

DUDLEY METROPOLITAN BOROUGH

MINUTES OF THE PROCEEDINGS OF THE COUNCIL
AT THE ANNUAL MEETING HELD ON
THURSDAY, 15TH MAY, 2003
AT 6.00 P.M.

PRESENT:-

Councillor Mrs. Wilson (Mayor)
Councillor Ms. Tomkinson (Deputy Mayor)
Councillors Adams, Ali, Ameson, Mrs. Aston, Banks, Blood, Ms. Bowkley, Bradney, Bramall, Burston, Burt, Caunt, Coody, Mrs. Collins, Cotterill, Mrs. Coulter, Cowell, Craigie, Crumpton, Darby, G.H. Davies, J. Davies, Davis, Mrs. Dunn, Evans, Faulkner, Finch, Fletcher, Ms. Foster, Fraser-Macnamara, Hanson, Harris, Hart-Bowman, Jackson, James, Johnson, Jones, Kettle, Knowles, Lomax, Lowe, Male, Mrs. Martin, Miller, Mrs Millward, Mottram, Musk, Nicholls, Ms. Partridge, Mrs. Patrick, Powell, Rahman, Ms. Ridley, Ryder, Ms. Shakespeare, Sheppard, Simms, Southall, Sparks, Stanley, Sunter, H. Turner, K. Turner, Tyler, Waltho, White, Whitehouse, C.L. Woodall and J. Woodall and Zarab; together with the Chief Executive and other Officers.

1 **VIDEO RECORDING**

In accordance with Council Procedure Rule 24.4, the Council gave its consent to a video recording of this meeting being made.

2 **PRAYERS**

The Mayor's Chaplain, the Reverend Mike Mason, led the Council in prayer.

3 **ELECTION OF MAYOR**

It was moved by Councillor Sunter and seconded by Councillor C.L. Woodall that Councillor Ms. Rosemary Tomkinson be elected Mayor of the Borough for the 2003/2004 municipal year.

It was moved by Councillor Caunt and seconded by Councillor Powell that Councillor Malcolm Knowles be elected Mayor of the Borough for the 2003/2004 municipal year.

On these two nominations being put to the vote it was

RESOLVED

That Councillor Rosemary Tomkinson be elected Mayor of the Borough for the 2003/2004 municipal year.

Councillor Tomkinson then made and subscribed to the statutory Declaration of Acceptance of Office and took the Chair.

4

ELECTION OF DEPUTY MAYOR

It was moved by Councillor Sunter and seconded by Councillor C.L. Woodall that Councillor Mottram be elected Deputy Mayor of the Borough for the 2003/2004 municipal year.

It was moved by Councillor Caunt and seconded by Councillor Powell that Councillor Knowles be elected Deputy Mayor of the Borough for the 2003/2004 municipal year.

On these two nominations being put to the vote it was

RESOLVED

That Councillor Malcolm Knowles be elected Deputy Mayor of the Borough for the 2003/2004 municipal year.

Councillor Knowles made and subscribed to the statutory Declaration of Acceptance of Office.

5

ADDRESS BY THE MAYOR

The new Mayor addressed the Council, expressing her thanks to the Council and others on her election. She welcomed the following Members newly-elected to the Council:-

Councillors Blood, Cowell, Craigie, Crumpton, Darby, Faulkner, Hart-Bowman, Lowe, Musk, Nicholls, Southall, Hazel Turner and Zarab.

She paid tribute to the retiring Mayor, to the Mayoress, Mrs. Diane Mobberley, and to the retiring Deputy Mayoress, Mrs. Beryl Biggs. She announced that racial harmony would be the theme of her year as Mayor. She would not be appointing a Mayor's Chaplain but would call on representatives of various faiths to carry out this role from time to time throughout her year of office. Details of her charity appeal would be made known in due course.

6 TRIBUTES TO RETIRING MAYOR AND MAYORESS/PRESENTATION OF BADGES

Councillors Sunter, Caunt and Burt paid tribute to the retiring Mayor and Mayoress, Councillor Mrs. Margaret Wilson and Mrs. Betty Biggs, following which the Mayor presented them with past Mayor's and past Mayoress' badges respectively.

Councillor Mrs. Wilson then addressed the Council briefly, thanking members, officers and others for the support which had enabled her to carry out her Mayoral duties effectively during the year.

7 MINUTES

RESOLVED

That the minutes of the meeting of the Council held on 14th April, 2003 be approved as a correct record and signed.

8 MAYOR'S ANNOUNCEMENTS

(a) The Mayoress and the Deputy Mayoress

The Mayor announced that the Mayoress for the 2003/2004 municipal year would be Mrs. Diane Mobberley and the Deputy Mayoress would be Mrs. Shirley Ann Knowles.

(b) Mayoress' At Home

The Mayoress' At Home would take place on 9th and 10th July, 2003.

9 DECLARATIONS OF INTEREST

There were no declarations of interest in accordance with the Members' Code of Conduct in respect of any matter to be considered at this meeting.

ELECTION OF THE LEADER FOR THE 2003/2004 MUNICIPAL YEAR

It was moved by Councillor C.L. Woodall and seconded by Councillor G.H. Davies that Councillor Sunter be elected Leader of the Council for the 2003/2004 municipal year.

It was moved by Councillor Powell and seconded by Councillor Fraser-Macnamara that Councillor Caunt be elected Leader of the Council for the 2003/2004 municipal year.

On these two nominations being put to the vote it was

RESOLVED

That Councillor Caunt be elected Leader of the Council for the 2003/2004 municipal year.

11

APPOINTMENT OF THE EXECUTIVE FOR THE 2003/2004 MUNICIPAL YEAR

A report of the Chief Executive was submitted.

It was moved by Councillor Caunt, seconded by Councillor Powell and

RESOLVED

That the number of members appointed to the Executive for the 2003/2004 municipal year and the names of the members to serve for that year be approved as follows:-

Councillors Caunt, Powell, Adams, L. Jones, Mrs. Martin, J. Woodall, Mrs. Shakespeare, Evans, Miller and Fraser-Macnamara.

The names of the Labour and Liberal Democrat Group nominees to attend meetings of the Executive, to speak but not to vote, were received as follows:-

Labour Group

Councillors Ali, G.H. Davies, Fletcher, Foster, Sparks, Sunter and C.L. Woodall.

Liberal Democrat Group

Councillors Bramall, Burt and Patrick

APPOINTMENT AND MEMBERSHIP OF COMMITTEES FOR 2003/2004 AND OTHER RELATED MATTERS

A report of the Chief Executive was submitted.

It was moved by Councillor Caunt and seconded by Councillor Powell

- (1) That, except for the Standards Committee and Area Committees, the composition and membership of Committees (including the appointment of substitute members) for the 2003/04 municipal year be determined in accordance with the political balance requirements of Sections 15 and 16 of the Local Government and Housing Act, 1989, as shown on the list circulated at the meeting.
- (2) (a) That the composition and membership of the Standards Committee be as shown on the list.
- (b) That the appointment of the second independent member of the Standards Committee be delegated to the Chief Executive in consultation with the Leader and that that appointment be either Mrs. F. Jabeen or her successor.
- (3) That the existing five Area Committees be re-established for the 2003/04 municipal year, comprising the ward councillors for those areas; that the arrangements for "split" representation from the Amblecote and Quarry Bank and Cradley wards on the Brierley Hill, Halesowen and Stourbridge Area Committees be as shown on the list circulated at the meeting; and that the functions and protocol of Area Committees, as set out in the Council's Constitution, be reaffirmed.
- (4) That the Terms of Reference and onward delegation of functions of the Committees referred to in paragraph (1) above be reaffirmed, except for the transfer of the housing role from the Select Committee on Good Health to the Select Committee on the Environment.
- (5) That the Terms of Reference of the Standards Committee be reaffirmed.
- (6) That the Modernisation Monitoring Working Group be not reappointed and that its role be transferred to the Executive, acting if necessary through a meeting of the three Group Leaders.
- (7) That the Chairs of Committees (except Area Committees which appoint their own) be as set out in the list now circulated.
- (8) That the Opposition Groups appoint the Vice-Chairs of Committees.

Amendment

It was moved as an amendment by Councillor Sunter and seconded by Councillor C.L. Woodall:-

- (1) That the Chairs/Vice-Chairs of the following Committees be as shown:-

Neevia Document Converter Pro V6.5

<u>Committee</u>	<u>Chair</u>	<u>Vice-Chair</u>
Community Safety	Mottram	Cotterill
Select Committee on Culture & Recreation	Tyler	Grumpton
Select Committee on Economic Vitality & Jobs	Partridge	Patrick
Select Committee on the Environment	Sheppard	Coulter
Select Committee on Lifelong Learning	Ridney	Hart-Bowman
Select Committee on Good Health	Cody	Hanson
Development Control	Wilson	Finch
Licensing and Safety	Bradney	Coulter
Taxis	Male	Bowkley
Audit	J. Davies	Rahman
Tree Preservation Orders	Mrs. Collins	-

- (2) That the other Committee Chairs and Vice-Chairs be appointed at the first meeting of the Committees involved.

On being put to the vote the amendment was carried and on being put as the substantive motion, the motion as amended was also carried. It was therefore

RESOLVED

- (1) That, except for the Standards Committee and Area Committees, the composition and membership of Committees (including the appointment of substitute members) for the 2003/2004 municipal year be determined in accordance with the political balance requirements of Sections 15 and 16 of the Local Government and Housing Act, 1989, as shown below:-

<u>COMMITTEE</u>	<u>NUMBER OF SEATS</u>			
	<u>TOTAL</u>	<u>CONSERVATIVE</u>	<u>LABOUR</u>	<u>LIBERAL DEMOCRAT</u>
Select Committee on Community Safety	10	4	4	2
Select Committee on Culture and Recreation	10	4	4	2
Select Committee on Economic Vitality and Jobs	10	4	4	2
Select Committee on Environment	10	4	4	2
Select Committee on Good Health	10	4	4	2
Select Committee on Lifelong Learning*	10	5	4	1
Appointments	8	4	3	1
Audit	9	4	4	1
Development Control	9	4	4	1
Disciplinary/Dismissal/ Grading Appeals	9	4	4	1
Licensing and Safety	9	4	4	1
Social Services (Appeals)	6	3	3	0
Taxi	9	4	4	1
Tree Preservation Orders	9	4	4	1
* Excluding non-elected Members				

SELECT COMMITTEE ON COMMUNITY SAFETY 2003/04

Conservative (4)

Labour (4)

Liberal Democrat (2)

Councillors

Councillors

Councillors

1. Burston
2. Mrs Dunn
3. Mrs Millward
4. Mrs Turner

1. Cotterill
2. Finch
3. Foster
4. Mottram

1. Burt
Tyler

Substitute Members

Conservative (4)

Labour (4)

Liberal Democrat (2)

Councillors

Councillors

Councillors

1. Jackson
2. Ryder
3. Stanley
4. Turner

1. Bowkley
2. J Davies
3. Hanson
4. Wilson

1. Davis
2. Patrick

SELECT COMMITTEE ON CULTURE AND RECREATION 2003/04

Conservative (4)

Labour (4)

Liberal Democrat (2)

Councillors

Councillors

Councillors

1. Kettle
2. Ms Nicholls
3. Strms
4. Southall

1. Crumpton
2. Harris
3. Waltho
4. C.L. Woodall

1. Sheppard
2. Tyler

Substitute Members

Conservative (4)

Labour (4)

Liberal Democrat (2)

Councillors

Councillors

Councillors

1. Mrs Ameson
2. Blood
3. Mrs Faulkner
4. Knowles

1. Cody
2. Cotterill
3. Finch
4. Male

1. Burt
2. Hart-Bowman

SELECT COMMITTEE ON ECONOMIC VITALITY AND JOBS 2003/04

Conservative (4) Labour (4) Liberal Democrat (2)

Councillors

1. Blood
2. Mrs Cowell
3. Knowles
4. Turner

Councillors

1. Lowe
2. Partridge
3. Sparks
4. Zarab

Councillors

1. Bramall
2. Ms Patrick

Substitute Members

Conservative (4)

Councillors

1. Johnson
2. Ms Nicholls
3. Ryder
4. Mrs Turner

Labour (4)

Councillors

1. Cody
2. J Davies
3. Lomax
4. Rahman

Liberal Democrat (2)

Councillors

1. Craigie
2. Sheppard

SELECT COMMITTEE ON ENVIRONMENT 2003/04

Conservative (4)

Councillors

1. Banks
2. Jackson
3. Ryder
4. Stanley

Labour (4)

Councillors

1. Coulter
2. G.H. Davies
3. Tomkinson
4. Whitehouse

Liberal Democrat (2)

Councillors

1. Ms Patrick
2. Sheppard

Substitute Members

Conservative (4)

Councillors

1. Mrs Dunn
2. Johnson
3. Mrs Millward
4. Musk

Labour (4)

Councillors

1. Aston
2. Crumpton
3. Mottram
4. C L Woodall

Liberal Democrat (2)

Councillors

1. Burt
2. White

SELECT COMMITTEE ON GOOD HEALTH 2003/04

Conservative (4)

Labour (4)

Liberal Democrat (2)

Councillors

Councillors

Councillors

1. Mrs Ameson
2. Banks
3. Johnson
4. Mrs Turner

1. Ali
2. Aston
3. Cody
4. Hanson

1. Ms Craigie
- Mrs White

Substitute Members

Conservative (4)

Labour (4)

Liberal Democrat (2)

Councillors

Councillors

Councillors

1. Burston
2. Jackson
3. Kettle
4. Turner

1. Bradney
2. Partridge
3. Ridney
4. Zarab

1. Bramall
2. Collins

SELECT COMMITTEE ON LIFELONG LEARNING 2003/04

Conservative (5)

Labour (4)

Liberal Democrat (1)

Councillors

Councillors

Councillors

1. Burston
2. Mrs Cowell
3. Mrs Dunn
4. Mrs Faulkner
5. Turner

1. Fletcher
2. Lowe
3. Rahman
4. Ridney

1. Hart-Bowman

Substitute Members

Conservative (5)

Labour (4)

Liberal Democrat (1)

Councillors

Councillors

Councillors

1. Banks
2. Kettle
3. Ryder
4. Simms
5. Stanley

1. Coulter
2. Male
3. Tomkinson
4. Wilson

1. Tyler

The following non-elected members:-

Voting Members

Parent Governor Representatives

1. Primary Schools – Mrs. L. Lonergan
2. Secondary Schools – Mr. T. Wright
3. Special Schools – Mrs. J. Sprason

Church Representatives

1. Worcester Diocesan Board of Education – Rev. D. Morphy
2. Archdiocese of Birmingham – Mr. P. Hill

Non-Voting Members

Teacher Representatives

1. Primary Education – Mrs. S. Hewitt-Clarkson
2. Secondary Education – Mrs. P. Roe

Free Churches

1. Mr. J. Guest

Persons with experience of and interest in education in the Borough

1. Mr. W.F. Smith
2. Mr. O.D. Calder

APPOINTMENTS COMMITTEE 2003/04

Conservative (4)

Councillors

1. Caunt
2. Jackson
3. Mrs Martin
4. Powell

Substitute Members

Conservative (4)

Councillors

1. Adams
2. Evans

Labour (3)

Councillors

1. Foster
2. Sunter
3. C.L. Woodall

Labour (3)

Councillors

1. Cody
2. G H Davies

Liberal Democrat (1)

Councillors

1. Tyler

Liberal Democrat (1)

Councillors

1. White

3. Miller
4. J Woodall

3. Fletcher

AUDIT COMMITTEE 2003/04

Conservative (4)

Labour (4)

Liberal Democrat (1)

Councillors

Councillors

Councillors

1. Burston
2. Kettle
3. Ms Nicholls
4. Turner

1. J. Davies
2. Lomax
3. Rahman
4. Whitehouse

- Ms Craigie

Substitute Members

Conservative (4)

Labour (4)

Liberal Democrat (1)

Councillors

Councillors

Councillors

1. Mrs Dunn
2. Knowles
3. Mrs Millward
4. Mrs Turner

1. Aston
2. Bradney
3. Coulter
4. Harris

1. Burt

DEVELOPMENT CONTROL COMMITTEE 2003/04

Conservative (4)

Labour (4)

Liberal Democrat (1)

Councillors

Councillors

Councillors

1. Banks
2. James
3. Southall
4. Stanley

1. Bowkley
2. Finch
3. Sunter
4. Wilson

1. M Davis

Substitute Members

Conservative (4)

Labour (4)

Liberal Democrat (1)

Councillors

Councillors

Councillors

1. Blood
2. Burston
3. Ms Nicholls
4. Simms

1. Cotterill
2. Hanson
3. Lowe
4. Partridge

1. Patrick

DISCIPLINARY/DISMISSAL/GRADING APPEALS COMMITTEE 2003/04

Conservative (4) Labour (4) Liberal Democrat (1)

Councillors Councillors Councillors

- | | | |
|-----------------|----------------|--------------|
| 1. James | 1. G.H. Davies | 1. Mrs White |
| 2. Jackson | 2. Foster | |
| 3. Johnson | 3. Rahman | |
| 4. Mrs Millward | 4. Waltho | |

Substitute Members

Conservative (4) Labour (4) Liberal Democrat (1)

Councillors Councillors Councillors

- | | | |
|-----------------|--------------|------------|
| 1. Mrs Ameson | 1. Cotterill | 1. Collins |
| 2. Mrs Cowell | 2. Coulter | |
| 3. Mrs Faulkner | 3. Crumpton | |
| 4. Musk | 4. Lowe | |

LICENSING AND SAFETY COMMITTEE 2003/04

Conservative (4) Labour (4) Liberal Democrat (1)

Councillors Councillors Councillors

- | | | |
|-----------------|--------------|----------------|
| 1. Blood | 1. Bradney | 1. Mrs Collins |
| 2. James | 2. Cotterill | |
| 3. Mrs Millward | 3. Coulter | |
| 4. Ryder | 4. Zarab | |

Substitute Members

Conservative (4) Labour (4) Liberal Democrat (1)

Councillors Councillors Councillors

- | | | |
|---------------|---------------|----------|
| 1. Banks | 1. Cody | 1. White |
| 2. Simms | 2. G H Davies | |
| 3. Southall | 3. Finch | |
| 4. Mrs Turner | 4. Mottram | |

SOCIAL SERVICES (APPEALS) COMMITTEE 2003/04

Conservative (3)

Labour (3)

Liberal Democrat (0)

Councillors

1. Mrs Ameson
2. Mrs Dunn
3. Musk

Councillors

1. Ali
2. Aston
3. Harris

Substitute Members

Conservative (3)

Labour (3)

Liberal Democrat (0)

Councillors

1. Mrs Cowell
2. Jackson
3. Ms Nicholls

Councillors

1. Coulter
2. Foster
3. Partridge

TAXIS COMMITTEE 2003/04

Conservative (4)

Labour (4)

Liberal Democrat (1)

Councillors

1. Mrs Ameson
2. Mrs Faulkner
3. Johnson
4. Musk

Councillors

1. Aston
2. Bowkley
3. Crumpton
4. Male

Councillors

1. Bramall

Substitute Members

Conservative (4)

Labour (4)

Liberal Democrat (1)

Councillors

1. Blood
2. Mrs Cowell
3. Kettle
4. Turner

Councillors

1. Cotterill
2. Hanson
3. Lowe
4. Ridney

Councillors

1. Hart-Bowman

TREE PRESERVATION ORDERS COMMITTEE 2003/04

Conservative (4) Labour (4) Liberal Democrat (1)

Councillors

1. James
2. Knowles
3. Simms
4. Southall

Councillors

1. Cotterill
2. Finch
3. Tomkinson
4. Wilson

Councillors

1. Mrs Collins

Substitute Members

Conservative (4)

Councillors

1. Mrs Faulkner
2. Johnson
3. Kettle
4. Stanley

Labour (4)

Councillors

1. Cody
2. J Davies
3. Lowe
4. Zarab

Liberal Democrat (1)

Councillors

1. Sheppard

- (2) That the composition and membership of the Standards Committee (including the substitute members) for the 2003/2004 municipal year be as shown below:-

STANDARDS COMMITTEE 2003/04

(elected Members)

Conservative (2)

Councillors

1. Fraser-Macnamara
2. Powell

Labour (2)

Councillors

1. Hanson
2. Partridge

Liberal Democrat (2)

Councillors

1. Bramall
2. Tyler

Two independent Members, namely the Bishop of Dudley for a term of 4 years from May, 2002 and one Member to be appointed for a term of one year from May, 2003, being either Mrs F Jabeen or her successor.

Chair – The Bishop of Dudley

Substitute Members

Conservative (2)

Labour (2)

Liberal Democrat (2)

Councillors

Councillors

Councillors

1. Mrs Dunn
2. Stanley

1. G H Davies
2. Finch

1. Burt
2. Craigie

- (3) That the existing five Area Committees be re-established for the 2003/2004 municipal year comprising (subject to resolution (4) below) the ward councillors for those areas and that their functions and protocol as set out in the Council's Constitution be reaffirmed.
- (4) That the following arrangements for "split" representation on Area Committees from the Amblecote and Quarry Bank and Cradley wards be approved:-

BRIERLEY HILL AND HALESOWEN AREA COMMITTEES

REPRESENTATION FROM QUARRY BANK AND CRADLEY WARD

- Brierley Hill - Councillor Sparks
Halesowen - Councillors Cotterill and Male

STOURBRIDGE AND BRIERLEY HILL AREA COMMITTEES

REPRESENTATION FROM AMBLECOTE WARD

- Stourbridge - Councillors Mrs Martin and Musk
Brierley Hill - Councillor Banks

- (5) That the Terms of Reference and onward delegation of functions of the Committees referred to in resolution (1) above (other than the Standards Committee) as set out in the Council's Constitution be reaffirmed for the 2003/2004 municipal year except for the transfer of the housing role from the Select Committee on Good Health to the Select Committee on the Environment.

- (6) That the Terms of Reference of the Standards Committee, as set out in the Council's Constitution, be reaffirmed for the 2003/2004 municipal year.
- (7) That the Modernisation Monitoring Working Group be not reappointed for the 2003/2004 municipal year and that its role be transferred to the Executive, acting if necessary through a meeting of the three Group Leaders.
- (8) That the Chairs and Vice-Chairs of Committees (except Area Committees which appoint their own) be approved as shown below:-

<u>Committee</u>	<u>Chair</u>	<u>Vice-Chair</u>
Community Safety	Mottram	Cotterill
Select Committee on Culture & Recreation	Tyler	Crumpton
Select Committee on Economic Vitality & Jobs	Partridge	Patrick
Select Committee on the Environment	Sheppard	Coulter
Select Committee on Lifelong Learning	Ridney	Hart-Bowman
Select Committee on Good Health	Cody	Hanson
Development Control	Wilson	Finch
Licensing and Safety	Bradney	Coulter
Taxis	Male	Bowkley
Audit	J. Davies	Rahman
Tree Preservation Orders	Mrs. Collins	-

- (9) That the other Committee Chairs and/or Vice-Chairs be appointed at the first meeting of the Committees concerned.

13

SCHEME OF DELEGATION

A report of the Chief Executive was submitted. On the motion of Councillor Caunt, seconded by Councillor Powell, it was

RESOLVED

- (1) That the amendments to the functions and onward delegation of functions of the Social Services (Appeals) Committee, as set out on the sheet circulated at the meeting, be approved.
- (2) That subject to resolution (1) above the Scheme of Delegation, as set out in Part III of the Council's Constitution, be reaffirmed for the 2003/2004 municipal year.

14

ORDINARY MEETINGS OF THE COUNCIL AND COMMITTEES FOR THE 2003/2004 MUNICIPAL YEAR

A report of the Chief Executive was submitted.

On the motion of Councillor Caunt, seconded by Councillor Powell, it was

RESOLVED

That the programme of ordinary meetings of the Council and Committees for the 2003/2004 municipal year be approved as set out in the calendar circulated at the meeting.

15

APPOINTMENTS TO OUTSIDE BODIES

A report of the Chief Executive was submitted.

On the motion of Councillor Caunt, seconded by Councillor Powell, it was

RESOLVED

That the Chief Executive, in consultation with the Leader, be authorised to make appointments to the following outside bodies in view of the urgency involved in making such appointments:-

Local Government Association – General Assembly
West Midlands Local Government Association

- Council
- Provincial Council
- Regional Planning Partnership (formerly Regeneration Conference)
- Regional Assembly

West Midlands Joint Committee (WMJC)
WMJC – Joint Planning and Transportation Sub-Committee
WMJC – Community Safety Sub-Committee
West Midlands Fire and Civil Defence Authority and “Prime Member”
West Midlands Passenger Transport Authority and “Prime Member”
Dudley and West Midlands Zoological Society Limited – Executive Board
Community Strategic Partnership and Waterfront 4 Training Management Committee
Dudley School Organisation Committee

The meeting ended at 7.25 p.m.

MAYOR