

**DUDLEY METROPOLITAN BOROUGH**

**MINUTES OF THE PROCEEDINGS OF THE COUNCIL**  
**AT THE MEETING HELD ON**  
**MONDAY, 13TH OCTOBER 2003, 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, 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, Fletcher, Ms  
Foster, Fraser-Macnamara, Hanson, Ms Harris, Jackson, James,  
Johnson, Jones, Kettle, Lomax, Lowe, Male, Mrs Martin, Miller, Mrs  
Millward, Mottram, Musk, Miss Nicholson, Ms Partridge, Mrs Patrick,  
Powell, Rahman, Mrs Ridley, Ryder, Mrs Shakespeare, Sheppard,  
Simms, Southall, Sparks, Stanley, Sunter, Turner, Mrs Turner, Tyler,  
Waltho, Whitehouse, Mrs Wilson, C L Woodall, J Woodall and Zarab;  
together with the Chief Executive and other Officers.

39

**PRAYERS**

Dr Pirzada Ahmed led the Council in prayer.

40

**MINUTES**

**RESOLVED**

That the minutes of the Meeting of the Council held on 21st July  
2003, be approved as a correct record and signed.

41

**DECLARATIONS OF INTEREST**

Councillor Fraser-Macnamara declared a personal interest, in the  
following matters:

- (a) Minute 32(e) (St. Modwen's proposals for Dudley Zoo) of the  
meeting of the Central Dudley Area Committee held on 4th  
September 2003, in view of his position as a Director of the Black  
Country Museum.
- (b) Minute 42 (Delegated Capital Budget) of the meeting of the North  
Dudley Area Committee held on the 9th September 2003, on behalf  
of himself and the other Sedgley Ward Councillors, in respect of

their application for funding for the installation of a flagpole in the centre of Sedgley.

- (c) Minute 8 (Members' Allowances) of the meeting of the Standards Committee held on 30th September 2003, on behalf of himself and the other Councillors present at that meeting.

Councillor Lowe declared a personal interest in the subject of agenda item 4(a)(i) (Capital Programme Monitoring) in view of the fact that his children attended Peters Hill Primary School.

Councillor Southall declared a personal interest in the subject of planning application number P03/0758 referred to in the Minutes of the meeting of the Development Control Committee held on 22nd September 2003, in view of the fact that the applicant was known to him.

Councillor Ms Harris declared a personal interest in the following matters:-

- (a) Agenda item 4(b) (Policy Statement on Genetically Modified Food Crops and Feeding Stuffs) in view of her position as a member of the Henry Doubleday Research Association.
- (b) Agenda item 6 (Annual Report of the Select Committee on Good Health) in view of her position as Chair of the Dudley Beacon and Castle Primary Care Trust.

Councillor Ali declared a personal interest in delegated decisions numbers 2 and 4 in view of his position as a member of the St. Thomas' Network.

Councillor Rahman declared a personal interest in the subject of delegated decision number 81, in view of his position as a member of the Netheron and Woodside Partnership Movement.

Councillor Mrs Wilson declared a personal interest in planning application number PO2/0191, as referred to in the minutes of the Development Control Committee held on 4th August 2003, in view of her position as a Governor of the Brier School.

Councillor Millward declared a personal interest in the subject of Minute 32(e) (St. Modwen's proposals for Dudley Zoo) of the meeting of the Central Dudley Area Committee held on 4th September 2003, in view of her position as a member of the Black Country Museum.

Councillor C L Woodall declared a personal interest in the following matters:-

- (a) Agenda item 4(a)(i) (Capital Programme Monitoring) in view of his position as a member of the St. Thomas' Network.

- (b) Delegated decisions numbers 2 and 7 in view of his position as a member of the St. Thomas' Network.
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42 APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were submitted on behalf of Councillors Bramall, Hart-Bowman and White.

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43 CAPITAL PROGRAMME MONITORING

A report of the Executive was submitted.

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

RESOLVED

- (1) That, subject to funding being confirmed the projects to be funded from the Transforming Your Space Initiative, be approved and that the capital element of these projects be included in the Capital Programme, as set out in paragraph 2.2.1 of the report now submitted.
- (2) That the expenditure on ICT equipment in connection with the award of specialist status to the Summerhill School, and its inclusion in the Capital Programme, as set out in paragraph 2.3.1 of the report, be approved.
- (3) That the scheme for a new foundation stage unit at Peters Hill Primary School, and its inclusion in the Capital Programme, as set out in paragraph 2.3.2 of the report, be approved.
- (4) That the scheme for a new classroom building at Blowers Green Primary School and its inclusion in the Capital Programme, as set out in paragraph 2.3.3. of the report be approved.
- (5) That the resources for Youth Service Disability Discrimination Act works, be accepted and that the associated spend be included in the Capital Programme, as set out in paragraph 2.3.4 of the report.

- (6) That the projects for Members' ICT, Electronic Payments/Income Management and Centralised Data Back-up be included in the Capital Programme, as set out in paragraph 2.4.1 of the report.
- (7) That the Lead Member for Finance, in consultation with the Director of Finance, be authorised to negotiate with suppliers to effect a suitable solution to acquire a new VME computer platform, as set out in paragraph 2.4.2. of the report.
- (8) That the reallocation of £150,000 of the current year's Private Sector Renovation Grants budget to Disabled Facilities Grants (DFGs), and subject to confirmation of grant funding, a further increase in the DFG budget of £180,000, as set out in paragraph 2.5.1 of the report, be approved.
- (9) That the urgent amendment to the Capital Programme, as set out in paragraph 2.6.1 of the report, be approved.

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44

SCHEME OF DELEGATION

A report of the Executive was submitted.

On the motion of Councillor Caunt, seconded by Councillor Fraser-Macnamara, it was

RESOLVED

That the scheme of delegation be amended as set out in paragraphs 2.1, 2.2, 2.3 and 2.4.3 of the report now submitted.

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45

CONFIDENTIAL REPORTING POLICY

A report of the Executive was submitted.

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

RESOLVED

That the recommendations of the Standards Committee be approved as set out in paragraph 2.2 of the report now submitted namely:-

- (a) That the report on monitoring the operation of the Confidential Reporting Policy be noted.

- (b) That minor modifications be made to the Policy to reflect the fact that all Departments have become Directorates.
- (c) That the Monitoring Officer write to all members of the Council to advise them of the procedure that they should follow if they receive any allegations falling within the scope of the Policy.

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46

REVENUE BUDGET STRATEGY 2004/05 - 2005/06

A report of the Executive was submitted.

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

RESOLVED

- (1) That the proposals set out in paragraph 3.11 of the report now submitted be approved as the response to the resolutions of the Council approved at the meeting held on 21st July 2003.
- (2) That the action taken in holding the first meeting of the Working Group be confirmed and that the action of the Working Group in endorsing the suggested terms of reference be noted.

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47

REVIEW OF HOUSING FINANCE

A report of the Executive was submitted.

On the motion of Councillor Evans, seconded by Councillor Adams, it was

RESOLVED

- (1) That variations to the current year's budget to reflect the rent increase approved by the Executive at its meeting held on 10th September 2003, as outlined in Table 3 to the report submitted to that meeting, be approved.
- (2) That the efficiency savings of £241,000.00 outlined in paragraph 2.6.2 of the report to the meeting of the Executive held on 10th September 2003 be approved.

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48

POLICY STATEMENT ON GENETICALLY MODIFIED (GM) FOOD CROPS AND FEEDING STUFFS

A report of the Select Committee on the Environment was submitted.

On the motion of Councillor Sheppard, seconded by Councillor Coulter, it was

RESOLVED

- (1) That no "GM" crops be grown on land over which the Council has control.
- (2) That there be a "GM" free policy for all goods and services for which the Council is directly responsible.
- (3) That the Council participate in the public consultation process when each prospective "GM" organism, commercial or experimental, consent is considered.

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49

TREASURY MANAGEMENT

A report of the Audit Committee was submitted.

On the motion of Councillor J R Davies, seconded by Councillor Rahman, it was

RESOLVED

That the treasury management activity set out in the report submitted to the Audit Committee on 29th September 2003 be approved.

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MOTIONS UNDER COUNCIL PROCEDURE RULE 12.1

Councillor Fraser-Macnamara had given notice of a motion in the following terms:-

This Council notes the proposed European Constitution being prepared by the European Convention will have huge implications for the governance of the United Kingdom, including local authorities like Dudley MBC. The Constitution will give the European Union 'shared competence' over home affairs, transport, energy, social policy, economic and social cohesion, consumer protection and the environment, meaning more legislation and guidance binding upon local government will be decided at a European rather than a national level.

Given that the Government has used referendums to approve other constitutional change affecting local and national government, including establishing regional assemblies and directly-elected mayors, this Council believes the people of Dudley should be able to have their say on these fundamental constitutional changes in a referendum. To this end, this Council therefore resolves to make a formal written submission to the Prime Minister, calling for a national referendum on the proposed European Constitution.

Councillor Jones seconded the motion.

#### Amendment

It was moved as an amendment by Councillor Burt and seconded by Councillor Sheppard:

That the word "will" in lines 2,4 and 8 of the first paragraph of the motion be replaced by the word "may" and that the words "calling for" in line 7 of the second paragraph of the motion be replaced by the words "asking him to consider".

During debate on the amendment, the Mayor informed the Council that the 30 minutes allowed for dealing with all notices of motion on the agenda had expired and that this motion and the motion set out at agenda Item 5b would therefore stand referred to the next meeting of the Council, to be included in the summons for that meeting in accordance with Council Procedure Rule 12.2.

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51

#### ANNUAL REPORT OF THE SELECT COMMITTEE ON GOOD HEALTH

The Annual Report of the Select Committee on Good Health was submitted.

On the motion of Councillor Cody, seconded by Councillor Hanson, it was

RESOLVED

That the Annual Report of the Select Committee on Good Health for 2002/2003, as now submitted, be approved.

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52

#### ANNUAL REPORT OF THE SELECT COMMITTEE ON ECONOMIC VITALITY AND JOBS

The Annual Report of the Select Committee on Economic Vitality and Jobs was submitted.

On the motion of Councillor Partridge, seconded by Councillor Patrick, it was

RESOLVED

That the Annual Report of the Select Committee on Economic Vitality and Jobs for 2002/2003, as now submitted, be approved.

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QUESTIONS UNDER COUNCIL PROCEDURE RULE 11

During questions under Council Procedure Rule 11, there were no decisions which the Leader, Lead Members or Chairs agreed to have re-considered.

The meeting ended at 7.45pm

MAYOR

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