

**DUDLEY METROPOLITAN BOROUGH**

**MINUTES OF THE PROCEEDINGS OF THE COUNCIL**  
**AT THE MEETING HELD ON MONDAY 2<sup>ND</sup> DECEMBER, 2013**  
**AT 6.00 PM AT THE COUNCIL HOUSE, DUDLEY**

**PRESENT: -**

Councillor A Finch (Mayor)  
Councillor M Aston (Deputy Mayor)  
Councillors A Ahmed, K Ahmed, Ali, Arshad, A Aston, Attwood, Baugh,  
Mrs Billingham, Bills, Blood, Body, Boleyn, Branwood, Burston, Casey, Caunt,  
Cotterill, Cowell, Crumpton, Duckworth, Elcock, Evans, K Finch, Foster, Hale, Hanif,  
Harley, Harris, Hemingsley, Hill, Islam, James, J Jones, L Jones, Jordan, Kettle,  
Lowe, Marrey, J Martin, Mrs P Martin, Miller, Mottram, Ms Nicholls, Partridge, Perks,  
Ridney, Roberts, Mrs Rogers, Russell, Mrs Shakespeare, Mrs Simms, Sparks,  
Sykes, 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.

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37     **APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of Councillors Mrs Ameson, Herbert,  
Taylor and Woodall.

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38     **DECLARATIONS OF INTEREST**

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

Councillor Ali – Action Note 19 of the Castle and Priory, St James's and St  
Thomas's Community Forum (Area Grants) – Non-pecuniary interest as a Director  
of St Thomas's Network.

Councillor Bills – Action Note 19 of the Halesowen North and Halesowen South  
Community Forum (Area Grants) – Non-pecuniary interest in relation to the  
application from Leaps and Bounds.

Councillor Mrs Shakespeare – Action Note 19 of the Halesowen North and  
Halesowen South Community Forum (Area Grants) – Non-pecuniary interest in  
relation to the application from Unit 3sixty.

Councillor Vickers – Minute No. 12 of the Children’s Services Scrutiny Committee (reference to Tenterfields Children’s Centre) – Non-pecuniary interest as the Chair of the Management Committee of the Centre.

Councillor Mrs Simms - Minute No. 12 of the Children’s Services Scrutiny Committee (reference to Kates Hill and Sledmere Children’s Centres) – Non pecuniary interest in view of her involvement with a looked after child who attended the centres.

Councillor C Wilson – Minute No. 40 of the Development Control Committee (Planning Application No. P13/1065 - Stourbridge College, Hagley Road, Stourbridge) - Non-pecuniary interest as a Feoffee of Old Swinford Hospital.

Councillors Zada and Perks – Minute No. 43 of the Development Control Committee (Planning Application No. P13/0345 - Yew Tree Inn Public House, Hockley Lane, Netherton) - Non-pecuniary interest as they knew the objector.

Councillor Cowell – Minutes of the Ernest Stevens Trusts Management Committee – Non-pecuniary interest in view of her being invited to serve as a Trustee of Mary Stevens Hospice.

Councillor Mrs Rogers – Minutes of the Ernest Stevens Trusts Management Committee – Non-pecuniary interest as Chair of the Friends Group for Mary Stevens Park and Swinford Common. Also in relation to her involvement with the Project Implementation Team – Heritage Lottery Bid for Mary Stevens Park and attendance at stakeholder meetings.

Councillor Wright – Non-pecuniary interest in any reference to Midland Heart as a tenant.

Councillor Crumpton – Non-pecuniary interest in matters affecting schools as a relative worked as a supply teacher.

Councillor A Aston – Pecuniary Interest in any references to matters affecting West Midlands Ambulance Service (WMAS) as an employee of WMAS.

Councillor Hanif – Non-pecuniary interest in Agenda Item No. 6 (Notice of Motion) as a Member of the Steering Committee of Stourbridge Fairtrade.

Councillor M Aston – Minute No. 12 of the Children’s Services Scrutiny Committee and any references to Children’s Centres - Non-pecuniary interest as a member of the Committee for Priory Children’s Centre.

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39 MINUTES

RESOLVED

That the minutes of the meeting of the Council held on 7<sup>th</sup> October, 2013, be approved as a correct record and signed.

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## MAYOR'S ANNOUNCEMENTS

(a) Death of the Earl of Dudley, Mr W Martin and Mr T Williams

The Mayor referred to the recent deaths of the Earl of Dudley, Mr W Martin and Mr T Williams. It was noted that Bill Martin had served as Mayor's Consort in 2009/10 and Tony Williams had served as Chief Finance Officer until his retirement in 1993. Members stood in silent tribute as a token of respect to their memory. Councillor Mrs P Martin addressed the Council and thanked friends and colleagues for their support during this difficult time.

(b) Oldswinford Primary School – Fairtrade Status

The Mayor reported on the success of Oldswinford Primary School in gaining Fairtrade Status. Following comments from Councillor Lowe, the Mayor presented representatives of the School with their certificates and the Council congratulated all concerned.

(c) UK Youth Parliament and Dudley Youth Council – 'Make Your Mark' Ballot Consultation

The Mayor reported on the success of representatives of the UK Youth Parliament and Dudley Youth Council in relation to the 'Make Your Mark' Ballot Consultation. Following comments from Councillor Crumpton, the Mayor presented the representatives with their certificates and the Council congratulated all concerned.

(d) Remembrance Sunday and Armistice Day Events

The Mayor expressed thanks to all concerned for the excellent organisation in connection with the above events despite the inclement weather.

(e) Forthcoming Civic Events

The Mayor reported on the following events:

- Charity Cheese and Wine Tasting Evening – 3<sup>rd</sup> December, 2013
- Christmas Charity Coffee Morning – 13<sup>th</sup> December, 2013
- Civic Carol Service – 18<sup>th</sup> December, 2013

(f) Ms J Porter – Director of Children's Services

The Mayor reported that this would be the last full Council meeting for Jane Porter in her capacity as Director of Children's Services in view of her impending retirement in December, 2013. On behalf of the Council, the Mayor wished Ms Porter a long, happy and healthy retirement. Councillors Crumpton, Sparks and Mrs Walker expressed their personal best wishes.

(g) Honorary Alderman Cyril Woodall and Mrs June Collins

The Mayor referred to the recent illness of Honorary Alderman Cyril Woodall and former Councillor June Collins. The Council extended its best wishes.

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41 CAPITAL PROGRAMME MONITORING

A report of the Cabinet was submitted.

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

RESOLVED

- (1) That current progress with the 2013/14 Capital Programme, as set out in Appendix A to the report now submitted, be noted and that budgets be amended to reflect the reported variances.
  - (2) That the urgent amendment to the Capital Programme, as set out in paragraph 5 to the report now submitted, be noted.
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42 REVENUE BUDGET STRATEGY 2014/15

A report of the Cabinet was submitted.

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

RESOLVED

- (1) That 2013/14 budgets be amended as set out in paragraphs 4, 8 and 9 of the report now submitted.
  - (2) That the strategy for employee related budget savings, as set out in paragraph 12 of the report now submitted, be endorsed.
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43 LOCALISED COUNCIL TAX REDUCTION SCHEME 2014/15

A report of the Cabinet was submitted.

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

## RESOLVED

- (1) That, further to consideration of the outcomes of the preceptor and public consultation on the Council Tax Reduction (CTR) scheme, member scrutiny, the equality impact assessment and last year's results of the Big Question budget survey in 2012, that the CTR scheme be amended from 1<sup>st</sup> April 2014 and that the scheme be based on the eligibility and calculation rules of the current scheme with a 20% cut in the resulting level of the reduction; and that a transitional arrangement of an 8.5% cut in the calculated reduction apply at least up to 31st March 2015 with full protection from any scheme changes being given to pensioners (as defined in legislation), disabled adults, disabled children, war pensioners and lone parents with a child under 5, the definition of the protected groups to be as defined in the 2013 public consultation.
- (2) That, subject to full Council approval before 31st January, 2015 the transitional arrangements of an 8.5% cut may be extended beyond 31st March 2015 without further public consultation.
- (3) That the Council approve the proposal to document the preferred CTR scheme in such a manner that any personal allowances, premiums, disregards and non-dependent deductions are automatically linked to equivalent annually up-rated values published by the central government in either Housing Benefit Legislation or the prescribed Council Tax Reduction scheme for pensioners; this will allow any approved scheme to be automatically carried forward to future years, without the need for annual public consultation and re-approval, until such time that further scheme changes are considered.

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## 44 ANNUAL REVIEW OF THE CONSTITUTION

A report of the Cabinet was submitted.

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

## RESOLVED

- (1) That the work undertaken and in progress to integrate public health functions within the Constitution, as referred to in paragraphs 8 and 9 of the report now submitted, be noted.
- (2) That the terms of reference of the Appointments Committee be amended, with consequential changes elsewhere in the Constitution, to provide for salary packages for new appointments and any severance packages for employees that exceed £100,000 to be recommended to full Council for approval as referred to in paragraphs 10 and 11 of the report now submitted.
- (3) That the review of the Members' Planning Code of Good Practice, as referred to in paragraph 12 of the report now submitted, be noted.

- (4) That the proposed addition to the terms of reference of the Ernest Stevens Trusts Management Committee be approved as set out in paragraphs 13 and 14 of the report now submitted.
- (5) That the Deputy Leader (Cabinet Member for Finance) be authorised to sign Decision Sheets in the absence of the Cabinet Member for Human Resources, Legal and Property, as referred to in paragraph 15 of the report now submitted.
- (6) That the approach to the recording of Council, Cabinet, Committee and other meetings, as set out in paragraphs 16 to 19 of the report now submitted, be approved and that Council Procedure Rule 24.6 be amended accordingly.
- (7) That the amended Terms of Reference for West Midlands Joint Committee, as described in paragraphs 20 to 26 and Appendix 1 to the report now submitted, be approved insofar as they relate to the executive functions of Dudley Metropolitan Borough Council and that the Director of Corporate Resources be authorised to take any necessary and consequential actions to give effect to this decision.
- (8) That the Leader of the Council, in consultation with the Chief Executive, be authorised to send or sign a letter of support to the Secretary of State for Transport in connection with the proposed structural changes to the Integrated Transport Authority.
- (9) That the establishment of the Black Country Executive Joint Committee, as referred to in paragraphs 27 to 33 of the report now submitted, be approved and the Constitution be amended accordingly.
- (10) That the constitution of the Black Country Executive Joint Committee, including the Terms of Reference set out in Appendix 2 to the report now submitted, be endorsed and the associated functions and powers be delegated to the Executive Joint Committee, subject to the requirement that any revenue or capital expenditure programmes or commitments are approved by the Cabinet and full Council in accordance with the existing Constitutional requirements of Dudley MBC.
- (11) That the Leader of the Council be appointed as the Cabinet's representative on the Black Country Executive Joint Committee together with a named Member to act as a substitute.
- (12) That the proposals for the City Deal and Growth Deal Advisory Board, as set out in paragraphs 31 and 32 of the report now submitted, including the provision for the appointment of the Cabinet Member for Regeneration, be approved.
- (13) That the Leader of the Council, in consultation with the Chief Executive and appropriate Directors, be authorised to make any necessary and consequential changes to the terms of reference of the Black Country Executive Joint Committee that may be required from time to time to implement the proposals in the report now submitted.

- (14) That the appointment of Walsall MBC to act as Secretary to the Black Country Executive Joint Committee and Advisory Board be noted.
- (15) That the ongoing reviews of governance arrangements, as referred to in paragraph 34 of the report now submitted, be noted.
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45 NOTICE OF MOTION

Pursuant to Council Procedure Rule 12, Councillor Lowe had given notice of a motion on 28<sup>th</sup> October, 2013.

The motion, as set out in the agenda, was moved by Councillor Lowe and seconded by Councillor Body.

Following the conclusion of speeches by Members, Councillor Lowe exercised his right of reply to the debate.

The original motion was thereupon put to the vote and it was

RESOLVED that:-

Dudley Metropolitan Borough Council recognises the important contribution of Fairtrade to the well being of producers in the developing world.

The Council welcomes the support of local shops and shoppers, catering outlets, schools, churches and other organisations in Dudley and in the wider UK for Fairtrade. This support is demonstrated in the ongoing rise of Fairtrade sales in the UK: in 2012 sales reached £1.57 billion.

This Council recognises that as an important consumer itself and opinion leader it should support a strategy to facilitate the promotion and purchase of foods with the FAIRTRADE Mark within the Borough as part of its commitment to pursue sustainable development and to give marginalised producers a fair deal.

The Council welcomes the fact that it passed a resolution in July 2007 in support of Fairtrade enabling Stourbridge to meet Goal One of the Fairtrade Town criteria and to achieve Fairtrade Town Status in September 2010. The Council also welcomes the fact that since 2010 there has been increasing active mutual support between the members and staff of Dudley Council and supporters of Fairtrade in Dudley Borough. For instance, the Council installed signs in Stourbridge Town Centre in 2013 marking its status as a Fairtrade Town.

The proposal of this further resolution aims to consolidate the commitment made by this Council in 2007 and to build on it for the future. Supporting Fairtrade can promote civic pride, benefit the local community and makes a real difference to the lives of producers.

This Council aims to be recognised by the residents and business community of Dudley Borough, suppliers, employees and other local authorities, as a Borough that actively supports and promotes Fairtrade and helps to increase the sale of products with the FAIRTRADE Mark.

The Council resolves to contribute to the campaign to increase sales of products with the FAIRTRADE Mark by striving to achieve Fairtrade status for Dudley Metropolitan Borough as detailed in the Fairtrade Foundation's Fairtrade Towns Initiative.

The Initiative involves a commitment to:

- Widely offer FAIRTRADE Marked food and drink options internally and make them available for internal meetings and to extend the range of Fairtrade products used.
  - Promote the FAIRTRADE Mark using Fairtrade Foundation materials in refreshment areas and promoting the Fairtrade Towns initiative in internal communications and external newsletters and in the local press when appropriate.
  - Use influence to urge local retailers to provide Fairtrade options for residents.
  - Use influence to urge local business to offer Fairtrade options to their staff and promote the FAIRTRADE Mark internally.
  - Allow the Council's Communication Team to publicise the Fairtrade Towns initiative during Fairtrade Fortnight and on other appropriate occasions using internal and external media.
  - Organise events, displays and publicity during national Fairtrade Fortnight - the annual national campaign to promote sales of products with the FAIRTRADE Mark. This can include the encouragement of local schools to promote Fairtrade through competitions, events and displays as encouraged in Fairtrade Fortnight 2013 by Dudley Performing Arts.
  - Promote Fairtrade on the Council's website.
  - Encourage other towns in Dudley Borough to work towards Fairtrade Town Status.
  - Allocate responsibility for progression of the Fairtrade Town initiative to a member or group of staff.
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46 QUESTIONS UNDER COUNCIL PROCEDURE RULE 11

During questions asked under Council Procedure Rule 11, there were no decisions that the Leader, Cabinet Members or Chairs agreed to have reconsidered.

The Mayor wished everyone a merry Christmas and a peaceful, prosperous new year.

The meeting ended at 8.00 p.m.

MAYOR