN BOROUGH**

**MINUTES OF THE PROCEEDINGS OF THE COUNCIL  
AT THE MEETING HELD ON MONDAY, 15TH OCTOBER, 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, D. Blood, Mrs. E. Blood, Body, Ms. Boleyn, Caunt, Mrs. Collins, Cotterill, Mrs. Coulter, Mrs. Cowell, 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, Mrs. P. Martin, Miller, Mrs. Millward, Mottram, Ms. Nicholls, Nottingham, Ms. Partridge, Rahman, Mrs. Ridley, Roberts, Mrs. Rogers, Ryder, Mrs. Shakespeare, Southall, 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 the Chief Executive and other Officers.

**RECORDING OF PROCEEDINGS**

In accordance with Council Procedure Rule 24.5, the Council gave its consent to a temporary test recording of this meeting being made for internal purposes.

**PRAYERS**

The Mayor led the Council in prayer.

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**APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were received on behalf of Councillors Banks, Ms. Craigie and Simms.

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**DECLARATIONS OF INTEREST**

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

Councillor Burston – Minute No. 15 of the Halesowen Area Committee (Halesowen Town Centre Development – reference to Halesowen Bus Station) – Personal interest - employed by CENTRO.

Councillor Burston – Minute No. 17 of the Halesowen Area Committee (Delegated Capital Budget – reference to Huntingtree Park) – Personal interest as a member of the Friends of Huntingtree Park.

Councillors Mrs. H. Turner and K. Turner – Minute No. 17 of the Halesowen Area Committee (Delegated Capital Budget – reference to Huntingtree Park) - Personal interest as attendees at meetings of the Friends of Huntingtree Park.

Councillor Burston – Minute No. 36 of the Halesowen Area Committee (Halesowen Town Centre Development – reference to Halesowen Bus Station) – Personal interest - employed by CENTRO.

Councillor Miller – Minute No. 17 of the Brierley Hill Area Committee (Capital Allocations, Townsend Place Tenants Association) – Personal interest in view of his having knowledge of the applicants.

Councillor Miller – Minute No. 12 of the Brierley Hill Area Committee (Youth Issues – Skatepark Provision at The Source, Maidensbridge Primary School) – Personal interest as a school governor at Maidensbridge Primary School.

Councillor Tyler – Minute No.14 (2), (3) and (4) of the Brierley Hill Area Committee (Land Issues) – Personal interest in view of having knowledge of the applicants.

Councillor Mrs. M. Wilson – Minute No. 14 (3) of the Brierley Hill Area Committee (Land Issues) – Personal interest in view of having knowledge of the applicants.

Councillor Rahman – Minute No. 26 of the Special Meeting of the Central Dudley Area Committee (Allocation of Secondary School Places in the Central Dudley Area for the 2007/8 academic year) – Personal interest as he had two children who attended Hillcrest School.

Councillor Ali – Minute No. 26 of the Special Meeting of the Central Dudley Area Committee (Allocation of Secondary School Places in the Central Dudley Area for the 2007/08 academic year) – Personal interest as his children attended Castle High School and Kates Hill Primary School.

Councillor Ahmed – Minute No. 26 of the Special Meeting of the Central Dudley Area Committee (Allocation of Secondary School Places in the Central Dudley Area for the 2007/08 academic year) – Personal interest as his children attended Bishop Milner School and Dudley College.

Councillor J. Martin - Minute No. 26 of the Special Meeting of the Central Dudley Area Committee (Allocation of Secondary School Places in the Central Dudley Area for the 2007/08 academic year) – Personal interest as he was seeking appointment as a Governor of Netherbrook Primary School.

Councillor Ahmed – Minute No. 37 of the Central Dudley Area Committee (Transforming Secondary Education) – Personal interest as his children attended the Bishop Milner School.

Councillor Ali - Minute No. 37 of the Central Dudley Area Committee (Transforming Secondary Education) – Personal interest as his children attended Castle High School.

Councillor Mrs. Coulter - Minute No. 37 of the Central Dudley Area Committee (Transforming Secondary Education) – Personal Interest as the Chairman of the Pupil Referral Units.

Councillor Mrs. Collins – Minute No. 34 of the Stourbridge Area Committee (Lye and Wollescote Cemetery Chapel – Results of the Options Appraisal and Public Consultation Exercise) – Personal and prejudicial interest in view of her son being a Director of the West Midlands Historic Building Trust.

Director of Law and Property – Minute No. 35 of the Stourbridge Area Committee (Bromwich Lane, Pedmore - Proposed 20 mph speed limit) – Personal and prejudicial interest as a resident of Bromwich Lane.

The Mayor (Councillor Stanley) – Minute No. 34 of the North Dudley Area Committee (North Dudley Housing Garage Plot Sites) – Personal interest in view of his renting a garage from the Council.

Councillor K. Turner – Minutes Nos. 29 and 32 of the Select Committee on Regeneration, Culture and Adult Education (references to Dudley Zoo) – Personal interest as a Trustee of that body.

Councillor Mrs. Coulter – Minute No. 17 of the Select Committee on Children’s Services (Transforming Secondary Education) – Personal interest as Chairman of the Pupil Referral Unit.

Councillor Nottingham - Minute No. 17 of the Select Committee on Children’s Services (Transforming Secondary Education) – Personal interest as a Governor of the Crestwood School.

Councillor Wright – Minute No. 17 of the Select Committee on Children's Services (Transforming Secondary Education) – Personal interest as a Governor of Ellowes Hall School.

Councillor Ryder – Minute No. 17(i) of the Development Control Committee (planning application number P07/0056 – 37 Sedgley Road, Woodsetton – erection of 7 two-bedroom apartments with associated parking (re-submission of a refused application P05/2592)) – Personal and prejudicial interest as he had spoken to objectors and officers about this application prior to being asked to substitute as a Member at the meeting of the Committee.

Councillor C. Wilson – Minute No. 17(i) of the Development Control Committee (planning application number P07/0056 – 37 Sedgley Road, Woodsetton) – Personal and prejudicial interest as the applicants were known to him.

Councillor C. Wilson – Minute No. 18 (i) of the Development Control Committee (planning application number P06/1278 – Treherns Farm, Worcester Lane, Hagley – change of use from agricultural land to school sport pitches (8 pitches in total), creation of a new vehicular access, the laying out of a car park, associated ground works, the extinguishment of public footpath S73 and the diversion of public footpath S76 – Personal and prejudicial interests as his wife was a teacher at Oldswinford Hospital School and he knew the Headteacher and some Governors and Feoffes of the School.

Councillor C. Wilson – Minute No. 18 (iv) of the Development Control Committee (planning application number P07/0903 – Health House, Ounty John Lane, Stourbridge – outline application for the erection of a detached bungalow (layout, scale and means of access to be considered)) – Personal and prejudicial interests as the applicant was known to him.

Councillor Mrs. M. Wilson – Minute No. 18 (xi) of the Development Control Committee (planning application number P07/0989 - Dudley Employees Sports and Social Club, Hillcrest Avenue, Brierley Hill – Variation of conditions 2 and 3 of planning approval P04/2107 to allow use of floodlights on two weekday evenings and until 22:15 hours – Personal interest in view of the fact that she was a user of the club premises.

Councillor James – Minute No. 27 (vi) of the Development Control Committee (planning application number P07/1089 – Halesowen College, Whittingham Road, Halesowen) – Personal and prejudicial interest in view of the fact that he had, in previous conversations with officers of the Council, expressed opposition to the application.

Councillor Mrs. H. Turner – Minute No. 33 (xi) of the Development Control Committee (planning application number P07/0699 – Land at 16-18 Stourbridge Road/Whitefriars Drive, Halesowen) – Personal and prejudicial interest in view of the fact that the developer making the application was known to her.

Councillor G.H. Davies – Minute No. 31 (i) of the Development Control Committee (planning application number P06/1950 – Former caravan storage site, Upper Ettingshall Road, Coseley) – Personal and prejudicial interest.

Councillor Mrs. H. Turner – Minute No. 36 (vi) of the Development Control Committee (planning application number P07/1056 – Land and residential buildings known as 144 to 148 Hagley Road, Halesowen) – Personal and prejudicial interest in view of the fact that the developer making the application was known to her.

Councillor C. Wilson – Minute No. 36 (vii) of the Development Control Committee (planning application number P06/0717 – Former Gas Works, Constitution Hill, Dudley) – Personal and prejudicial interest as a shareholder in National Grid Plc.

Councillor Wright – Minute No. 36 (ii) of the Development Control Committee (planning application number P07/0739 – 23 Grosvenor Road/Central Drive, Dudley) – Personal and prejudicial interest in view of previous business dealings with the applicant.

Councillor Hanif – Minutes Nos. 44 and 45 of the Taxis Committee (Renewal of private hire driver's licences – Mr SY and Mr NA) – Personal interests in that these persons and/or their families were known to him.

Councillor Caunt – Minute No. 28 of the Special Meeting of the Cabinet (Birmingham Airport – Sale of Shares) – Personal and prejudicial interest as a Director of Birmingham Airport.

Councillor Mrs. M. Wilson – Minute No. 43 of the Cabinet (Review of Housing Finance) – Personal interest as a tenant of a Council flat in the Borough.

Councillor G. H. Davies and Mrs. M. Wilson – Minute No. 34 of the Cabinet (Extra Care Housing – Partnership Agreement) – disclosure made as members of the Development Control Committee.

Councillor Burston – Agenda Item 7(a) of the Council Meeting (Annual Report of the Select Committee on the Environment – references to bus patronage/ concessionary travel in Dudley, Wednesbury to Brierley Hill Metro Extension) – Personal interest – employed by CENTRO.

Councillor Burston – Minute No. 31 of the North Dudley Area Committee (Transport Issues) – Personal interest – employed by CENTRO.

Councillor Burston – Delegated Decision No. 2 (Halesowen Bus Station) – Personal interest – employed by CENTRO.

Councillor Mrs. Collins – Delegated Decision No. 18 (Lease for the siting of an aerial at Dobbins Oak Road, Wollescote) – Personal and prejudicial interest as her son was Chairman of the Stourbridge Radio Group.

Councillor Mrs. Aston – Minute No. 18 (viii) of the Development Control Committee (Plan No. P07/0801 – reference to The Dormston School) – Personal Interest as a School Governor.

Councillor Mrs. Aston – Minute No. 19 of the Development Control Committee (planning application number P06/0962 and P06/0963 – reference to Beacon Centre for the Blind) – Personal interest as a member of the Advisory Panel.

Councillors Mrs. Aston, A. Finch, and K. Finch – Delegated Decision Nos. 65 (North Priory Lettings Plan) and 72 (North Priory Regeneration Project) – Personal interests as Ward Members of the North Priory Project Board.

Councillors K. Turner and A. Turner – Minute No. 33 (ix) of the Development Control Committee (planning application number P07/0699 – Land at 16-18 Stourbridge Road/Whitefriars Drive, Halesowen) and Minute No. 36 (vi) of the Development Control Committee (planning application number P07/1056 – Land and residential buildings known as 144 to 148 Hagley Road, Halesowen) – Personal and prejudicial interests as Councillors were known personally to the developer.

Councillor K. Turner – Any references to Birmingham International Airport – Personal interest as a member of the Passenger Consultative Committee.

Councillor Mrs. Rogers – Minute No. 9 of the Special Meeting of Licensing and Safety Committee (reference to Alcohol Consumption in Public Places – Mary Stevens Park, Stourbridge) – Personal interest as a member of the Friends of Mary Stevens Park.

Councillor Mrs. Rogers - Agenda Item 7 (a) of the Council Meeting (Annual report of the Select Committee on the Environment relating to the Green Waste Composting Facility at Iverley Park Farm) – Personal interest as a member of the Norton and Iverley Action Group.

Councillor Ms. Harris – Agenda Item 7 (b) of the Council Meeting (Annual report of the Select Committee on Health and Adult Social Care) – Personal interest as Chair of Dudley Primary Care Trust - Providers and commissioners of health services in the Borough.

Councillor Ms. Harris – Delegated Decision No. 60 (Approval of Business Case for the Dudley – Walsall Mental Health Partnership – Personal Interest as Chair of Dudley Primary Care Trust - Providers and commissioners of health services in the Borough.

Councillor Ms. Harris – Minute No.10 of the Select Committee on Health and Adult Social Care (Dudley Primary Care Trust – Potential Relocation of 3 General Practitioners Surgeries and the Potential Closure of One Surgery) - Personal interest as Chair of Dudley Primary Care Trust - Providers and commissioners of health services in the Borough.

Councillor Ms. Harris - Minute No. 11 of the Select Committee on Health and Adult Social Care (Developing Local Involvement Networks) – Personal interest as a member of the National Advisory Team with the IDeA/CfPS/CPPIH support programme for local councils to help with the introduction of LINKs.

Councillor Ms. Harris - Minute Nos. 19 of the Select Committee on Health and Adult Social Care (Using Health Scrutiny to close the gap between those with the best and worst health in Dudley) and 20 (Developing a Centralised Community Paediatric Centre for Dudley) – Personal interests as Chair of the Dudley Primary Care Trust - Providers and commissioners of health services in the Borough.

Councillor Attwood – Minute No. 9 of the Special Meeting of the Licensing and Safety Committee (concerning Alcohol Consumption in Public Places – Mary Stevens Park, Stourbridge) – Personal and prejudicial interest as the Chairman of the Friends of Mary Stevens Park.

Councillor Wright – Minute No. 34 of the Cabinet (reference to Midland Heart) – Personal interest as a tenant of that Company.

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MINUTES

RESOLVED

That the minutes of the meeting of the Council held on 16<sup>th</sup> July, 2007 be approved as a correct record and signed.

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MAYOR'S ANNOUNCEMENTS

(a) Consumer Challenge Quiz 2007 – The Brier School

The Mayor announced that pupils at The Brier School had represented Dudley in the national finals of the Consumer Challenge Quiz 2007. The Council expressed congratulations to everyone connected with this achievement and the Mayor made a presentation to the pupils concerned.

(b) Deaths of former Councillors Ron Gordon and Anne Forrester and Mr. Don Richardson

The Mayor referred, in sympathetic terms, to the recent deaths of former Councillors Ron Gordon and Anne Forrester. Reference was also made to the death of Mr. Don Richardson and his significant achievements in the Black Country area. The Council stood in silent tribute as a token of respect to their memory. The Mayor and Members of the Council paid tributes to the former Councillors and to Mr. Richardson.

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REVIEW OF POLLING DISTRICTS, POLLING PLACES AND ACCESS ARRANGEMENTS

A report of the Cabinet was submitted.

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

RESOLVED

That the Cabinet be authorised to take any necessary action in connection with the review and that a further report be submitted to the Cabinet at its meeting to be held on 31<sup>st</sup> October, 2007.

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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 Public Sector Housing Capital Programme be amended, as set out in paragraph 3 of the report.
- (2) That an extra £2m be made available for expenditure on Disabled Facilities Grants over the next two years, as set out in paragraph 4 of the report.
- (3) That the expenditure on Stair Lifts be approved and included in the Capital Programme, as set out in paragraph 5 of the report.
- (4) That the extra resources for Social Care Minor Works, be noted and the Capital Programme be amended accordingly, as set out in paragraph 6 of the report.
- (5) That the enhancements to the Liveability programme be approved, and the Capital Programme be amended accordingly, as set out in paragraph 7 of the report.
- (6) That the improvements at Crystal, Dudley and Halesowen Leisure Centres be approved and included in the Capital Programme, as set out in paragraph 8 of the report.

- (7) That in respect of Brierley Hill Regeneration, subject to funding applications being successful:
- (i) the Director of the Urban Environment be authorised to accept any grant funding arising;
  - (ii) the Director of Law and Property be authorised to sign the necessary legal agreements with Advantage West Midlands;
  - (iii) any relevant capital expenditure be included in the Capital Programme;

as set out in paragraph 9 of the report.

- (8) That the grant allocation for Mobile ICT to support Children's Social Workers be noted, and the associated expenditure be included in the Capital Programme, as set out in paragraph 10 of the report.
- (9) That the budget for the Big Lottery Children's Play projects be increased to include the extra Section 106 and Fair Share resources, as set out in paragraph 11 of the report.
- (10) That the specialist status funding totaling £120,000 be used for a Vocational Centre at the Rosewood School, and that £50,000 of Standards Grant funding be used for kitchen improvements, as set out in paragraph 12 of the report.
- (11) That the School Travel Plan Grant allocation be noted, and the associated expenditure be included in the Capital Programme, as set out in paragraph 13 of the report.
- (12) That the allocation of Diploma Gateway funding be noted, and associated expenditure be included in the Capital Programme, as set out in paragraph 14 of the report.
- (13) That the expenditure on computer server replacement be approved and included in the Capital Programme, as set out in paragraph 15 of the report.
- (14) That the capital element of the Local Area Agreement Pump Priming Grant expenditure be included in the Capital Programme, as set out in paragraph 16 of the report.
- (15) That the Safer Stronger Communities Fund grant allocation be noted, and the associated expenditure be included in the Capital Programme, as set out in paragraph 17 of the report.

- (16) That the urgent amendment to the Capital Programme, as set out in paragraph 18 of the report be noted.
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SPENDING PROJECTIONS 2007/08

A report of the Cabinet was submitted.

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

RESOLVED

- (1) That the projected net overspending as set out in paragraph 2 of the report be noted.
  - (2) That the allocations from General Balances to fund the projected overspending in Children's Services of £3m and the Chief Executive's Directorate of £300,000 be approved.
  - (3) That the allocation of £483,000 from general reserves to support training for employment, and to it being recouped as a first call on any Performance Reward Grant in 2009/10, as set out in paragraph 5 of the report, be approved.
  - (4) That the projected underspending in the Directorates of Adult, Community and Housing Services and Finance, ICT and Procurement be noted and transferred to General Balances.
  - (5) That the need to exercise stringent budgetary control for the remainder of the current financial year, in accordance with the Council's Approved Financial Management Regime, be reiterated to all Cabinet Members, Directors and budget holders.
  - (6) That the effects on the Council's Medium Term Financial Plan be noted.
  - (7) That action be taken to replenish General Balances when the opportunity arises.
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43

REVIEW OF HOUSING FINANCE

A report of the Cabinet was submitted.

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

RESOLVED

That the revised Housing Revenue Account budget for 2007/08, as set out in Appendix 1 to the report, be approved.

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44

FOOD SERVICE PLAN 2007/08

A report of the Cabinet was submitted.

It was moved by Councillor Mrs. Shakespeare, seconded by Councillor Fraser-Macnamara and

RESOLVED

That the Food Service Plan for 2007/08, as set out in Appendix 1 to the report, be approved.

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NOTICE OF MOTION UNDER COUNCIL PROCEDURE RULE 12

Pursuant to Council Procedure Rule 12, Councillor Cotterill had given notice of a motion in the following terms:-

“That this Council requests the Cabinet to delay any further action on the proposed closure of five libraries in the Borough, until a meaningful consultation has been carried out in respect of each library, involving local residents, users and ward members.”

With the consent of the Council, Councillor Cotterill withdrew the motion in view of the special meeting of the Select Committee on Regeneration, Culture and Adult Education, which had now been convened to consider the call-in of the decision of the Cabinet in respect of the library service in Dudley.

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ANNUAL REPORT OF THE SELECT COMMITTEE ON THE ENVIRONMENT

A report of the Chairman of the Select Committee on the Environment was submitted. In presenting the report, the Chairman expressed thanks to all Members and Officers involved in the work of the Select Committee and its associated activities.

It was moved by Councillor Mrs. Cowell, seconded by Councillor Fraser-Macnamara and

RESOLVED

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

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ANNUAL REPORT OF THE SELECT COMMITTEE ON HEALTH AND ADULT SOCIAL CARE

A report of the Chairman of the Select Committee on Health and Adult Social Care was submitted. In presenting the report, the Chairman expressed thanks to all Members and Officers involved in the work of the Select Committee and its associated activities.

It was moved by Councillor Mrs. Ridney, seconded by Councillor Caunt and

RESOLVED

That the annual report of the Select Committee on Health and Adult Social Care for 2006/07 be approved and adopted.

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TREASURY MANAGEMENT

A report of the Chairman of the Audit Committee was submitted.

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

RESOLVED

That the treasury management activity, as set out in the report, be approved.

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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.

At the conclusion of the meeting, the Mayor expressed best wishes to Councillor Waltho and his son, who would shortly be embarking on a trip to climb Mount Kilimanjaro in Africa for the benefit of local charities.

The meeting ended at 9.17 p.m.

MAYOR