

DUDLEY METROPOLITAN BOROUGH

MINUTES OF THE PROCEEDINGS OF THE COUNCIL
AT THE MEETING HELD ON MONDAY, 13TH JULY, 2009
AT 6.00 PM AT THE COUNCIL HOUSE, DUDLEY

PRESENT:-

Councillor Mrs. P. Martin (Mayor)
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, 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, James, Jones, Mrs. Jordan, Kettle, Knowles, Lowe, J. R. Martin, Mrs. Millward, Mottram, Ms. Nicholls, Nottingham, Mrs. Ridley, Mrs. Roberts, Mrs. Rogers, Ryder, Mrs. Shakespeare, Simms, Southall, Sparks, Stanley, Taylor, A. Turner, Mrs. H. Turner, K. Turner, Vickers, Waltho, While-Cooper, C. Wilson, Mrs. M. Wilson, Woodall 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 from the meeting were received on behalf of Councillors Crumpton, G. H. Davies, Islam, Ms. Partridge, Tyler and Mrs. Walker.

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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 Hanif – Minute No. 13 of Stourbridge Area Committee (Capital Allocations – an application by the Lye and Wollescote Partnership Group) - Personal and prejudicial interest as a member of the Partnership Group.

Councillor Lowe – Minute No. 13 of Stourbridge Area Committee (Capital Allocations - application by the Lye and Wollescote Partnership Group) - Personal interest in view of his attendance at the Partnership Group.

Councillor A Turner – Minute No. 13 of Stourbridge Area Committee (Capital Allocations – application by the Lye and Wollescote Partnership Group) – Personal and prejudicial interest as secretary of the Partnership Group.

Councillor C. Wilson – Minute No. 13 of Stourbridge Area Committee (Capital Allocations – application by the Stourbridge Radio Group) - Personal and prejudicial interest in view of his having represented the residents of the Dobbins Oak Flats in their request for the removal of the aerial installed by the Stourbridge Radio Group.

Councillor Body - Personal interest in respect of any reference made to issues regarding Homer Hill Park in view of him being the Chair of Friends of Homer Hill Park.

Councillor Mrs. H. Turner – Minute No. 20 of Halesowen Area Committee (Healthy Towns Initiative) - Personal and prejudicial interest in view of her Membership of the Development Control Committee.

Councillor K. Turner – Minute No. 12 of Halesowen Area Committee (Emergency Services Issues) - Personal interest as a Member of the West Midlands Fire and Rescue Authority.

Councillor K. Turner – Minute No. 22 of Halesowen Area Committee (Delegated Capital Budget) - Personal interest as a contributor to Caslon Community Partnership.

Councillor K. Turner – Minute No. 22 of Halesowen Area Committee (Delegated Capital Budget - application from Caslon Community Partnership) - Personal and prejudicial interest as the Director, Vice-Chair and Treasurer of Groundwork Black Country.

Councillor Vickers – Minute No. 22 of Halesowen Area Committee (Delegated Capital Budget - application from Lye and Wollescote Partnership) - Personal and prejudicial interest as a Committee Member of the Executive.

Councillors Mrs. E. Blood and Southall – Minute No. 18 of Brierley Hill Area Committee (Richardson Hall) - Personal interests in so far as the application related to Wordsley and District Community Association, as both had been nominated to represent the Council on that Community Association.

Councillors Mrs. E. Blood and Southall – Minute No. 19 of Brierley Hill Area Committee (Capital Allocations) - Personal interests in so far as the item related to the application received from Wordsley and District Community Association, as both had been nominated to represent the Council on that Community Association.

Councillor C. Wilson – Minute No. 90(vi) of the Development Control Committee (Planning application No. P09/0172 - Dean Court, Chapel Street, Brierley Hill - installation of two antennae to replace existing and one IP-to-IP link receiver on separate pole) - Personal and prejudicial interest in his capacity as a Ward Councillor representing the interests of objectors at the flats at Dobbins Oak Road.

Councillor Banks – Minutes Nos. 4(ii) and 9(ii) of the Development Control Committee (Planning application No. P09/0288 - Beacon Centre for the Blind, Wolverhampton Road East, Wolverhampton) - Personal and prejudicial interest as a member of the Beacon Centre.

Councillors K. Finch and Mrs. M. Wilson – Minute No. 10(i) of the Development Control Committee (Planning application No. P08/1918 - Newey Business Park, Sedgley Road West, Tipton) – both Members had played no part in the consideration of this application by the Development Control Committee because they had expressed views in public prior to the application being determined.

Councillor Mrs. Coulter – Minute No. 177 of the Taxis Committee (Revision of Licence Fees) - Personal interest in view of her personal friendship with Mr. S. Saleem (objector).

Councillor Mrs. Coulter – Minute No. 212 of the Taxis Committee (Grant of Private Hire Driver's Licence – Mr MR) - Personal interest due to personally knowing the applicant.

Councillors Mrs. Aston, J. Finch and K. Finch – Minute No. 10(i) of the Development Control Committee (Planning application No. P08/1918 relating to Newey Business Park) - Personal interests as ward representatives held meeting with agent.

Councillor Mrs. Aston – Minutes Nos. 4(ii) and 9(ii) of the Development Control Committee (Planning application No. P09/0288 relating to Beacon Centre for the Blind) - Personal interest as a Member of the Beacon Centre Committee.

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

All Members of the Council – Agenda Item No. 7 and Minute No. 36 of the Standards Committee (Members' Allowances Scheme) - Personal interests as recipients of Members' Allowances.

Councillor Burston – Minute No. 14 of North Dudley Area Committee (Transport Issues) - Personal interest on account of employment with CENTRO.

Councillor Ms. Harris - Any references 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 Ali, Waltho and C. Wilson – Delegated Decision Summary No. 39 (New Multi Use Games Area at St. Edmund and St. John Church of England Primary School, Kate’s Hill) – Personal interests in view of their respective involvements with St. Thomas’s Network.

Councillor K. Turner – Agenda Item No. 5(b) – References to Dudley Zoological Gardens – Personal interest as a Trustee.

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MINUTES

RESOLVED

That the minutes of the annual meeting of the Council held on 21st May, 2009, be approved as a correct record and signed.

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MAYOR’S ANNOUNCEMENTS

(a) Regional Teaching Awards

The Mayor reported that Stephen Hudson, the Head Teacher of Crestwood Park Primary School had been named as the Head Teacher of the Year in the Regional Teaching Awards. Following remarks from Councillor Evans, the Mayor presented the award and the Council congratulated Mr. Hudson on this outstanding achievement.

(b) Charity Cricket Match

The Mayor thanked all those who had been involved with the recent charity cricket match against Stourbridge Cricket Club, which had raised £316 towards the Mayor’s Charity.

(c) Charity Football Match

The Mayor reported that the annual football match between Council Members and Officers would be held at the Dell Stadium, Brierley Hill on 31st July, 2009. All proceeds would be donated to the Mayor’s Charity.

(d) Gold Star Award for Healthy Eating

The Mayor reported that she had made a presentation to the Civic Catering Section who had recently received a gold star award for healthy eating. The Council expressed congratulations to the Catering Staff on this achievement.

COUNCIL PLAN 2010: 2009 ANNUAL REVIEW

A report of the Cabinet was submitted.

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

RESOLVED

- (1) That the policy framework of the revised Council Plan be endorsed.
- (2) That the alignment of the Council Plan and Directorate Strategic Plans to the Community Strategy be noted.

NB: In view of general disruption from the public gallery, the meeting stood adjourned from 6.28 p.m. until 7.12 p.m. In accordance with Council Procedure Rule 21, the Mayor ordered the clearance of the public gallery for the remainder of the meeting.

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 the Disabled Facilities Grant and Regional Housing Pot allocations be noted, and the Capital Programme for Disabled Facilities Grants and Housing Assistance Grants be amended accordingly, as set out in paragraph 3 of the report now submitted.
- (2) That the Kickstart allocation be noted, and the associated expenditure be approved and included in the Capital Programme, as set out in paragraph 4 of the report now submitted.
- (3) That the addition of £100,000 to the Library Modernisation programme be approved, as set out in paragraph 5 of the report now submitted.
- (4) That the Stourbridge Town Centre Northern Gateway project be approved and included in the Capital Programme, as set out in paragraph 6 of the report now submitted.

- (5) That Section 106 funding from the Lidl development at 78 Hagley Road, Halesowen be allocated, and the Capital Programme be amended accordingly, as set out in paragraph 7 of the report now submitted.
- (6) That the acquisition of No. 18 Foster Street East, and the demolition of Nos. 18 and 20 be approved, and included in the Capital Programme; that in the event that the Highway Improvement Line being revoked, the overall site be disposed of; and that the Interim Director of Law and Property, in consultation with the Director of the Urban Environment, be authorised to proceed accordingly, as set out in paragraph 8 of the report now submitted.
- (7) That the Healthy Towns project be approved, and the capital elements included in the Capital Programme, as set out in paragraph 9 of the report now submitted.
- (8) That the High Arcal Specialist School grant allocation be noted, and the related expenditure be included in the Capital Programme, as set out in paragraph 11 of the report now submitted.
- (9) That a further £40,000 expenditure on the refurbishment of Children's Homes be agreed and included in the Capital Programme, as set out in paragraph 12 of the report now submitted.
- (10) That the Primary Care Trust contribution to the Play Pathfinder project be noted, and the Capital Programme be amended accordingly, as set out in paragraph 13 of the report now submitted.
- (11) That the Asset Management Plan and Area Committee allocations be approved and included in the Capital Programme, as set out in paragraph 14 of the report now submitted.
- (12) That the urgent amendments to the Capital Programme, as set out in paragraphs 15 to 17 of the report now submitted, be noted.

- (13) That any capital receipts generated by disposal of Council owned land and property and all other income generated through the Dudley Town Centre portfolio of properties be reinvested to support delivery of the regeneration of Dudley Town Centre and that, subject to funding being available, that any land acquisitions or works to be carried out (including improvements to public realm and highways infrastructure, by the Council be included in the Capital Programme, as referred to in paragraph 10 of the report now submitted.

26 ANNUAL REPORT OF THE SELECT COMMITTEE ON CHILDREN'S SERVICES

The Annual Report of the Select Committee was submitted.

It was moved by Councillor Vickers, seconded by Councillor Jones and

RESOLVED

That the Annual Report of the Select Committee on Children's Services for 2008/09 be approved.

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

The Annual Report of the Select Committee was submitted.

It was moved by Councillor C. Wilson, seconded by Councillor Jones and

RESOLVED

That the Annual Report of the Select Committee on Community Safety and Community Services for 2008/09 be approved.

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

The Annual Report of the Select Committee was submitted.

It was moved by Councillor P. Harley, seconded by Councillor Jones and

RESOLVED

That the Annual Report of the Select Committee on Regeneration, Culture and Adult Education for 2008/09 be approved.

MEMBERS' ALLOWANCES SCHEME

A report of the Standards Committee was submitted.

It was moved by Councillor Mrs. Millward, and seconded by Councillor Jones, that resolutions (1) to (5) as set out in a draft motion circulated at the meeting be approved and adopted.

An amendment was moved by Councillor K. Turner to the effect that, in respect of resolution (2)(b) in the draft motion, Special Responsibility Allowances be retained at the existing levels. The amendment was not seconded.

Following a discussion, the motion was put to the vote and it was

RESOLVED

- (1) That the recommendations of the Standards Committee at its meeting on 30th April, 2009 be noted.
- (2) That the following recommendations of the Members' Allowances Independent Panel be approved:-
 - (a) the Basic Allowance be increased to £9,300 per annum with effect from 1st April, 2009.
 - (b) the Special Responsibility Allowances be increased as recommended by the Independent Panel but with effect from 1st April, 2010.
 - (c) the Basic and Special Responsibility Allowances be varied each year in line with the agreed cost of living pay increases for local authority staff whose pay award is determined by the National Joint Council commencing on 1st April, 2010 for the Basic Allowance and 1st April, 2011 for Special Responsibility Allowances.
- (3) That with immediate effect, where a Member holds more than one office qualifying for a Special Responsibility Allowance, the Member shall be paid the higher or highest allowance only.
- (4) That the provisions of the current Members' Allowances Scheme relating to circumstances when Members are required to travel outside of the West Midlands County Area be amended as follows:-

- (a) Members are required to travel by public transport wherever practicable, the costs of which shall be reimbursed or paid directly.
 - (b) Where the use of public transport is not practicable, the cost of travel will be reimbursed on the basis of casual user car allowances payable to officers.
 - (c) Where members are unable to take main meals in their normal place, the reasonable costs of purchasing a meal and beverage or appropriate refreshments should be reimbursed, subject to receipts being produced where practicable.
- (5) That the Interim Director of Law and Property be authorised to make the necessary amendments to the Council's Constitution and to publicise the amended Members' Allowances Scheme in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003.

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APPOINTMENT OF AN INDEPENDENT MEMBER TO THE STANDARDS COMMITTEE

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

It was moved by Councillor J. R. Davies, seconded by Councillor Jones and

RESOLVED

That Father Alan Williams be appointed as an Independent Member of the Standards Committee for a term of four years with effect from 14th July, 2009.

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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 meeting ended at 8.25 p.m.

MAYOR

CL/24