

**DUDLEY METROPOLITAN BOROUGH**  
**MINUTES OF THE PROCEEDINGS OF THE COUNCIL**  
**AT THE ANNUAL MEETING HELD ON**  
**THURSDAY, 21<sup>ST</sup> MAY, 2009 AT 6.00 P.M.**

**PRESENT:-**

Councillor Burston (Mayor)  
Councillor Mrs. P. Martin (Deputy Mayor)  
Councillors Adams, Ahmed, Ali, Mrs. Ameson, Mrs. Aston, Attwood, Banks, Barlow, D. Blood, Mrs. E. Blood, Body, Ms. Boleyn, Caunt, Cotterill, Mrs. Coulter, Mrs. Cowell, G.H. Davies, J.D. Davies, J. R. Davies, M. Davis, Mrs. Dunn, Evans, Mrs. Faulkner, J. Finch, K. Finch, Foster, Mrs. Greenaway, Hanif, Mrs. Harley, P. Harley, Ms. Harris, Hill, Islam, James, Jones, Kettle, Knowles, Lowe, J. Martin, Miller, Mrs. Millward, Mottram, Ms. Nicholls, Nottingham, Ms. Partridge, Perry, Mrs. Ridney, Mrs. Roberts, Mrs. Rogers, Ryder, Mrs. Shakespeare, Simms, Southall, Sparks, Stanley, Taylor, A. Turner, Mrs. H. Turner, K. Turner, Tyler, Vickers, Mrs. Walker, Waltho, C. Wilson, Mrs Wilson, Woodall and Wright, together with the Chief Executive and other Officers.

1           **RECORDING OF MEETING**

In accordance with Council Procedure Rule 24.5, the Council gave its consent to an audio-visual recording of this meeting being made.

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2           **PRAYERS**

Reverend Alan Williams led the Council in prayer.

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3           **MAYOR'S CHARITIES**

At this juncture, the Mayor complimented and thanked his Attendant, Mike Crannage, for his achievement in completing the Dudley Trail, for which he had received sponsorship monies in the sum of £450 towards the Mayor's Charity Appeal Fund.

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4           **ELECTION OF MAYOR**

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

RESOLVED

That Councillor Mrs. Patricia Diana Martin be elected Mayor of the Borough for the 2009/10 Municipal Year.

Councillor Mrs. Martin then made and subscribed to the Statutory Declaration of Acceptance of Office and took the Chair.

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5            ELECTION OF DEPUTY MAYOR

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

RESOLVED

That Councillor Peter Miller be elected Deputy Mayor of the Borough for the 2009/10 Municipal Year.

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6            ACCEPTANCE OF OFFICE OF DEPUTY MAYOR

Following a brief adjournment to enable the re-robing of the Mayor and Deputy Mayor and the retiring Mayor, Councillor Miller made and subscribed to the Statutory Declaration of Acceptance of the Office of Deputy Mayor.

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7            ADDRESS BY THE MAYOR

The new Mayor addressed the Council, expressing her thanks to the Council and others on her election. In so doing she, along with other members, paid tribute to the retiring Mayor and Mayoress.

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8            TRIBUTES TO THE RETIRING MAYOR AND MAYOR'S CONSORT AND PRESENTATION OF BADGES

Following tributes to the retiring Mayor and Mayoress, Councillor Ray Burston and Mrs. Deborah Burston, the Mayor presented them with past Mayor's and past Mayor's Consort badges.

Councillor Burston then addressed the Council, expressing thanks for the support that had enabled him to carry out his duties during the year, including that provided by his employers and his family.

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## MINUTES

In the consideration of the minutes of the meeting of the Council held on the 27<sup>th</sup> April, 2009 as a correct record, Councillor Cotterill expressed the wish for the reference made by him at the meeting to the financial contribution made by the Fair Share Foundation towards the cost of the BMX track and fencing project at Dudley Wood referred to in resolution (2) to Minute 82, to have been recorded.

### RESOLVED

That the minutes of the meeting of the Council held on 27<sup>th</sup> April, 2009 be approved as a correct record and signed, subject to the amendment of resolution (2) to Minute 82, as indicated above, and to the deletion of reference to the declaration of interest recorded in respect of Councillor Adams in Minute 78.

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## MAYOR'S ANNOUNCEMENTS

(a) Mayor's Consort

The Mayor announced that the Mayor's Consort for the 2009/10 Municipal Year would be Mr. William Martin.

(b) Deputy Mayoress

The Mayor announced that the Deputy Mayoress for the 2009/10 Municipal Year would be Mrs. Hilary Miller.

(c) The Mayor's Chaplain

The Mayor announced that the Mayor's Chaplain for the 2009/10 Municipal Year would be Father Alan Williams.

(d) The Mayor's Charity

The Mayor announced that the Mayor's Charities to be supported in the 2009/10 Municipal Year would be:-

(a) Dudley Stroke Association.

(b) Dudley MIND

(c) Open Stage (Drama Group for those with Disabilities).

(e) “At Home” Events

The Mayor’s "At Home" events would take place at Brierley Hill Civic Hall on 8<sup>th</sup> and 9<sup>th</sup> July, 2009.

(f) Civic Sunday

The Mayor announced that Civic Sunday would be held at 3.00 p.m. on 21<sup>st</sup> June, 2009 at Holy Trinity Church, Amblecote.

(g) Songs of Praise

The Mayor announced that Songs of Praise would be held at Himley Hall at 4.00 p.m. on 14<sup>th</sup> June, 2009.

(h) Armed Forces Day

The Mayor announced that Armed Forces Day would be held on 28<sup>th</sup> June, 2009 at Himley Hall. A ‘Fly the Flag’ Day for the Armed Forces would also take place at 10.30 a.m. on 22<sup>nd</sup> June, 2009 at Dudley Council House.

(i) St. George's Day Event

The Mayor announced that a St. George's Day Event would be held in Halesowen on 24<sup>th</sup> April, 2010.

(j) Members’ Cricket Match

The Mayor reminded the Council that a Members’ cricket match against Stourbridge Cricket Club would be held at the War Memorial Ground, Amblecote at 6.00 p.m. on 3<sup>rd</sup> July, 2009.

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APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received on behalf of Councillors Crumpton, Mrs. Jordan and Ms While-Cooper.

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DECLARATIONS OF INTEREST

No declarations of personal or prejudicial interests, in accordance with the Members’ Code of Conduct, were received in respect of any item to be considered at the meeting.

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13

ELECTION OF THE LEADER FOR 2009/10 MUNICIPAL YEAR

It was moved by Councillor Caunt, seconded by Councillor D. Blood and

RESOLVED

That Councillor Mrs. Millward be elected Leader of the Council for the 2009/10 Municipal Year.

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14

ELECTION OF THE DEPUTY LEADER FOR 2009/10 MUNICIPAL YEAR

The nomination of Councillor Jones as Deputy Leader of the Council for the 2009/10 municipal year was moved by Councillor Mrs. Millward and seconded by Councillor D. Blood.

At this juncture, one member expressed a request that the Council consider a form of proportional representation regarding its executive arrangements.

RESOLVED

That Councillor Jones be elected Deputy Leader of the Council for the 2009/10 Municipal Year.

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15

APPOINTMENT OF THE CABINET FOR THE 2009/10 MUNICIPAL YEAR

A list indicating the proposed composition and membership of the Cabinet, and the names of the opposition nominees to speak but not vote at meetings of the Cabinet, had been circulated around the Council Chamber.

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

RESOLVED

- (1) That the Leader of the Council and nine members comprise the number of Members appointed to the Cabinet for the 2009/10 Municipal Year and that the names of the Members to serve for that year, be approved as follows:-

Councillors Adams, D. Blood, Evans, Mrs. Faulkner, Jones, Mrs. Millward, Simms, Stanley, A. Turner and Mrs. Walker.

- (2) That the names of the Opposition Group nominees to attend meetings of the Cabinet to speak, but not to vote, be received as follows:-

Councillors Ali, Foster, Lowe, Ms. Partridge, Mrs. Ridney and Sparks.

- (3) That the assignment of Cabinet Portfolios and the names of the corresponding Group spokespersons be received, as follows:-

<u>Portfolios</u>	<u>Leader and Cabinet Members</u>	<u>Labour Group Spokesperson</u>
	Councillors	Councillors
Policy	Mrs. Millward (Leader of the Council)	Sparks (Group Leader)
Regeneration	Jones (Deputy Leader of the Council)	Lowe
Adult and Community Services	Mrs. Faulkner	Mrs. Ridney
Integrated Children's Services	Mrs. Walker	Crumpton
Performance Management and Quality Assurance (Children's Services)	Evans	K. Finch
Finance	D. Blood	Ali (Deputy Group Leader)
Environment and Culture	Stanley	Islam
Housing, Libraries and Adult Learning	Simms	Waltho
Personnel, Legal and Property	A. Turner	Ms. Partridge
Transportation	Adams	Foster

## APPOINTMENT AND MEMBERSHIP OF COMMITTEES 2009/10 AND RELATED MATTERS

A report on the appointment and membership of Committees for 2009/10 and related matters was submitted. A list setting out the proposed composition and membership of Committees and the nominees of the Controlling Group and Opposition Group to serve had been circulated around the Council Chamber.

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

RESOLVED

- (1) That the structure of Committees for 2009/10 be approved on the basis set out in the report.
- (2) That the terms of reference and onward delegation of functions of the Committees referred to in the report, and as set out in the Council's Constitution, be reaffirmed for the 2009/10 municipal year.
- (3) That, except for the Standards Committee and Area Committees, the composition and membership of Committees for the 2009/10 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 set out below:-

<u>COMMITTEE</u>	<u>NUMBER OF SEATS</u>			
	<u>Total</u>	<u>Conserv- ative</u>	<u>Labour</u>	<u>Liberal Democrat</u>
Select Committee on Children's Services *	11	6	4	1
Select Committee on Community Safety and Community Services	11	7	4	-
Select Committee on Health and Adult Social Care	11	6	4	1
Select Committee on the Environment	11	7	4	-
Select Committee on Regeneration, Culture and Adult Education	11	7	4	-
Appointments	9	5	3	1
Audit	9	6	3	-
Development Control	9	6	3	-
Disciplinary/Dismissal/Grading Appeals	9	5	4	-

Licensing and Safety	12	7	4	1
Taxis	9	6	3	-
Tree Preservation Orders	9	5	4	-
Standards**	6	2	2	2

\* Excluding Non-Elected Members

\*\* Excluding the three Independent Members

(5) That the appointment of members to Committees be as set out below:-

Select Committee on Children's Services

Conservative (6)

Mrs. Dunn  
Mrs. Greenaway  
Nottingham  
Mrs. Rogers  
Vickers  
Wright

Labour (4)

Mrs. Coulter  
Crumpton  
Hanif  
Ms. Partridge

Liberal Democrat (1)

Ms. Boleyn

Together with the following Non-Elected Members:-

Voting Members

Parent Governor Representatives

Secondary Schools – Vacancy  
Primary Schools – Mr. J. Jones  
Special Schools – Vacancy

Church Representatives

Worcester Diocesan Board of Education – Revd. A. Wickens  
Archdiocese of Birmingham – Mrs. M. Ward

Non-Voting Members

Teacher Representatives

Primary Education – Ms. M. Verdegem  
Secondary/Special Education – Mrs. P. Roe

Free Churches

Mr. S. Taylor



Persons with Experience of and Interest in Education in the Borough

Mrs G. Simms  
Mrs. J. Lees

Select Committee on Community Safety and Community Services

Conservative (7)

Attwood  
Burston  
Caunt  
Mrs. D. Harley  
Miller  
Ryder  
C. Wilson

Labour (4)

Cotterill  
J. Finch  
Foster  
J. Martin

Select Committee on Health and Adult Social Care

Conservative (6)

Mrs. Cowell  
J. D. Davies  
Mrs. D. Harley  
Kettle  
Miller  
K. Turner

Labour (4)

Mrs. Aston  
K. Finch  
Islam  
Mrs. Ridney

Liberal Democrat (1)

Tyler

Select Committee on the Environment

Conservative (7)

Mrs. E. Blood  
Mrs Cowell  
P. Harley  
Hill  
James  
Mrs. Shakespeare  
Mrs. H. Turner

Labour (4)

J. Finch  
Hanif  
Mrs. Jordan  
Waltho

Select Committee on Regeneration, Culture and Adult Education

Conservative (7)

Barlow  
Caunt  
P. Harley  
Knowles  
Perry  
K. Turner

Labour (4)

Body  
G. H. Davies  
Lowe  
Mottram

Woodall

Appointments Committee

Conservative (5)

Adams  
Caunt  
Jones  
Mrs. Millward  
A. Turner

Labour (3)

Ali  
Ms. Partridge  
Sparks

Liberal Democrat (1)

Tyler

Audit Committee

Conservative (6)

Burston  
J. D. Davies  
Hill  
Kettle  
Ms. Nicholls  
Taylor

Labour (3)

Ahmed  
Ali  
J. R. Davies

Development Control Committee

Conservative (6)

Banks  
Barlow  
Southall  
Mrs. H. Turner  
C. Wilson  
Wright

Labour (3)

K. Finch  
Mrs. Roberts  
Mrs. M. Wilson

Disciplinary/Dismissal/Grading Appeals Committee

Conservative (5)

Banks  
Knowles  
Ms. Nicholls  
Perry  
Mrs. Shakespeare

Labour (4)

Ms. Harris  
J. Martin  
Mottram  
Ms. Partridge

### Licensing and Safety Committee

#### Conservative (7)

Mrs. Ameson  
Mrs. Dunn  
Nottingham  
Ryder  
Taylor  
Vickers  
Woodall

#### Labour (4)

Mrs. Aston  
Mrs. Coulter  
J. Finch  
Mottram

#### Liberal Democrat (1)

Tyler

### Taxis Committee

#### Conservative (6)

Mrs. Ameson  
Attwood  
Mrs. E. Blood  
Mrs. Greenaway  
James  
K. Turner

#### Labour (3)

Body  
Mrs. Roberts  
Ms. While-Cooper

### Tree Preservation Orders Committee

#### Conservative (5)

Mrs. E. Blood  
James  
Ms. Nicholls  
Mrs. Rogers  
Southall

#### Labour (4)

Mrs. Aston  
Cotterill  
K. Finch  
Sparks

- (6) That with regard to the Select Committee on Children's Services and the Select Committee on Community Safety and Community Services, the proposals in relation to co-opted representatives and the arrangements for the filling of vacancies for co-opted members, as described in paragraphs 8 to 10 of the report now submitted, be approved.
- (7) That the Licensing and Safety Committee be appointed in 2009/10 to undertake the statutory Committee functions in accordance with the Licensing Act 2003, as referred to in paragraph 11 of the report now submitted, and that the Committee comprise 12 members.

- (8) That the Council confirm that the proportionality requirements of the Local Government and Housing Act 1989 shall not apply to Sub-Committees established by the Licensing and Safety Committee in 2009/10.
- (9) That the composition and membership of the Standards Committee for the 2009/10 municipal year be as set out below:-

Standards Committee

(6 Elected Members plus 3 independent members)

<u>Conservative (2)</u>	<u>Labour (2)</u>	<u>Liberal Democrat (2)</u>
Councillors	Councillors	Councillors
Kettle Mrs. P. Martin	J. R. Davies Ms. Partridge	Ms. Boleyn Tyler

Independent Members - The Bishop of Dudley, Mrs. V. Ainsworth and 1 vacancy.

- (10) That the terms of reference of the Standards Committee, as set out in the Council's Constitution, be reaffirmed for the 2009/10 municipal year.
- (11) That the arrangements for substitutes on Committees, as set out in Council Procedure Rules 5.2 to 5.4, be re-affirmed for the 2009/10 municipal year.
- (12) That the Interim Director of Law and Property be authorised to make any necessary changes to the appointments to Committees or Sub-Committees that might arise from time to time during the 2009/10 municipal year in accordance with the instructions of the political groups.
- (13) That Area Committees be appointed for the 2009/10 municipal year as set out below; that the Committees comprise the Ward Councillors for the areas referred to and that the functions and protocols of Area Committees, as set out in the Council's Constitution, be re-affirmed:-

Brierley Hill Area Committee - Brierley Hill, Brockmoor and Pensnett, Kingswinford North and Wall Heath, Kingswinford South and Wordsley wards.

Central Dudley Area Committee - Castle and Priory, Netherton, Woodside and St. Andrew's, Quarry Bank and Dudley Wood, St. James's and St. Thomas's wards.

Halesowen Area Committee - Belle Vale, Cradley and Foxcote, Halesowen North, Halesowen South and Hayley Green and Cradley South wards.

North Dudley Area Committee - Coseley East, Gornal, Sedgley and Upper Gornal and Woodsetton wards.

Stourbridge Area Committee - Amblecote, Lye and Wollescote, Norton, Pedmore and Stourbridge East and Wollaston and Stourbridge Town wards.

- (14) That the Chairmen and Vice-Chairmen of the following Committees be appointed for 2009/10:-

<u>Committee</u>	<u>Chairman</u>	<u>Vice-Chairman</u>
		<u>Councillors</u>
Select Committee on Children's Services	Vickers	Ms. Boleyn
Select Committee on Community Safety and Community Services	C. Wilson	Cotterill
Select Committee on the Environment	Mrs. Cowell	Mrs. H Turner
Select Committee on Health and Adult Social Care	Mrs. Ridney	K. Turner
Select Committee on Regeneration, Culture and Adult Education	P. Harley	Mottram
Appointments	Mrs. Millward	Jones
Audit	Taylor	Kettle
Development Control	Wright	Banks
Disciplinary/Dismissal/Grading Appeals	Knowles	Ms. Nicholls
Licensing and Safety	Ryder	Mrs. Dunn
Taxis	Mrs. Ameson	K. Turner
Tree Preservation Orders	James	Southall

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CONSTITUTION AND SCHEME OF DELEGATION

A report was submitted seeking consideration of the Constitution and Scheme of Delegation.

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

RESOLVED

- (1) That the Constitution and Scheme of Delegation be reaffirmed for the 2009/10 Municipal Year.
  - (2) That the Interim Director of Law and Property be authorised to make any necessary and consequential amendments to the Constitution arising from the decisions taken at this meeting and to make any necessary revisions to Part 3 of the Constitution (responsibility for functions).
  - (3) That all existing references in the Constitution to statutory provisions be taken to include any subsequent legislation, Statutory Instruments, Regulations, Orders or Guidance issued under those statutory provisions.
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ORDINARY MEETINGS OF THE COUNCIL AND COMMITTEES FOR 2009/10

A report was submitted seeking consideration of dates of ordinary meetings of the Council and Committees for 2009/10.

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

RESOLVED

That the programme of ordinary meetings of the Council and Committees for the 2009/10 Municipal Year, as set out in the report now submitted, be approved.

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APPOINTMENTS TO OUTSIDE BODIES

A report was submitted seeking consideration of appointments to outside bodies for 2009/10.

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

RESOLVED

- (1) That, in view of the urgency involved in making appointments to the following outside bodies, the Interim Director of Law and Property, in consultation with the Leader of the Council, be authorised to make appointments to those bodies:

Local Government Association - General Assembly

West Midlands Local Government Association (WMLGA)

- WMLGA

- Regional Assembly

- Strategy Advisory Group

West Midlands Joint Committee (WMJC)

West Midlands Fire and Rescue Authority and "Prime Member"

West Midlands Integrated Transport Authority and "Prime Member"

Dudley and West Midlands Zoological Society Limited - Executive Board

Dudley Community Partnership

North Priory Project Board

- (2) That the appointment of Members to serve on various other outside bodies be reported to the next meeting of the Cabinet, or to the relevant Area Committee, as appropriate.

The meeting ended at 7.20 pm.

MAYOR