

## **MEETING OF THE CABINET**

Wednesday, 13<sup>th</sup> June, 2007 at 6.00 p.m.  
in Committee Room 2 at the Council House, Dudley

### **PRESENT:-**

Councillor Caunt (Leader of the Council - Chairman);  
Councillors Adams, Evans, Fraser-Macnamara, Knowles,  
Mrs. P. Martin, Miller and Mrs. Walker

Opposition Group Members appointed to attend meetings of the  
Cabinet:  
Councillors Ali, G. H. Davies, Ms. Partridge, Mrs. Ridney, Sparks and  
Tomkinson (Labour Group); Councillor Tyler (Liberal Democrat Group).

### **OFFICERS:-**

The Chief Executive, Director of Adult, Community and Housing  
Services, Assistant Directors of Adult, Community and Housing  
Services, Assistant Director of Children's Services, Senior Assistant  
Director of Finance, Director of Law and Property, Director of the Urban  
Environment, Assistant Director of the Urban Environment, Head of  
Personnel and Support Services, General Manager (Planning),  
Principal Planning Officer and the Democratic Services Manager.

### 1 **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were received on behalf of  
Councillors Crumpton, Ms. Foster, Mrs. Millward and Mrs.  
Shakespeare.

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### 2 **CHANGES IN REPRESENTATION OF MINORITY GROUP MEMBERS**

It was reported that Councillor Tomkinson was serving in place of  
Councillor Ms. Foster as a representative of the Labour Group  
appointed to attend meetings of the Cabinet for this meeting only.

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### 3 **DECLARATIONS OF INTEREST**

No Member declared an interest, in accordance with the Member's  
Code of Conduct, in respect of any matter to be considered at this  
meeting.

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MINUTES

RESOLVED

That the minutes of the meeting of the Cabinet held on 21<sup>st</sup> March, 2007 be approved as a correct record and signed.

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5

ANNUAL AUDIT AND INSPECTION LETTER 2006

The Cabinet considered a report of the Director of Finance on the Annual Audit and Inspection Letter from the external auditors, the Audit Commission.

Mr. S. Turner from the Audit Commission attended the meeting and addressed the Cabinet. The Chief Executive clarified that the reference to the corporate assessment scores on page 9 of the agenda were outdated and the correct final scores were reflected in paragraph 23 of the letter (on page 12 of the agenda).

RESOLVED

That the contents of the Annual Audit and Inspection Letter, together with the views of the Auditor, be noted.

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6

DELIVERING THE MASTER PLAN FOR DUDLEY TOWN CENTRE

The Cabinet considered a report of the Director of the Urban Environment on the proposed delivery of the Dudley Area Development Framework, comprising nine opportunity sites within the Town Centre Master plan, via a traditional Joint Venture approach.

The Council, jointly with English Partnerships, had appointed Navigant to review the financial services model recommended by King Sturge Financial Services and assess alternative options to achieve the delivery of the Dudley Area Development Framework. Navigant had concluded that a traditional contractual Joint Venture approach, comprising a partnership between the Council and a private sector partner or partners, would be more appropriate than the proposed Single Purpose Vehicle Model. A summary of the findings of the Navigant report was submitted for consideration.

The Cabinet considered the recommended way forward, including the work to be undertaken by an officer Project Team, as follows:-

- To formalise the methodology for proceeding with the creation of a Joint Venture in accordance with Council Project Management Protocols;
- To establish a programme for management of the project, identifying timescales, resources and key deliverables;
- To establish the most viable phasing structure for delivery of the project.
- To hold discussions with partners to establish the potential for funding support to deliver the Council's aspirations;
- To explore the Council's in-house resources and any additional expertise required as part of the financing and resourcing of the project; and
- To seek legal advice as part of the establishment of the preferred delivery structure and to identify critical milestones.

The Cabinet welcomed the report and specific comments were made in relation to the development and marketing of the 9 opportunity areas, proposals for surrounding areas and sites, the need to take account of best environmental practice, improving public transport and accessibility, car parking issues and the implications of the Dudley Civic Quadrant development.

#### RESOLVED

- (1) That approval be given to the principle of delivering the Dudley Area Development Framework via a traditional Joint Venture approach as outlined in the report.
- (2) That the Director of the Urban Environment, in consultation with the Director of Law and Property and the Director of Finance, be authorised to identify resources and develop a business case for procurement of a Joint Venture for presentation at the meeting of the Cabinet in September, 2007.

#### DUDLEY TOWN CENTRE REGENERATION – REDEVELOPMENT OF DUDLEY CIVIC QUADRANT

The Cabinet considered a joint report of the Directors of Finance and Law and Property on the progress made to date in relation to Dudley Civic Quadrant redevelopment project.

RESOLVED

That the report be noted.

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8 PROGRESS ON THE BRIERLEY HILL AREA ACTION PLAN

The Cabinet considered a report of the Director of the Urban Environment on the progress of the Brierley Hill Area Action Plan and seeking approval of the Brierley Hill Area Action Plan Issues and Options document as a basis for public consultation.

The results from the consultation would be considered alongside the technical evidence to identify the preferred options for the future of Brierley Hill. A first draft of the strategy would be presented to the Cabinet in December, 2007.

RESOLVED

That the Brierley Hill Area Action Plan Issues and Options document be approved as a basis for public consultation.

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9 THE BLACK COUNTRY JOINT CORE STRATEGY – APPROVAL OF A PROPOSED SPATIAL OPTIONS PAPER FOR INITIAL CONSULTATION

The Cabinet considered a report of the Director of the Urban Environment seeking approval to a proposed Spatial Options Paper for initial consultation to assist in formulating a Joint Core Strategy for the Black Country as required by the Planning and Compulsory Purchase Act 2004.

RESOLVED

That the Spatial Options Paper for the Black Country Joint Core Strategy be approved for consultation purposes to assist in the formulation of a preferred option.

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10 DAY OPPORTUNITIES FOR PEOPLE WITH A LEARNING DISABILITY

The Cabinet considered a report of the Director of Adult, Community and Housing Services on a five-year plan for the further modernisation of services to deliver day opportunities for people with a learning disability. The proposals set out in the report were intended to achieve:-

- (a) Better outcomes for people and social inclusion; promoting independence; access to employment and enhanced support for carers.
- (b) A specialist day centre service delivered from modern accessible and fit for purpose buildings, focussed on people with a learning disability living in the community, with the highest levels of dependency.
- (c) A community based service for other people with a learning disability delivered by a range of providers in a number of different settings.

The report gave an overview of the achievements to date on the modernisation of services, service improvement issues to be addressed in the future and a range of accommodation, staffing, finance and other resource issues to be considered by the Council.

#### RESOLVED

- (1) That approval be given to the further service modernisation, as detailed in the report, including the promotion of individual budgets, travel training, community based services and social enterprises.
- (2) That a policy be adopted whereby day opportunity places will be allocated according to the needs of the client and his/her carer and that the primary purpose of the Service be to support people living at home with their families or living independently.
- (3) That two Reviewing Officers be appointed to undertake a programme of reviews of individual care plans to ensure that all clients are receiving the appropriate level and type of day opportunities.
- (4) That, subject to the necessary approval of the Council in relation to the capital programme, the sale of the Lower Gornal Centre site be approved, together with the building of a new smaller centre in the North of the Borough with 50 to 60 places, and that the Centre be equipped to care for the most dependent and challenging clients.
- (5) That the capital receipts for Audnam Centre, Grange House and Lower Gornal Centre be earmarked for the replacement cost of a new Centre in the North of the Borough.

(This was a Key Decision with the Cabinet named as Decision Taker)

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11

A STRATEGY FOR SERVICES FOR ADULTS WITH AUTISM AND ASPERGERS SYNDROME IN DUDLEY

The Cabinet considered a report of the Director of Adult, Community and Housing Services on the proposed adoption of a draft strategy for services for people with Autism and Asperger's Syndrome in Dudley.

Following consultation, the draft strategy had been endorsed by a multi-disciplinary Sub-Group of the Learning Disability Partnership Board, referred to as the Autism Task Group. The strategy would also be submitted to the Board of the Dudley Primary Care Trust to give overall direction to the development of services over the period 2007 – 2010.

RESOLVED

That the draft strategy, as set out in the Appendix to the report, be approved and adopted.

(This was a Key Decision with the Cabinet named as Decision Taker)

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12

HOUSING STRATEGY 2007 – 2010

The Cabinet considered a report of the Director of Adult, Community and Housing Services seeking approval to the Housing Strategy for 2007 – 2010.

The report also set out proposals for the Housing Market Renewal Partnership covering the Black Country and Telford Area. It was envisaged that this initiative would support the urban renaissance agenda underpinning the Regional Spatial Strategy and the Regional Housing Strategy, together with priorities in the Black Country Study and the emerging City Region Development Plan.

Members commented on the strategy document including the need to achieve an appropriate balance in relation to the future provision of affordable, sustainable and social housing to meet identified needs and demands.

RESOLVED

- (1) That the Housing Strategy 2007-2010 and Housing Market Renewal Partnership Prospectus be approved.
- (2) That the Director of Adult, Community and Housing Services be authorised to carry out any actions related to the implementation of the Housing Strategy Action Plan and the development of the Housing Market Renewal Partnership.

(This was a Key Decision with the Cabinet named as Decision Taker)

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13

INVESTING FOR THE FUTURE - TRANSFORMING SECONDARY EDUCATION

The Cabinet considered a report of the Director of Children's Services on the progress made in preparation for the national Building Schools for the Future (BSF) programme together with measures being undertaken to ensure the Council's successful and early inclusion in the programme. The Cabinet was advised of the potential costs involved in establishing sufficient capacity for effective project management and associated resource implications for the Council.

In considering the report, the Cabinet noted the recent announcement of the Secretary of State for Education and Skills in relation to the success of the Black Country Challenge initiative to raise standards in schools.

RESOLVED

- (1) That the Council be recommended to include the project management costs of up to £3m in the capital programme.
- (2) That up to £3m of the sale proceeds from the disposal of property within the control of the Directorate of Children's Services be earmarked to fund the project management costs associated with the development of the Building Schools for the Future (BSF) scheme for Dudley and that, in the event of this funding not becoming available, alternative funding be identified within the Directorate of Children's Services.

- (3) That the Cabinet Member for Children's Services and the Director of Children's Services bring forward proposals to the Cabinet by the end of 2007 with a view to the successful inclusion of the Borough's schools in Wave 7 of BSF, starting in 2010.

(This was a Key Decision with the Cabinet named as Decision Taker)

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14 BEST VALUE PERFORMANCE PLAN

The Cabinet considered a report of the Chief Executive on the preparation of the Council's Best Value Performance Plan for 2007.

RESOLVED

That the contents of the Plan be approved and that the completed Best Value Performance Plan be submitted to the Council for approval.

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15 QUARTERLY CORPORATE PERFORMANCE MANAGEMENT REPORT

The Cabinet considered a report of the Chief Executive on the fourth quarterly corporate performance management report for 2006/07, relating to performance for the period 1<sup>st</sup> January to 31<sup>st</sup> March, 2007. The Cabinet Sub-Group on Performance Management met on a monthly basis to discuss and review performance reports.

RESOLVED

- (1) That the Quarterly Corporate Performance Management Report be approved.
- (2) That the information contained in the report be referred to Select Committees to consider specific issues within their terms of reference.
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16 CAPITAL PROGRAMME MONITORING

The Cabinet considered a joint report of the Chief Executive and the Director of Finance on progress relating to the implementation of the Capital Programme and a number of proposed amendments to the Capital Programme.

## RESOLVED

- (1) That current progress with the 2007/08 Capital Programme, as set out in paragraph 4 and Appendix A be noted.
- (2) That the results of the Post Completion Review of capital projects, as set out in Appendix B be noted.
- (3) That the Council be recommended:
  - (a) That the additional expenditure on Disabled Facilities Grants be approved, and the Capital Programme be amended accordingly, as set out in paragraph 5 of the report.
  - (b) That the expenditure on home adaptations consequent to the re-provision of Grange House be approved and included in the Capital Programme, as set out in paragraph 6 of the report.
  - (c) That the additional Kick Start grant be noted, and the Capital Programme be amended accordingly, as set out in paragraph 7 of the report.
  - (d) That the schedule of street lighting replacement works be approved and included in the Capital Programme, as set out in paragraph 8 of the report.
  - (e) That the project to construct a replacement Warden's Base at the Wren's Nest Nature Reserve be approved and included in the Capital Programme, and that the Director of Law and Property be authorised to enter into the necessary lease arrangements with Dudley College, as set out in paragraph 9 of the report.
  - (f) That the enhancements to the Liveability programme be approved, as set out in paragraph 10 of the report.
  - (g) That the expenditure on Black Waste Bins be approved and included in the Capital Programme, as set out in paragraph 11 of the report.

- (h) That the extra expenditure relating to Civil Parking Enforcement be approved and included in the Capital Programme, as set out in paragraph 12 of the report.
- (i) That the Security Improvements at the Council House, Mary Stevens Park, be approved and included in the Capital Programme, as set out in paragraph 13 of the report.
- (j) That the annual expenditure on Major Kitchen Equipment be included in the Capital Programme, as set out in paragraph 14 of the report.
- (k) That the "Other Services" Capital Programme for 2007/08 be approved, as set out in paragraph 16 of the report.
- (l) That the urgent amendments to the Capital Programme, as set out in paragraphs 18 and 19 of the report, be noted.

(This was a Key Decision with the Cabinet and the Council named as Decision Takers).

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17

#### REVENUE AND CAPITAL OUTTURN 2006/07

The Cabinet considered a report of the Director of Finance on the provisional outturn results for the financial year ended 31<sup>st</sup> March, 2007.

The report included detailed information on:-

- (a) The Council's draft outturn results for 2006/07, including Gershon efficiencies.
- (b) The effect of the General Fund Revenue Outturn on General Balances at 31<sup>st</sup> March 2007.
- (c) The position with regard to earmarked reserves at 31<sup>st</sup> March, 2007.
- (d) The forecast General Fund Revenue position for 2007/08.

#### RESOLVED

That the report, together with the specific information referred to above, be noted.

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18

APPOINTMENT OF COUNCIL REPRESENTATIVES TO OUTSIDE ORGANISATIONS

The Cabinet considered a report of the Director of Law and Property seeking consideration of the appointment of Council representatives to outside organisations for the 2007/08 municipal year.

RESOLVED

That the Director of Law and Property, in consultation with the appropriate Group Leaders, be authorised to determine the appointment of representatives to serve on the outside organisations indicated in the Appendix to the report submitted to the meeting.

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19

SUPPLEMENTARY PLANNING DOCUMENT FOR OPEN SPACE, SPORT AND RECREATION PROVISION

The Cabinet considered a report of the Director of the Urban Environment on the adoption of the Council's Supplementary Planning Document (SPD) for Open Space, Sport and Recreation Provision.

The SPD had been produced to supplement and clarify existing planning policies on open space, sport and recreation provision as outlined in the Unitary Development Plan. The document had been the subject of extensive public consultation and the responses received had been analysed by officers.

RESOLVED

That the final version of the Council's Supplementary Planning Document for Open Space, Sport and Recreation Provision be approved and adopted.

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20

APPROVAL FOR PUBLIC CONSULTATION OF THE DRAFT 'PLANNING OBLIGATIONS' SUPPLEMENTARY PLANNING DOCUMENT

The Cabinet considered a report of the Director of the Urban Environment on proposals to issue the draft 'Planning Obligations' Supplementary Planning Document for public consultation.

RESOLVED

That the draft Planning Obligations Supplementary Planning Document be approved for publication for a statutory public consultation period of six weeks.

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21 ISSUES ARISING FROM SELECT COMMITTEES

There were no issues arising from Select Committees to be reported at this meeting.

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22 EXCLUSION OF THE PUBLIC

RESOLVED

That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Local Government Act, 1972, as specified below and, in all the circumstances, the public interest in disclosing the information is outweighed by the public interest in maintaining the exemption from disclosure.

<u>Item</u>	<u>Paragraph No</u>
Request for Early Retirement	1
Termination of Contracts on the Grounds of Redundancy – Primary Review	1

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23 REQUEST FOR EARLY RETIREMENT

The Cabinet considered a joint report of the Director of Adult, Community and Housing Services and the Head of Personnel and Support Services on a request for early retirement in respect of an employee in the Directorate of Adult, Community and Housing Services (EW).

RESOLVED

That the request for early retirement in respect of EW be approved on the basis set out in the report.

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24

TERMINATION OF CONTRACTS ON THE GROUNDS OF  
REDUNDANCY (PRIMARY REVIEW)

The Cabinet considered a report of the Director of Children's Services seeking approval to terminate the contracts of employment of up to seven members of school staff on grounds of redundancy.

RESOLVED

That the proposals to terminate the contracts of employment for the employees concerned be approved on the basis set out in the report.

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The meeting ended at 7.28 p.m.

LEADER OF THE COUNCIL