

DUDLEY METROPOLITAN BOROUGH

MINUTES OF THE PROCEEDINGS OF THE COUNCIL
AT THE MEETING HELD ON
MONDAY, 1ST MARCH, 2004 AT 6.00 P.M.

PRESENT:-

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

86

PRAYERS

The Rev. Tak Yue Sik from the Fah Yu Temple, Brierley Hill and other
Buddhists, led the Council in prayer. Following prayers, the Mayor
thanked the Rev. Tak Yue Sik and her colleagues for their presence,
particularly since a number of them had today travelled here from
Singapore.

87

MINUTES

RESOLVED

That the minutes of the Ordinary Meeting of the Council held on
19th January, 2004, be approved as a correct record and signed.

88

DECLARATIONS OF INTEREST

The following members declared personal or prejudicial interests in item 4
(Revenue Budget Strategy and Setting the Council Tax, 2004/05) of the
Agenda for this meeting, for the reasons indicated:-

Councillor Harris - personal interest - as Chair of the Beacon and Castle
Primary Care Trust.

Councillor Lomax - prejudicial interest - as an employee of a Catholic school.

Councillor Cody - prejudicial interest - because his children use transport to a Catholic school.

Councillor Ali - prejudicial interest - as a Director of the Dudley Citizens' Advice Bureau.

Councillor Coulter - prejudicial interest - children use home to school transport.

Councillor Coulter - prejudicial interest - husband in receipt of a pension from the West Midlands Pension Fund.

Councillor J. Davies - personal interest - has colleagues employed within Dudley Citizens' Advice Bureau.

Councillor Whitehouse - personal interest – as a Director of the Centre for Health Action and Training (CHART).

Councillor Burt - personal interest – as Chair of the Management Committee of Wall Heath Cyber Centre.

Councillor Burston - personal interest - as an employee of Centro.

Councillor Mrs. Turner - prejudicial interest - relative uses home to school transport.

Councillor K. Turner - prejudicial interest - relative uses home to school transport.

Councillor James - personal interest - as a practising Catholic, in relation to home to school transport.

Councillor Fraser-Macnamara - personal interest - in respect of his Chairmanship of the Dudley and Sandwell Prince's Trust.

Councillor Sunter - prejudicial interest - in view of his position with the Brierley Hill Regeneration Partnership.

Councillor Bramall - personal interest - as his wife is employed at Thorns Community College.

Councillor J. Woodall - prejudicial interest - in receipt of a pension from the West Midlands Pension Fund.

89

MAYOR'S ANNOUNCEMENTS

The Mayor referred to the retirement last week of Brian Steele, Senior Curator, after many years service with the Council. Members wishing to contribute towards a leaving gift for Mr. Steele were asked to contact Councillor Mrs. Coulter.

The Mayor reminded members that the Mayor's Ball would take place on Friday, 19th March, 2004 and requested them to obtain their tickets.

90

APOLOGY FOR ABSENCE

An apology for absence was submitted on behalf of Councillor Fletcher.

91

REVENUE BUDGET STRATEGY AND SETTING THE COUNCIL TAX, 2004/05

A joint report of the Chief Executive and the Director of Finance was submitted setting out the recommendations of the Executive concerning the deployment of General Fund revenue resources, a number of statutory calculations that had to be made by the Council and the Council Tax to be levied for the period 1st April, 2004 to 31st March, 2005.

It was moved by Councillor Powell and seconded by Councillor Adams that the recommendations of the Executive, as set out in the report but also incorporating changes to the allocations referred to in paragraph 7.1(1) of the report, shown in the paper in his name now circulated at the meeting (in respect of the effect of reinstating the provision for home to school transport), be approved and adopted.

Amendment

It was moved as an amendment by Councillor Lomax and seconded by Councillor Sparks that the service allocations to Directorates referred to in paragraph 7.1(1) of the report be changed to reflect the proposals set out in the paper in his name also now circulated at the meeting.

At this juncture, Councillor Powell indicated that he was willing to accept this amendment and on this being put to the vote under Council Procedure Rule 14.7, the meeting gave its consent to the amendment being incorporated into the motion.

Further amendment and motion to adjourn

It was moved by Councillor Burt and seconded by Councillor Bramall that the service allocations to Directorates referred to in paragraph 7.1(1) of the report be changed to reflect the proposals in the paper in his name now also circulated at the meeting and that this meeting does now adjourn to enable further informal discussions to take place.

On being put to the vote, the motion for the adjournment of the meeting was carried and the meeting stood adjourned for 30 minutes.

On the meeting resuming

During further debate, the Chief Executive advised the Council that Councillor Burt's amendment must be regarded as a single amendment and could not be disaggregated for voting purposes. On being put to the vote, Councillor Burt's amendment was lost.

Further amendment

It was moved by Councillor Bramall and seconded by Councillor Sheppard that the service allocations to Directorates referred to in paragraph 7.1(1) of the report be changed to reflect the following proposals:-

- (a) The reinstatement of the service and reversal of the budget savings proposed for Community Education Division expenditure, unless proved as genuine efficiencies, saving £40,000.
- (b) The appointment of ten new Police Community Support Officers, two to each Area Committee, to work on locally determined needs and priorities, at a cost of £225,000.
- (c) The deletion of the proposed Development Fund to be used to support part of the cost of the amendments now being proposed by Councillor Bramall, and to seek alternative sources of funding for such developments.
- (d) The promotion of "civic pride" by piloting "Gold Zones" in Stourbridge and Dudley Town Centres:
 - working through Town Centre partnerships to introduce twice daily Town Centre litter sweeps as appropriate along with strict enforcement of spot fines for dropping gum and litter, with clear signage and promotional literature to "start clean and stay clean" every day.

- to introduce a 'Graffiti busting' hotline aiming to clean graffiti within two days, and remove racist or obscene graffiti within 2 hours;

through a redeployment of existing environmental budgets to the value of £70,000 for each of the two trial 'Gold Zones'.

At this juncture, the Director of Finance summarised for the Council the financial implications of the amendments now before the Council in respect of the budget namely:-

(1)	Reinstate budget savings - Low Pay Unit, LGIU, Borough Festival, Environmental Zone at Roberts School, wardens and environmental development work, at a total cost of:	£150,000
(2)	Reinstate budget savings on Community Education Division - cost of:	£ 40,000
(3)	Additional spend on PCSO's of:	£225,000
	TOTAL SPEND OF	£415,000
(4)	Part funded by the remaining balance on the Development Fund:	-£290,000
(5)	Leaving £125,000 to be funded from reserves:	-£125,000

NB: The Civic Pride proposals concerned the redeployment of existing budgets, and did not, therefore, affect the budget proposals.

This meant that the allocations set out in proposal 3.1 on page 8 of the Joint Report would now read as follows:-

	£m
Education and Lifelong Learning	183,571
Social Services	74,787
Urban Environment	47,004
Finance, ICT and Procurement	8,982
Chief Executive's	9,251
Law and Property	4,285
Housing (General Fund)	2,320

TOTAL SERVICE ALLOCATIONS	330,200
LESS: Use of General Fund Balances	-2,825
BUDGET REQUIREMENT	327,375

This would affect the statutory calculations set out in Appendix 3 as follows:-

(a) would now read:-

£498.358000m being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (e) of the Act (the Council's spending).

(b) would now read:-

£170.983000m being the aggregate of the amounts which the Council estimates for the items set out in Sections 32(3)(a) to (c) of the Act (the Council's income and use of reserves).

The Director of Finance informed the Council that he had considered the detailed implications of these changes. The Budget changes were, in his view, reasonable.

In accordance with his obligations under Section 25 of the Local Government Act 2003, which requires him to report on the robustness of the estimates and the adequacy of the proposed financial reserves, he confirmed that in his professional opinion:-

- (a) the estimates made for the purposes of the calculations of the Council's budget requirement under Section 32 of the Local Government Finance Act, 1992, were robust;
- (b) the financial reserves, that would remain available to the Council as a result of agreeing the proposals contained in the report and the amendments, were adequate.

On being put to the vote, the amendment moved by Councillor Bramall was carried.

On the substantive motion then being put to the vote there was a request under Council Procedure Rule 16.4 for a named vote.

The following members voted for the motion:-

Councillors Ali, Aston, Bowkley, Bradney, Bramall, Burt, Cody, Collins, Cotterill, Coulter, Cragie, Crumpton, G.H. Davies, J.R. Davies, Davis, Finch, Foster, Hanson, Harris, Hart-Bowman, Lomax, Lowe, Male, Mottram, Partridge, Patrick, Rahman, Ridley, Sheppard, Sparks, Sunter, Tyler, Waltho, White, Wilson, C.L. Woodall and Zarab (37).

The following members voted against the motion:-

Councillors Adams, Ameson, Banks, Blood, Burston, Caunt, Cowell, Darby, Dunn, Evans, Faulkner, Fraser-Macnamara, Jackson, James, Johnson, Jones, Kettle, Knowles, Martin, Miller, Millward, Musk, Nicholls, Powell, Ryder, Shakespeare, Simms, Southall, Stanley, Mrs. Turner, K. Turner, Whitehouse and J. Woodall (33).

The motion was, therefore, carried and it was accordingly:-

RESOLVED

- (1) That the budget requirement for 2004/05 and allocations to services be approved as follows:-

	£m
Education and Lifelong Learning	183,571
Social Services	74,787
Urban Environment	47,004
Finance, ICT and Procurement	8,982
Chief Executive's	9,251
Law and Property	4,285
Housing (General Fund)	2,320
TOTAL SERVICE ALLOCATIONS	330,200
LESS: Use of General Fund Balances	-2,825
BUDGET REQUIREMENT	327,375

- (2) That the following amounts be now calculated by the Council for the year 2004/05 in accordance with Sections 32 to 36 of the Local Government Finance Act, 1992:-

- (a) £498.358000m being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (e) of the Act (*the Council's Spending*)
- (b) £170.983000m being the aggregate of the amounts which the Council estimates for the items set out in Sections 32(3)(a) to (c) of the Act (*the Council's income and use of reserves*)
- (c) £327.375000m being the amount by which the aggregate at (a) above exceeds the aggregate at (b) above, calculated by the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year (*the Council's budget requirement*)

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(d) £239.304794m being the aggregate of the sums which the Council estimates will be payable for the year into its general fund in respect of redistributed non-domestic rates or revenue support grant [increased by the amount of the sums which the Council estimates will be transferred in the year from its collection fund to its general fund in accordance with Section 97(3) of the Local Government Finance Act, 1988] or [reduced by the amount of the sums which the Council estimates will be transferred in the year from its General Fund to its Collection Fund in accordance with Section 97(4) of the Local Government Finance Act, 1988] and [increased by the amount of any relevant sum which the Council estimates will be transferred from its Collection Fund to its General Fund pursuant to the directions under Section 98(4) of the Local Government Finance Act, 1988] or [reduced by the amount of any relevant sum which the Council estimates will be transferred from its General Fund to its Collection Fund pursuant to the directions under Section 98(5) of the Local Government Finance Act, 1988].

(e) £914.4585 being the amount at (c) above less the amount at (d) above, i.e. £88.070206m all divided by the Council Tax base of 96308.59, calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year *[the Council's basic amount of tax]*.

(f) Dudley's Council Tax for each Valuation Band

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
609.64	711.25	812.85	914.46	1117.67	1320.88	1524.10	1828.92

being the rounded amounts given by multiplying the amount at (e) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different bands.

(3) Precepts for each Valuation Band

That it be noted that for the year 2004/05, the major precepting authorities are understood to be issuing the following amounts in precepts to the Council, in accordance with Section 49 of the Local Government Finance Act, 1992, for each of the categories of the dwellings shown below:-

West Midlands Police:

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
53.39	62.29	71.19	80.08	97.88	115.68	133.47	160.17

West Midlands Fire:

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
26.21	30.58	34.95	39.32	48.06	56.79	65.53	78.64

That, having calculated the aggregate in each case of the amounts in Appendix 3, the Council, in accordance with Section 30(2) of the Local Government Finance Act, 1992, agrees the following levels of Council Tax for 2004/05:-

Valuation Bands:

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
689.24	804.12	918.99	1033.86	1263.61	1493.35	1723.10	2067.73

- (5) That the Council reminds the Chief Executive and all Directors to exercise strict budgetary control in accordance with the Financial Management Regime and care and caution in managing the 2004/05 budget, particularly in the context of commitments into later years.

- (6) That the Chief Executive and Directors be authorised to take all necessary steps to implement the proposals contained in this report, in accordance with the Council's Financial Management Regime.

The meeting ended at 9.00 p.m.

MAYOR

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