

DUDLEY METROPOLITAN BOROUGH

MINUTES OF THE PROCEEDINGS OF THE COUNCIL
AT THE ANNUAL MEETING HELD ON THURSDAY, 17TH MAY, 2012
AT 6.00 PM AT THE COUNCIL HOUSE, DUDLEY

PRESENT: -

Councillor Evans (Mayor)
Councillor Mrs Ameson (Deputy Mayor)
Councillors A Ahmed, K Ahmed, Ali, Arshad, A Aston, M Aston, Attwood, Mrs Billingham, Bills, Blood, Body, Boleyn, Branwood, Burston, Casey, Caunt, Cotterill, Cowell, Crumpton, Davies, Duckworth, A Finch, K Finch, Foster, Hale, Hanif, Harley, Harris, Hemingsley, Herbert, Hill, Islam, James, J Jones, L Jones, Jordan, Kettle, Lowe, Marrey, J Martin, Mrs P Martin, Miller, Mottram, Ms Nicholls, Partridge, Perks, Ridley, Roberts, Mrs Rogers, Russell, Mrs Shakespeare, Mrs Simms, Sparks, Taylor, Mrs H Turner, K Turner, S Turner, Tyler, Vickers, Mrs Walker, Waltho, Mrs Westwood, C Wilson, M Wilson, Wood, Woodall, Wright and Zada, 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 a recording of this meeting being made and to the live broadcast of the proceedings via the Internet.

2 PRAYERS

The Mayor's Chaplain led the Council in prayer.

3 ELECTION OF MAYOR

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

RESOLVED

That Councillor Melvyn Mottram be elected Mayor of the Borough for the 2012/13 Municipal Year.

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

4 ELECTION OF DEPUTY MAYOR

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

RESOLVED

That Councillor Joseph Alan Finch be elected Deputy Mayor of the Borough for the 2012/13 Municipal Year.

5 ACCEPTANCE OF OFFICE OF DEPUTY MAYOR

Following a brief adjournment to enable re-robing to take place, Councillor J A Finch made and subscribed to the Statutory Declaration of Acceptance of the Office of Deputy Mayor.

6 ADDRESS BY THE MAYOR

The new Mayor addressed the Council, expressing his thanks to Members and others on his election. In so doing he, along with other Members, paid tribute to the retiring Mayor and Mayor's Consort and the Deputy Mayor and Deputy Mayor's Consort.

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

Following tributes to Councillor Evans and Mrs Greenaway, the Mayor presented them with the Past Mayor and Past Mayor's Consort badges.

Councillor Evans addressed the Council, expressing thanks for all the support that had enabled him to carry out his duties during the year, including the support of the Mayor's Consort. Councillor Mrs Ameson then expressed thanks for all the support given to her during her term of office as the Deputy Mayor.

8 MINUTES

RESOLVED

That the Minutes of the meeting of the Council held on 16th April, 2012 be approved as a correct record and signed.

9 MAYOR'S ANNOUNCEMENTS

(a) Mayoress

The Mayoress for the 2012/13 Municipal Year would be Mrs Michelle Mottram.

(b) Deputy Mayoress

The Deputy Mayoress for the 2012/13 Municipal Year would be Mrs Heather Finch.

(c) The Mayor's Chaplain

The Mayor's Chaplain for the 2012/13 Municipal Year would be Reverend Heather Humphrey.

(d) The Mayor's Charities

The Mayor's Charities to be supported in the 2012/13 Municipal Year would be:-

- Dudley Stroke Association
- Dudley Diabetic Association

(e) Mayoress "At Home" Event

The Mayoress "At Home" event would take place on 4th July, 2012 at Brierley Hill Civic Hall.

(f) Armed Forces Day

Armed Forces Day would be held at Himley Hall on 1st July, 2012.

(g) Civic Sunday

Civic Sunday would be held on 8th July, 2012 at Christ Church, Coseley.

(h) Charity Cricket Match

The Charity Cricket Match between Councillors and Officers would be held on 29th June, 2012 at Stourbridge Cricket Club.

(i) Volunteering Champion Event

The Mayor reported that an annual Volunteering Champion Event for Dudley Borough would be held in Stourbridge on 18th May, 2012.

(j) Mayor's Attendant – "Coast to Coast" Charity Challenge

The Mayor reported that his attendant, Mike Crannage, would be undertaking the 'Coast to Coast' Challenge in Costa Rica, South America during February, 2013 in aid of the Mayor's Charity. Sponsorship details would be made available in due course.

(k) 100 Miles for Queen and Charity

The Mayor reported on the above Charity challenge being undertaken by Councillor Waltho between 2nd and 4th June, 2012. The challenge involved a 100-mile continuous walk to be completed within 48 hours linking aspects of the Queen's Diamond Jubilee with the London Olympic Games. Proceeds would be donated to local good causes including the Mayor's Charity Fund. Sponsorship details would be made available in due course.

10 NEWLY ELECTED MEMBERS OF THE COUNCIL

The Mayor welcomed Councillors A Ahmed, Casey, Bills, Branwood, Boleyn, Duckworth, Hale, Hemingsley, Herbert, Marrey, J Martin, Perks, Russell and Tyler who had been elected to the Council at the municipal elections on 3rd May, 2012.

The Mayor also paid tribute to the former Members who had not been re-elected, namely Nicolas Barlow, Colin Banks, Malcolm Davis, Jennie Dunn, Susan Greenaway, Denise Harley, Julian Ryder, Geoffrey Southall, David Stanley and Adrian Turner.

11 APOLOGIES FOR ABSENCE

An apology for absence was received on behalf of Councillor Knowles.

12 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 this meeting.

13 ELECTION OF THE LEADER OF THE COUNCIL

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

RESOLVED

That, in accordance with the provisions of the Council's Constitution, Councillor Sparks be elected Leader of the Council.

APPOINTMENT AND MEMBERSHIP OF THE CABINET AND COMMITTEES FOR 2012/13 AND RELATED MATTERS

A report of the Director of Corporate Resources was submitted.

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

RESOLVED

(1) That the information contained in the report of the Leader on the appointment of the Deputy Leader and Members of the Cabinet for the 2012/13 Municipal Year, as set out in the list circulated at the meeting, be noted, as follows:-

(a) That Councillor Ali be appointed as Deputy Leader of the Council for the 2012/13 Municipal Year.

(b) That the Leader of the Council and nine other members comprise the Cabinet for the 2012/13 Municipal Year and that the names of the Members to serve for the year be as follows:-

Councillors K Ahmed, Ali, Crumpton, Foster, Islam, Lowe, Partridge, Sparks, Waltho and Wood.

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

Councillors Blood, Harley, L Jones, Mrs Shakespeare, Vickers, Mrs Walker and Wright.

(d) That the assignment of Portfolios to the Cabinet Members and the names of the corresponding Opposition Group Spokespersons be as set out below:-

<u>Leader and Cabinet Members</u>	<u>Portfolio</u>	<u>Opposition Group Spokesperson</u>
<u>Councillor</u>		<u>Councillor</u>
Sparks (Leader of the Council)	Policy	L Jones (Group Leader)
Ali (Deputy Leader of the Council)	Regeneration	Wright (Deputy Group Leader)
Waltho	Adult and Community Services	Vickers

Crumpton	Integrated Children's Services	Mrs Walker
Lowe	Finance	Blood
Wood	Environment and Culture	Mrs Shakespeare
Islam	Health and Wellbeing	Miller
K Ahmed	Housing, Libraries and Adult Learning	James
Partridge	Human Resources, Law and Governance	Evans
Foster	Transportation and Community Safety	Harley

- (2) That the structure of Committees for 2012/13 be approved on the basis set out in the report now submitted, and the lists circulated at the meeting, subject to the Tree Preservation Orders Committee being not re-established and its functions being included in the terms of reference of the Development Control Committee.
- (3) 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 re-affirmed for the 2012/13 Municipal Year subject to the adoption of the new terms of reference of the Audit and Standards Committee as set out in Appendix 1 to the report now submitted.
- (4) That, except for the Area Committees where proportionality shall not apply, the composition and membership of Committees for the 2012/13 Municipal Year be determined in accordance with the requirements of the Local Government and Housing Act 1989, as set out below:-

<u>Committee</u>	<u>Number of Seats</u>			
	<u>Total</u>	<u>Labour</u>	<u>Conservative</u>	<u>Green</u>
Children's Services Scrutiny Committee *	11	6	5	-
Community Safety and Community Services Scrutiny Committee	11	6	5	-
Environment Scrutiny Committee	11	6	4	1
Health and Adult Social Care Scrutiny Committee	11	6	5	-
Regeneration, Culture and Adult Education Scrutiny Committee	11	6	5	-
Appeals Panel (Children's Services Transport)	3	2	1	-
Appointments Committee	9	5	4	-
Audit and Standards Committee	9	5	4	-
Development Control Committee	9	6	3	-
Disciplinary/Dismissal/Grading Appeals Committee	9	5	4	-
Licensing and Safety Committee	12	7	5	-
Shadow Dudley Health and Wellbeing Board	4	3	1	-
Taxis Committee	9	5	4	-

* excluding non-elected Members

- (5) That the appointment of Members to Committees for the 2012/13 municipal year be approved as set out below:-

Children's Services Scrutiny Committee

Labour (6)

Conservative (5)

Councillors

Councillors

Arshad
Bills
Boleyn
Casey
Marrey
S Turner

Attwood
Mrs Billingham
J Jones
Mrs Simms
Mrs Walker

together with the following non-elected members:-

Voting Members

Parent Governor Representatives

1. Secondary Schools – vacancy
2. Primary Schools – E Songole
3. Special Schools – D Tinsley (appointed until 12/12/12)

Church Representatives

1. Worcester Diocesan Board of Education – Reverend A Wickens
2. Archdiocese of Birmingham – M Ward

Non-Voting Members

Teacher Representatives

1. Primary Education – M Verdegem
2. Secondary/Special Education – Vacancy

Free Churches

1. S Taylor

Persons with experience of and interest in education in the Borough

1. L Ridney
2. L Coulter

Community Safety and Community Services Scrutiny Committee

Labour (6)

Councillors

Branwood
Cotterill
K Finch
Perks
Russell
Zada

Conservative (5)

Councillors

Burston
Caunt
Harley
Kettle
Ms Nicholls

Environment Scrutiny Committee

Labour (6)

Councillors

M Aston
Boleyn
J A Finch
Hanif
Jordan
J Martin

Conservative (4)

Councillors

Harley
James
Mrs Shakespeare
Mrs H Turner

Green (1)

Councillor

Duckworth

Health and Adult Social Care Scrutiny Committee

Labour (6)

Councillors

Cowell
K Finch
Harris
Hemingsley
Ridney
Roberts

Conservative (5)

Councillors

Kettle
Miller
Mrs Rogers
Vickers
C Wilson

Regeneration, Culture and Adult Education Scrutiny Committee

Labour (6)

Conservative (5)

Councillors

A Ahmed
Body
G Davies
Hale
Herbert
Tyler

Councillors

Attwood
Blood
Caunt
K Turner
Wright

Appointments Committee

Labour (5)

Conservative (4)

Councillors

Ali
Arshad
Foster
Partridge
Sparks

Councillors

Evans
L Jones
Mrs P Martin
Wright

Appeals Panel (Children's Services Transport)

Labour (2)

Conservative (1)

Councillors

Cotterill
S Turner

Councillor

Miller

Audit and Standards Committee

Labour (5)

Conservative (4)

Councillors

Arshad
Branwood
Cowell
Tyler
Zada

Councillors

Burston
Hill
Taylor
Mrs Westwood

Development Control Committee

Labour (6)

Conservative (3)

Councillors

Casey
Harris
Herbert
Roberts
S Turner
Zada

Councillors

Mrs H Turner
C Wilson
Wright

Disciplinary/Dismissal/Grading Appeals Committee

Labour (5)

Conservative (4)

Councillors

Arshad
A Aston
Hale
Marrey
J Martin

Councillors

Mrs P Martin
Ms Nicholls
Mrs Rogers
J Woodall

Licensing and Safety Committee

Labour (7)

Conservative (5)

Councillors

A Ahmed
M Aston
Bills
Cowell
A Finch
K Finch
Roberts

Councillors

Mrs Ameson
Blood
James
Taylor
J Woodall

Shadow Dudley Health and Wellbeing Board

Labour (3)

Conservative (1)

Councillors

Crumpton
Islam
Waltho

Councillor

Miller

Taxis Committee

Labour (5)

Conservative (4)

Councillors

Councillors

A Aston
M Aston
Body
Cowell
Hanif

Mrs Ameson
Mrs Simms
K Turner
Vickers

- (6) That with regard to the Children's Services Scrutiny Committee and the Health and Adult Social Care Scrutiny Committee, the proposals in relation to co-opted representatives and the arrangements for the filling of vacancies for co-opted Members, as set out in the report now submitted, be approved subject to the amendment of paragraph 15 of the report to read as follows:-
15. For 2012/13, it is proposed that the same number of co-opted representatives be appointed to serve on the Children's Services Scrutiny Committee. The names of the persons nominated for co-option to the Committee for 2012/13 will be submitted in the lists to be circulated at the meeting.
- (7) That the Licensing and Safety Committee be appointed in 2012/13 to undertake the statutory Committee functions in accordance with the Licensing Act 2003, as referred to in 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 or to any Sub-Committee(s) established by the Audit and Standards Committee to hear complaints against Members under the local Members' Code of Conduct.
- (9) That the Council endorse the establishment of the West Midlands Police and Crime Panel as a joint Committee of the seven West Midlands District Councils, subject to the formal approval of the Home Secretary, on the basis set out in the report now submitted.
- (10) That the draft Panel Arrangements and Rules of Procedure relating to the West Midlands Police and Crime Panel, as now submitted, be endorsed.

- (11) That the Chief Executive, in consultation with the Leader of the Council, be authorised to make any necessary amendments to the documents referred to in resolution (10) above in the light of further discussions at West Midlands Districts level and as a result of advice, guidance or regulations issued by the Home Secretary.
- (12) That the arrangements for substitutes on Committees, as set out in Council Procedure Rules 5.2 to 5.4, be reaffirmed for the 2012/13 Municipal Year.
- (13) That the Director of Corporate Resources be authorised to make any necessary changes to the appointments to Committees or Sub-Committees that might arise from time to time during the 2012/13 Municipal Year, in accordance with the instructions of the Political Groups.
- (14) That pending a review of the Area Committee arrangements by the Scrutiny Committee Chairs, the existing Area Committees be appointed for the 2012/13 Municipal Year on the basis set out in the report now submitted.
- (15) That the Chairs and Vice-Chairs of the following Committees be appointed for 2012/13:-

	<u>Chair</u>	<u>Vice Chair</u>
	Councillor	Councillor
Children's Services Scrutiny Committee	S Turner	Boleyn
Community Safety and Community Services Scrutiny Committee	Kettle	Branwood
Environment Scrutiny Committee	Hanif	Mrs Shakespeare
Health and Adult Social Care Scrutiny Committee	Ridney	K Finch
Regeneration, Culture and Adult Education Scrutiny Committee	Tyler	K Turner
Appeals Panel (Children's Services Transport)	S Turner	Cotterill
Appointments Committee	Sparks	Ali

Audit and Standards Committee	Zada	Arshad
Development Control Committee	Harris	Roberts
Disciplinary/Dismissal/Grading Appeals Committee	J Martin	Hale
Licensing and Safety Committee	Bills	Cowell
Taxis Committee	Body	A Aston

- (16) That the Director of Corporate Resources be authorised to take all the necessary and consequential actions required to implement the proposals contained in the report now submitted.

15 CONSTITUTION AND SCHEME OF DELEGATION

A report of the Director of Corporate Resources was submitted.

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

RESOLVED

- (1) That the Director of Corporate Resources be authorised to make any necessary and consequential amendments to the Constitution arising from the decisions made at this meeting and to reflect any ongoing changes in legislative requirements.
- (2) That Council Procedure Rule 24.5 be amended to provide that the public proceedings of all full Council meetings will be recorded and broadcast live on the Council's Internet site on the basis referred to in paragraphs 5 and 6 of the report now submitted.
- (3) That the Council endorse the incorporation of the revised Code of Corporate Governance and the Anti Fraud and Corruption Strategy in Part 6 of the Constitution, as referred to in paragraph 8 of the report now submitted.
- (4) That pending a review of Area Committee arrangements, the process for dealing with any urgent business arising between scheduled meetings of Area Committees and the period between this annual meeting of the Council and the first meeting of the Area Committees in the municipal year, as set out in paragraph 9 of the report now submitted, be approved and incorporated within the Constitution.

- (5) That the Constitution be amended to reflect the decision of the Council on 5th March, 2012 concerning Area Committee funding allocations as referred to in paragraph 10 of the report now submitted.
 - (6) That, subject to the decisions taken at this meeting, the Constitution and Scheme of Delegation be reaffirmed for the 2012/13 municipal year.
 - (7) That all 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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16 ORDINARY MEETINGS OF THE COUNCIL, CABINET AND COMMITTEES FOR 2012/13

A report of the Director of Corporate Resources was submitted.

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

RESOLVED

That the programme of ordinary meetings of the Council, Cabinet and Committees for the 2012/13 Municipal Year, as set out in the schedule circulated at the meeting, be approved subject to the next meeting of the Regeneration, Culture and Adult Education Scrutiny Committee being held on 11th June, 2012.

17 APPOINTMENTS/NOMINATIONS TO OUTSIDE BODIES

A report of the Director of Corporate Resources was submitted.

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

RESOLVED

- (1) That the Director of Corporate Resources, in consultation with the Leader of the Council, be authorised to make appointments and nominations to the bodies referred to below in view of the urgency involved in making those appointments and nominations:-

Local Government Association
West Midlands Councils
West Midlands Joint Committee and
Joint Planning and Transportation Sub-Committee
West Midlands Fire and Rescue Authority and “Prime Member”
West Midlands Integrated Transport Authority and “Prime Member”
West Midlands Police Authority (until abolition in November, 2012)
West Midlands Police and Crime Panel and substitute(s)
Birmingham Airport Holdings Ltd – Board of Directors
Dudley and West Midlands Zoological Society Limited – Executive
Board
Dudley Community Partnership
North Priory Project Board
Black Country Local Enterprise Partnership
English Severn and Wye Regional Flood and Coastal Committee
PSP Dudley Limited Liability Partnership – Projects Board and
Members’ 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 6.50 p.m.

MAYOR