

**DUDLEY METROPOLITAN BOROUGH**

**MINUTES OF THE PROCEEDINGS OF THE COUNCIL**  
**AT THE MEETING HELD ON MONDAY, 27<sup>TH</sup> APRIL 2009**  
**AT 6.00 PM AT THE COUNCIL HOUSE, DUDLEY**

**PRESENT:-**

Councillor Burston (Mayor)  
Councillor Mrs. P. Martin (Deputy Mayor)  
Councillors Adams, Ahmed, Mrs. Ameson, Mrs. Aston, Attwood, Banks, Barlow, D. Blood, Mrs. E. Blood, Body, Ms. Boleyn, Caunt, Cotterill, Mrs. Coulter, Mrs. Cowell, Crumpton, G.H. Davies, J.D. Davies, Davis, Mrs. Dunn, Evans, Mrs. Faulkner, J. Finch, K. Finch, Foster, Mrs. Greenaway, Hanif, Mrs. Harley, P. Harley, Islam, James, Jones, Mrs. Jordan, Kettle, Knowles, Lowe, J.R. 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, C. Wilson, Mrs Wilson and Wright, together with the Interim Chief Executive and other Officers.

**PRAYERS**

The Mayor's Chaplain led the Council in prayer.

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**APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were received on behalf of Councillors Ali, J. R. Davies, Ms. Harris, Hill, Waltho, Miss. While-Cooper and Woodall

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**DECLARATIONS OF INTEREST**

Declarations of Personal and Prejudicial Interests, in accordance with the Members' Code of Conduct, were made by the following in respect of the matters indicated:

Councillor Adams – Agenda item number 7 (Notice of Motion on Car Park Charges at Dudley Hospitals) – Personal Interest as a Foundation Governor of the Dudley NHS Hospital Trust.

Councillor Ali – Agenda item number 9 in relation to Minute 101 of the meeting of the Cabinet held on 11<sup>th</sup> February 2009 – Proposed Dudley Mosque and Community Training and Enterprise Centre – Personal Interest in view of Councillor Ali being a worshipper at the mosques at Bourne Street and Castle Hill, Dudley.

Councillor Ali – Agenda item number 9 in relation to Minute 112 of the meeting of the Cabinet held on 18<sup>th</sup> March, 2009 – Dudley Borough Economic Strategy 2009/10 – Personal Interest in view of his being a Director of St Thomas' Network, a substitute member of the West Midlands Regional Assembly and a member of the Council for the St Thomas' Ward.

Councillor Ali – Agenda item number 9 in relation to Minute 123 of the meeting of the Cabinet held on 18<sup>th</sup> March, 2009 – Transforming Secondary Education; Building Schools for the Future and Academies – Personal Interest as a Foundation Trustee of Castle High School and the attendance of three of his children at that school.

Councillor Mrs. Aston – Agenda item number 6(a) Capital Programme Monitoring, in relation to Sycamore Green Adventure Playground – Personal Interest in view of her attendance at meetings of the Playground Committee.

Councillor Mrs. Aston – Agenda item number 9 in relation to Minute 65 of the meeting of the Select Committee on Health and Adult Social Care held on 26<sup>th</sup> March 2009 – Personal Interest in view of the employment of her son as a paramedic for the West Midlands Ambulance Service.

Councillor D. Blood – Agenda item number 9 in relation to Minute 81 of the meeting of the Brierley Hill Area Committee held on 2<sup>nd</sup> April, 2009 (Application in respect of land and property owned by the Council) – Personal and Prejudicial Interest as a member of the Kingswinford Conservative Club.

Councillor Mrs. Blood - Agenda item number 9 in relation to Minute 81 of the meeting of the Brierley Hill Area Committee held on 2<sup>nd</sup> April, 2009 (Application in respect of land and property owned by the Council) – Personal and Prejudicial Interest as a member of the Kingswinford Conservative Club.

The Mayor (Councillor Burston) – Agenda item number 9 in relation to Minute 91(c) of the meeting of the Halesowen Area Committee held on 11<sup>th</sup> March, 2009 – Ward Issues (in relation to a bus service in Halesowen) – Personal Interest as an employee of Centro.

The Mayor (Councillor Burston) – Agenda item number 9 in relation to Minute 95 of the meeting of the Halesowen Area Committee held on 11<sup>th</sup> March, 2009 – Halesowen Town Centre Development (in relation to Halesowen bus station) – Personal Interest as an employee of Centro.

The Mayor (Councillor Burston) – Agenda item number 9 in relation to Minute 82 of the meeting of the North Dudley Area Committee held on 8<sup>th</sup> April, 2009 – Transport Issues (in relation to a proposal to erect bus shelters at all bus stops on the 558 bus route) – Personal Interest as an employee of Centro.

Councillor Evans – Agenda item number 9 in relation to Minute 105 of the meeting of the Cabinet held on 11<sup>th</sup> February, 2009 – Castle Hill, Dudley – Personal Interest as a trustee of Dudley Zoo.

Councillor J. Finch – Agenda item number 6(a) – Capital Programme Monitoring (in relation to Sycamore Green Adventure Playground) – Personal Interest in view of his attendance at meetings of the Playground Committee.

Councillor K. Finch - Agenda item number 6(a) – Capital Programme Monitoring (in relation to Sycamore Green Adventure Playground) – Personal Interest in view of his attendance at meetings of the Playground Committee.

Councillor P. Harley – Agenda item number 9 in relation to Minute 50 of the meeting of the Select Committee on the Environment held on 5<sup>th</sup> March, 2009 – Review of Housing Allocations Scheme – Personal Interest as a close family relative has been bidding for a property on the Dudley At Home website.

Councillor Ms. Harris – any references in the agenda papers to matters relating to health and social care in so far as they relate to the business of the Dudley Primary Care Trust as Partners, co-commissioners and co-providers of services in the Borough – Personal Interest as Chair of the Dudley Primary Care Trust.

Councillor Ms. Harris – Agenda item number 9 in relation to Minute 83 of the meeting of the Brierley Hill Area Committee held on 2<sup>nd</sup> April, 2009 – Ward Issues (in relation to Nine Locks Community Centre) – Personal Interest as a member of the Nine Locks Community Association.

Councillor Miller – Agenda item number 7 – Personal Interest as a Foundation Governor of the Dudley NHS Hospital Trust.

Councillor Mottram – Agenda item number 9 in relation to Minute 83 of the meeting of the North Dudley Area Committee held on 8<sup>th</sup> April, 2009 – Capital Allocations (in relation to the application by the Coseley Athletic Bowling Club) – Personal Interest as a member of the Bowling Club.

Councillor Ms. Nicholls – Agenda item number 9 in relation to Minute 44 of the meeting of the Tree Preservation Orders Committee held on 9<sup>th</sup> February, 2009 – Site Visits (in relation to plan P08/1699) – Personal and Prejudicial Interest as the application property is situated in the vicinity of Councillor Ms. Nicholls' property)

Councillor Nottingham – Agenda item number 9 in relation to Minute 81 of the meeting of the Brierley Hill Area Committee held on 2<sup>nd</sup> April, 2009 – Application in respect of land and property owned by the Council – Personal and Prejudicial Interest as a member of the Kingswinford Conservative Club.

Councillor Perry – Agenda item number 9 in relation to Minute 83 of the meeting of the North Dudley Area Committee held on 8<sup>th</sup> April, 2009 – Capital Allocations (in relation to the application by the Sedgley and District Community Association) – Personal Interest as a trustee of the Community Association.

Councillor Mrs. Ridney – Agenda item number 9 in relation to Minute 83 of the meeting of the North Dudley Area Committee held on 8<sup>th</sup> April, 2009 – Capital Allocations (in relation to the application by the Coseley Athletic Bowling Club) – Personal Interest as her husband is a member of the Bowling Club.

Councillor Ryder – Agenda item number 9 in relation to Minute 70 of the meeting of the Development Control Committee held on 9<sup>th</sup> February, 2009 – Plans and Applications to Develop (in relation to plan number P08/1850) – Personal and Prejudicial Interest as Chairman of the Licensing and Safety Committee.

Councillor Southall – Agenda item number 9 in relation to Minute 81 of the meeting of the Brierley Hill Area Committee held on 2<sup>nd</sup> April, 2009 – Application in respect of land and property owned by the Council – Personal and Prejudicial Interest as a member of the Kingswinford Conservative Club.

Councillor Southall – Agenda item number 9 in relation to Minute 78 of the meeting of the Brierley Hill Area Committee held on 2<sup>nd</sup> April, 2009 – Memorial to the Round Oak Steel Workers – Personal Interest as a member of the Development Control Committee as the issue may be the subject of a planning application referred to that Committee.

Councillor Southall – Agenda item number 9 in relation to Minute 80 of the meeting of the Brierley Hill Area Committee held on 2<sup>nd</sup> April, 2009 – Capital Allocations (in relation to the application by Stourbridge Radio Limited) – Personal Interest as a member of the Development Control Committee, as the matter may be the subject of a planning application referred to that Committee.

Councillor Southall – Agenda item number 9 in relation to Minute 80 of the meeting of the Brierley Hill Area Committee held on 2<sup>nd</sup> April, 2009 – Capital Allocations (in relation to the application on behalf of the Skate Park) – Personal Interest as a member of the Development Control Committee, as the matter may be the subject of a planning application referred to that Committee.

Councillor Southall – Agenda item number 9 in relation to Minute 80 of the meeting of the Brierley Hill Area Committee held on 2<sup>nd</sup> April, 2009 – Capital Allocations (in relation to the application by Himley Hawks Football Club) – Personal Interest as Councillor Southall is a member of the Council of the Birmingham County Football Association, to which Himley Hawks Football Club would be affiliated.

Councillor Taylor – Agenda item number 9 in relation to Minute 86 of the meeting of the Development Control Committee held on 16<sup>th</sup> March, 2009 – Plans and Applications to Develop (in relation to plan P08/1373) – Personal Interest as a governor of Olive Hill Primary School.

Councillor Taylor – Agenda item number 9 in relation to Minute 38 of the meeting of the Select Committee on Regeneration, Culture and Adult Education held on 26<sup>th</sup> March, 2009 – the Leasowes Restoration – Personal Interest as a member of the Friends of Leasowes Park.

Councillor K. Turner – Agenda item number 9 in relation to Minute 89 of the meeting of the Halesowen Area Committee held on 11<sup>th</sup> March, 2009 – Police and Emergency Services Issues – Personal and Prejudicial Interest as a member of the West Midlands Fire Authority.

Councillor K. Turner – Agenda item number 9 in relation to Minute 99 of the meeting of the Halesowen Area Committee held on 11<sup>th</sup> March, 2009 – Community Renewal Working Group – Personal and Prejudicial Interest as a Director of Groundwork Black Country and a member of the Caslon Community Partnership.

Councillor K. Turner – Agenda item number 9 in relation to Minute 52 of the meeting of the Select Committee on Regeneration, Culture and Adult Education held on 4<sup>th</sup> March, 2009 – Dudley Borough Economic Strategy 2009/10 (in relation to any references to Dudley Zoo) – Personal and Prejudicial Interest as a member of the Dudley Zoological Society.

Councillor Tyler – Agenda item number 9 in relation to Minute 80 of the meeting of the Brierley Hill Area Committee held on 2<sup>nd</sup> April, 2009 – Capital Allocations (in relation to the application by the First Wall Heath Scout Group) – Personal Interest as a Committee member of the Wall Heath Cyber Centre.

Councillor Vickers – Agenda item number 6(d) - Safeguarding Vulnerable Adults – Personal Interest as Member Champion for Learning Disabilities.

Councillor C Wilson – Agenda item number 9 in relation to Minute 78 of the meeting of the Development Control Committee held on 24<sup>th</sup> February, 2009 – Plans and Applications to Develop (in relation to plan P08/1874) – Personal and Prejudicial Interest in view of Councillor Wilson’s association with Oldswinford Hospital School.

Councillor Woodall – Agenda item number 9 in relation to Minute 50 of the meeting of the Select Committee on Regeneration, Culture and Adult Education held on 4<sup>th</sup> March, 2009 – the Leasowes Restoration – Personal Interest as a member of the Friends of Leasowes Park.

Councillor Wright – Agenda item number 9 in relation to Minute 70 of the meeting of the Development Control Committee held on 9<sup>th</sup> February, 2009 – Plans and Applications to Develop (in relation to plan P08/1564) – Personal and Prejudicial Interest as a tenant of the applicant, Midland Heart Developments Limited.

Councillor Wright – Agenda item number 9 in relation to Minute 86 of the meeting of the Development Control Committee held on 16<sup>th</sup> March, 2009 – Plans and Applications to Develop (in relation to plan P08/1910) – Personal and Prejudicial Interest as a tenant of the applicant, Midland Heart Developments Limited.

Mr John Polychronakis – Agenda item number 5 (Appointment of Chief Executive) – Personal and Prejudicial Interest as a candidate for the post.

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MINUTES

RESOLVED

That the minutes of the meeting of the Council held on 23<sup>rd</sup> February and 2<sup>nd</sup> March, 2009, be approved as a correct record and signed.

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MAYOR’S ANNOUNCEMENTS

- (a) Beth Wragg - Specialist Olympics World Winter Games

The Mayor congratulated and presented to Beth Wragg, a council volunteer, three medals she had won in the Special Olympics World winter games, which had been held recently in Idaho in the United States of America.

It was moved by the Mayor, seconded by Councillor Caunt and

RESOLVED

That, pursuant to Council Procedure Rule 24.5, the meeting consent to the taking of photographs in the Council Chamber in relation to this presentation and the presentation referred to in minute 80(b) below.

(b) West Midlands Local Employment Partnership Awards

The Mayor presented awards to and congratulated representatives of the Directorate of the Urban Environment and the Directorate of Adult, Community and Housing Services and congratulated them on the achievement of the Council in its being short listed as finalists in the Category of Partnership Works awarded by Job Centre Plus at the 2009 West Midlands Local Employment Partnership Awards Ceremony held in March, 2009.

(c) Freedom March by the Second Battalion Staffords of the Mercian Regiment

The Mayor reported on the Freedom March by the Second Battalion Staffords of the Mercian Regiment exercised on 23<sup>rd</sup> April, 2009. In so doing, he referred to the proud record of achievement of the Battalion and to the success of the event.

(d) St George's Day Event

The Mayor congratulated those involved with the St George's Day Event, which had been held in Brierley Hill on 25<sup>th</sup> April, 2009 and had been received very well by the public.

(e) Mayor's Ball

In reporting on the success of the Mayor's Ball, the Mayor expressed his thanks to all persons who had supported the event.

(Having declared a Personal and Prejudicial Interest in this item, in accordance with the Members' Code of Conduct, Mr Polychronakis left the Council Chamber during consideration of the item)

A report of the Leader of the Council was submitted.

In moving the report, the Leader of the Council reported orally the recommendation of the Appointments Committee that the post of Chief Executive be offered to Mr John Polychronakis and that, subject to his acceptance of the offer, Mr Polychronakis be appointed as the Head of the Council's Paid Service, in accordance with Section 4 of the Local Government and Housing Act, 1989.

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

RESOLVED

That the post of Chief Executive be offered to Mr John Polychronakis and that, subject to his acceptance of the offer, Mr Polychronakis be appointed as the Head of the Council's Paid Service, in accordance with Section 4 of the Local Government and Housing Act, 1989.

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## CAPITAL PROGRAMME MONITORING

A report of the Cabinet was submitted.

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

RESOLVED

- (1) That the safety and security measures at the Oak Lane Traveller Site be approved and included in the Capital Programme, as set out in paragraph 3 of the report now submitted.
- (2) That the Capital Programme be amended to reflect the increased costs of the Dudley Wood BMX Track and Fencing project, as set out in paragraph 4 of the report now submitted.
- (3) That the Growth Point funding allocation be noted, and any associated capital spend included in the Capital Programme, as set out in paragraph 5 of the report now submitted.
- (4) That, subject to funding being confirmed, any capital elements of the Connections to Opportunities scheme be included in the Capital Programme, as set out in paragraph 6 of the report now submitted.

- (5) That the Capital Programme be amended in respect of the revised costs of the extension of the fire alarm system at Himley Hall, as set out in paragraph 7 of the report now submitted.
- (6) That the project to relocate Coseley Youth Centre be approved and included in the Capital Programme, as set out in paragraph 8 of the report now submitted.
- (7) That the extra Play Pathfinder funding allocation be noted, and the Capital Programme be amended accordingly, as set out in paragraph 9 of the report now submitted.

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CITY REGION MULTI AREA AGREEMENT FOR EMPLOYMENT AND SKILLS

A report of the Cabinet was submitted.

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

RESOLVED

- (1) That progress to date with regard to the development of a Multi Area Agreement for Employment and Skills across the City Region be noted
- (2) That the timetable for approval of the Multi Area Agreement outlined in paragraph 7 of the report now submitted be endorsed.
- (3) That the Director of the Urban Environment, in consultation with the Leader of the Council and the Director of the Dudley Community Partnership, be authorised to agree and finalise the Multi Area Agreement prior to its submission to the City Region Board.

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CITY REGION PILOT PROPOSAL

A report of the Cabinet was submitted.

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

RESOLVED

That progress to date with regard to the development of a proposal for a Pilot City Region for Birmingham, Coventry and the Black Country be noted; and that, in the event that the Proposal for a Pilot City Region is successful, the Chief Executive, in consultation with the Leader of the Council, be authorised to progress further stages of the bid to take the process forward on behalf of the Council.

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SAFEGUARDING VULNERABLE ADULTS

A report of the Cabinet was submitted.

It was moved by Councillor Miller, seconded by Councillor Mrs Millward and

RESOLVED

That the set of Council accountabilities and responsibilities for safeguarding of vulnerable adults, attached as Appendix A to the report now submitted, be approved.

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NOTICE OF MOTION UNDER COUNCIL PROCEDURE RULE 12

Pursuant to Council Procedure Rule 12, Councillor Cotterill had given notice of the following motion:

“That this Council notes the exceptional work that the NHS undertakes in the treatment and care of people in our society who become ill and require hospital services.

That this Council further notes the level of car park charges at Russells Hall, Corbett and The Guest Hospitals, which places an additional financial burden on some in our community when visiting loved ones in hospital or attending for treatment/appointments.

This Council therefore resolves to:-

- (1) Request the Dudley Group of Hospitals NHS Trust to undertake, in conjunction with the provider, an urgent report to examine car park charges and in doing so looks at other trusts who have either reduced or removed charges for certain categories of patient/visitor.
- (2) Request that the Select Committee on Health and Adult Social Care also approach trusts who have reduced or removed car park charges, in order to learn from their experiences.”

The motion was moved by Councillor Cotterill and seconded by Councillor Lowe.

Pursuant to Council Procedure Rule 14.10 (c) it was moved by Councillor Mrs Millward, seconded by Councillor Caunt and

RESOLVED

That the question be now put.

On consideration of the motion, it was

RESOLVED

- (1) That Dudley Group of Hospitals NHS Trust be requested to undertake, in conjunction with the provider, an urgent report to examine car park charges and, in doing so, looks at other trusts who have either reduced or removed charges for certain categories of patient/visitor.
- (2) That the Select Committee on Health and Adult Social Care be also requested to approach trusts who have reduced or removed car park charges, in order to learn from their experiences.

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APPOINTMENT OF AN INDEPENDENT MEMBER TO THE STANDARDS COMMITTEE

A report of the Interim Director of Law and Property was submitted.

It was moved by Councillor Ms Boleyn, seconded by Councillor Caunt and

RESOLVED

That Mrs Valerie Ainsworth be appointed as an Independent Member of the Standards Committee for a term of four years with effect from 28<sup>th</sup> April, 2009.

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QUESTIONS UNDER COUNCIL PROCEDURE RULE 11

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

The meeting ended at 7.20 p.m.

MAYOR

CL/74