

MEETING OF THE CABINET

Wednesday, 31st October, 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 Martin,
Miller, Mrs Millward, Ms. Shakespeare and Mrs. Walker.

Opposition Group Members appointed to attend meetings of the
Cabinet:

Councillors Ali, G H Davies, Mrs Ridney, Sparks and Tomkinson
(Labour Group);
Councillor Tyler (Liberal Democrat Group).

OFFICERS:-

The Chief Executive, Director of Adult , Community and Housing
Services, Director of Children's Services, Director of Finance, Director
of Law and Property, Director of the Urban Environment, Head of
Personnel and Support Services and Mr Sanders (Directorate of Law
and Property).

49 **APOLOGIES FOR ABSENCE**

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

50 **CHANGES IN REPRESENTATION OF OPPOSITION GROUP_** **MEMBERS**

It was reported that Councillor Tomkinson was serving in place of
Councillor Ms Foster for this meeting of the Cabinet only.

51 **DECLARATIONS OF INTEREST**

Councillors Caunt, Sparks and Tyler declared a personal interest, in accordance with the Members' Code of Conduct, in respect of item number 8 on the agenda (Delivering the Masterplan for Dudley Town Centre) in view of their directorships of Dudley Zoo Limited. Councillor Tyler also made a personal declaration, in accordance with the Members' Code of Conduct, in the same item in respect of his directorship of Dudley Zoo Services Limited.

Councillor Ali declared a personal interest, in accordance with the Members' Code of Conduct, in respect of item number 6 on the agenda (City Strategy and Implications for Dudley M.B.C.) in view of his directorship of St. Thomas' Network.

52 MINUTES

RESOLVED

That the minutes of the meeting of the Cabinet held on 12th September 2007 be approved as a correct record and signed.

53 REGIONAL SPATIAL STRATEGY REVIEW PHASE 1: BLACK COUNTRY PROPOSED CHANGES BY THE SECRETARY OF STATE

The Cabinet considered a report of the Director of the Urban Environment seeking approval to the Council's response to the Secretary of State's proposed changes on the Phase 1 revision of the West Midlands Regional Spatial Strategy.

The key issues for Dudley were stated in paragraph 4 of the Report and the draft response was contained in appendix 1.

RESOLVED

That the statement in Appendix 1 to the report submitted to the meeting be approved as the response of the Council to the Secretary of State.

54 CITY STRATEGY AND IMPLICATIONS FOR DUDLEY M.B.C.

The Cabinet considered a report of the Director of the Urban Environment providing an overview of the City Strategy initiative, detailing progress made to date and highlighting the advantages to Dudley of involvement in the initiative.

In the discussion, the need to mitigate unnecessary bureaucracy in the governance and management arrangements of the initiative was stated. Regarding governance, it was understood that there would be a role for ward members but the point was made that as the initiative was being led by the Learning and Skills Council, arrangements in this regard were not within the remit of local authorities to agree. In relation to the 55 target wards proposed under the initiative, the point was made that worklessness issues were not necessarily addressed by way of a ward based approach.

RESOLVED

- (1) That Dudley's involvement in the City Strategy Initiative, with the aim of maximising the potential economic benefits to the Borough and residents of the most disadvantaged wards, be continued.
- (2) That approval, in principle, be given to the making of bids for resources necessary to establish effective delivery and mechanisms and interventions in the 5 target wards.
- (3) That consideration be given to holding a corporate/multi agency conference to include elected members to discuss the formulation of a worklessness strategy.

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

55 REVIEW OF NEIGHBOURHOOD MANAGEMENT

The Cabinet considered a report of the Chief Executive on the outcome of an independent review into the Neighbourhood Management Service commissioned by the Dudley Community Partnership and carried out by Leslie Silverlock, Neighbourhood Renewal Adviser, Communities and Local Government.

The report of the Chief Executive indicated that the broad thrust of the recommendations in the review report was supported by the Controlling Group, within the context that no other partners were making a financial contribution to neighbourhood management, and that the loss of significant external funding necessitated changes.

RESOLVED

- (1) That the restructure of Neighbourhood Management along the lines set out in paragraph 4 of the report submitted to the meeting, be approved.

- (2) That the Council be asked to increase its funding of a new Neighbourhood Management Team for 3 years from April, 2008, subject to seeking additional partnership funding if new external funding sources are allocated to the Dudley Community Partnership.
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56 DELIVERING THE MASTERPLAN FOR DUDLEY TOWN CENTRE

The Cabinet considered a report of the Directorate of the Urban Environment seeking approval to the creation of an Arms Length Company and the selection of a development partner to lead delivery of the Dudley Town Centre Area Development Framework.

In the discussion on this item, reference was made by the three group leaders and other members to funding for the Metro line extension from Wednesbury to Brierley Hill as being essential to the future economic wellbeing of the Black Country area and the Borough. The need for local Members of Parliament to press the government on this issue was emphasised.

RESOLVED

- (1) That the Director of the Urban Environment, in consultation with the Director of Law and Property and Director of Finance be authorised to:-
 - (a) enter into a tripartite agreement with English Partnerships (EP) and Advantage West Midlands (AWM) (Memorandum of Understanding);
 - (b) submit applications to funding bodies for funding to acquire premises within opportunity areas in support of site assembly, to meet costs to set up the Arms Length Company and Joint Venture, to meet running costs of the Arms Length Company and to address any other funding gaps that may emerge;
 - (c) submit outline and full funding applications, to accept funding, negotiate and sign funding agreements with EP, AWM and any other funders;
 - (d) establish the Dudley Town Centre Partnership following creation of the Arms Length Company; and

- (e) identify a preferred development partner to deliver the Dudley Area Development Framework for future approval by Cabinet in accordance with the Council's Developer Selection Protocol.
- (2) That the Director of Law and Property be authorised to:
 - (a) register the Arms Length Company;
 - (b) enter into negotiations to acquire premises on terms to be negotiated and agreed and to sign associated funding agreements with any funders; and
 - (c) negotiate and complete any relevant undertaking from the Joint Venture partner and any required development agreement(s) prior to the making of any Compulsory Purchase Order(s).
- (3) That the Director of Law and Property, in consultation with the Cabinet Member for Economic Regeneration, be authorised to:
 - (a) acquire and extinguish interests in land and new rights to support assembly of development sites within opportunity areas either by agreements or compulsorily;
 - (b) take all necessary steps to secure the making, confirmation and implementation of Compulsory Purchase Order(s) including the publication and service of all notices and the presentation of the Council's case at Public Inquiry, to be progressed in accordance with Section 266(1)(a) of the Town and Country Planning Act 1980 for the acquisition of the land within one or more of the areas shown on the Plan attached at Appendix F in the report submitted to the meeting, for the purpose of securing mixed use development in accordance with the Dudley Area Development Framework;
 - (c) approve agreements with land owners setting out the terms for the withdrawal of objections to any Compulsory Purchase Order, including where appropriate seeking exclusion of land or new rights from the Order and/or making arrangements for relocation of occupiers; and

- (d) dispose of Council owned land and property to the Joint Venture private sector partners as required to facilitate delivery of the Dudley Area Development Framework.
- (4) That the Director of Finance, in consultation with the Director of Law and Property and Director of the Urban Environment, be authorised to agree the Business Plan which will provide the basis for the working arrangements of the Arms Length Company.
- (5) That the Cabinet consider the benefits of extending the role of the Arms Length Company in the future as a mechanism for bringing forward development and regeneration across the Borough.
- (6) That the Council be recommended that any land or property acquisitions by the Council be included in the Capital Programme.
- (7) That the feasibility of the Town Centre Partnership being set up as soon as possible be explored.

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

57 SUB NATIONAL REVIEW OF ECONOMIC DEVELOPMENT AND REGENERATION

The Cabinet considered a report of the Director of the Urban Environment on an overview of the Government's Sub National Review of Economic Development and Regeneration.

The review, which had been published on the 17th July 2007, comprised a comprehensive review of the governance and delivery arrangements responsible for achieving sustained economic growth and regeneration in the United Kingdom. Its key objectives were to improve the state of economic growth, nationally, and to reduce disparities between, and within, regions. The review had been signed jointly by the Exchequer's Secretary to the Treasury, the Minister of State for Local Government and the Minister of State for Competitiveness and was, therefore, an authoritative central government response to the issues raised.

In the discussion, the Leader of the Labour Group reported on the outcomes from consideration of the review given at a recent meeting of the West Midlands Local Government Association. These related to the need for the Black Country authorities to unite in order to maximise benefit from the City Region Initiative in order to ensure that the influence of metropolitan authorities was not marginalised as a result of the discontinuation of Regional Development Agencies.

RESOLVED

- (1) That the contents of the report submitted to the meeting, including the new responsibilities for economic development being proposed and placed on Local Authorities, be noted.
- (2) That the Director of the Urban Environment and Chief Executive, prepare a detailed plan to determine the actions needed by the Council to respond to the implications of the review.
- (3) That the action plan be submitted to the Cabinet.

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

58 RESPECT IN DUDLEY

The Cabinet considered a joint report of the Director of Adult Community and Housing Services and Director of Children's Services on the National Respect Agenda, in the context of Dudley, which also sought consideration of agreement to proposals regarding priority areas for Dudley and a recommended plan of action.

In the discussion on the report, the content of which was welcomed, it was agreed that update reports on the Respect Agenda would be submitted to Cabinet throughout the year.

RESOLVED

- (1) That the contents of the report submitted to the meeting be noted.
- (2) That the priorities, as identified in paragraph 9 of the report submitted to the meeting, be approved and that work plans as referred to in paragraph 16 of the report be monitored through the appropriate Select Committee.

- (3) That an update to evaluate progress be submitted to the Cabinet in twelve months' time.
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59 ANNUAL REVIEW OF EQUALITY AND DIVERSITY 2007

The Cabinet considered a report of the Director of Law and Property on the annual review of Equality and Diversity for 2007 attached to the report.

The Annual Review had also been made available for inspection in the Members' Room and on the Council's website.

RESOLVED

That the Annual Review of Equality and Diversity 2007, be approved.

60 CAPITAL PROGRAMME MONITORING

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

RESOLVED

- (1) That current progress with the 2007/08 Capital Programme, as set out in Appendix A to the report submitted to the meeting, be noted.
- (2) That the results of the Post Completion Review of capital projects, as set out in Appendix B to the report submitted in the meeting to the meeting, be noted.
- (3) That the Council be recommended:
 - (a) That the contribution of £217,000 to Bromford Housing Group towards the provision of rented bungalows at Wrens Nest Road be approved and included in the Capital Programme, as set out in paragraph 5 of the report submitted to the meeting.

- (b) That the budget for the Wordsley High Street improvements be increased, and £25,000 of the related capital receipt be earmarked for this purpose, as set out in paragraph 6 of the report submitted to the meeting.
- (c) That the project to upgrade Saltwells Local Nature Reserve be approved and included in the Capital Programme, as set out in paragraph 7 of the report submitted to the meeting.
- (d) That the project to expand the mess-room and toilets and upgrade electrical services at the Stourbridge Civic Amenity Site be approved and included in the Capital Programme, as set out in paragraph 8 of the report submitted to the meeting.
- (e) That the Flood Damage grant funding be noted and related expenditure be included in the Capital Programme, as set out in paragraph 9 of the report submitted to the meeting.
- (f) That the feasibility works at Cradley Forge Embankment be approved and included in the Capital Programme, as set out in paragraph 10 of the report submitted to the meeting.
- (g) That the budget for the Council House (Mary Stevens Park) Security Improvements be increased by £8,000 as set out in paragraph 11 of the report submitted to the meeting.
- (h) That the extra expenditure on the Children's Centres at Olive Hill and Highgate Primary Schools be approved and included in the Capital Programme, as set out in paragraph 12 of the report submitted to the meeting.
- (i) That the allocation of a £46,000 grant to Aquarius towards the refurbishment of their premises at Cottage Street be approved and included in the Capital Programme, as set out in paragraph 13 of the report submitted to the meeting.
- (j) That the urgent amendment to the capital programme, as set out in paragraph 14 of the report submitted to the meeting, be noted.

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

61 CONTINUING DEVELOPMENT OF LOCAL AUTHORITY
RESIDENTIAL HOMES AND DAY CARE SERVICES – NEXT STEPS

The Cabinet considered a report of the Director of Adult, Community and Housing Services seeking approval to proposals for the continued development and realignment of residential services, day services and extra care housing to meet the changing future needs of older people and their carers.

RESOLVED

That approval in principle be given to the service improvements and proposals contained in the report submitted to the meeting, subject to full consultation with residents, day centre attenders, staff and other interested parties such as Age Concern and The Alzheimer's Society.

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

62 ESTABLISHING A FRAMEWORK FOR INFORMATION SHARING

A report of the Director of Children's Services was submitted seeking approval to a framework for information sharing in order to support joint working initiatives across directorates and with the Council's partners.

RESOLVED

That the framework indicated in the report submitted to the meeting be approved as an acceptable model for the Council to utilise in all of its information sharing initiatives and to promote with partners.

63 ISSUES ARISING FROM SELECT COMMITTEES – DECISION OF
SELECT COMMITTEE ON REGENERATION, CULTURE AND
ADULT EDUCATION IN RESPECT OF THE CALL-IN ON LIBRARY
MODERNISATION

A report of the Director of Law & Property setting out the decision of the Select Committee on Regeneration, Culture and Adult Education, at its Special Meeting held on 24th October 2007, in respect of this issue, was submitted.

RESOLVED

That the decision of the Select Committee on Regeneration, Culture and Adult Education, at its special meeting held on 24th October, 2007, in respect of the call-in of the decision on library modernisation, be accepted

64 EXCLUSION OF THE PUBLIC

RESOLVED

That the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in part 1 of schedule 12(A) 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>Description of item</u>	<u>Relevant paragraph of Part 1 of Schedule 12A</u>
Termination of contracts on grounds of redundancy	1

65 TERMINATION OF CONTRACTS ON GROUNDS OF REDUNDANCY

A report of the Director of Children's Services on this issue was submitted.

RESOLVED

That the proposal to terminate the contracts of employment of the staff referred to in the report submitted to the meeting, on the terms and conditions specified in the report, be approved.

The meeting ended at 7.55 p.m.

LEADER OF THE COUNCIL