

MEETING OF THE CABINET

Wednesday, 11th June, 2008 at 6.00 p.m.
in Committee Room 2 at the Council House, Dudley

PRESENT:-

Councillor Caunt (Leader of the Council) (Chairman);
Councillor Mrs. Millward (Deputy Leader);
Councillors Adams, Evans, Knowles, Miller, Mrs. Shakespeare, Simms,
A. Turner and Mrs. Walker.

together with the following Minority Group members appointed to
attend meetings of the Cabinet:-

Councillors Crumpton, G. H. Davies, Ms. Foster, Lowe, Mrs. Ridney
and Sparks (Labour Group).

OFFICERS:-

Chief Executive, Director of Finance, Director of Law and Property,
Director of Adult, Community and Housing Services, Director of
Children's Services, Director of the Urban Environment, Head of
Personnel and Support Services and the Democratic Services
Manager.

1 APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received on behalf of
Councillors Ali and Ms. Partridge.

2 CHANGES IN REPRESENTATION OF MINORITY GROUP MEMBERS

It was reported that Councillors Crumpton and Lowe were serving in
place of Councillors Ali and Ms. Partridge respectively for this meeting
of the Cabinet only.

3 DECLARATIONS OF INTEREST

No member declared a personal or prejudicial interest, in accordance
with the Members' Code of Conduct, in any matter to be considered at
this meeting.

MINUTES

RESOLVED

That the minutes of the meeting of the Cabinet held on 19th March, 2008 be approved as a correct record and signed.

ANNUAL AUDIT AND INSPECTION LETTER 2007

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

Messrs. T. Corcoran and S. Turner from the Audit Commission attended the meeting and addressed the Cabinet on the key messages, conclusions and significant issues contained within the Annual Letter. Members welcomed the report as very positive overall and noted the actions and issues to be addressed by the Council.

Various issues were raised at the meeting including the scope of the audit, functions in relation to Section 106 funding, allocations for maintenance, value for money in public sector contracting arrangements and engagement with voluntary sector organisations/groups. Reference was made to specific works undertaken for the Friends of Quarry Bank Park, issues relating to the Leasowes restoration, the scope for local authorities to improve public transportation under current arrangements, work to increase bus usage, the ongoing impact of the review of bus services in Dudley and shared responsibilities with the Primary Care Trust in respect of delayed discharges.

RESOLVED

- (1) That the contents of the Annual Audit and Inspection Letter submitted to the meeting and the views of the Auditor be noted.
 - (2) That the specific comments and issues raised at the meeting, as referred to above, be pursued or responded to by the Auditor on an individual basis as necessary.
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COUNCIL PLAN 2010: 2008 ANNUAL REVIEW

The Cabinet considered a report of the Chief Executive on the proposed structure of the Council Plan policy framework for 2008/09, in the light of the long-term priorities contained in the Community Strategy, and the relationship with the Next Generation Local Area Agreement and the medium term financial strategy.

RESOLVED

That the Council be recommended:-

- (1) to endorse the policy framework of the revised Council Plan.
- (2) to note the alignment of the Council Plan and Directorate Strategic Plans to the Community Strategy.

THREE-YEAR COMMUNITY SAFETY PLAN 2008 - 2011

The Cabinet considered a report of the Chief Executive on safe and sound, Dudley Community Safety Partnership's three-year community safety plan for 2008-2011.

Members commented on the importance of reporting incidents of crime to the Police and the need to maintain effective partnership working to meet targets in the Plan. The full extent to which the role of the Select Committee for Community Safety and Community Services might develop in terms of scrutinising the Plan and holding partners to account for its delivery would not be known until the Government enacted its response to the Flanagan report on Police accountability.

Reference was made to current arrangements for Partnerships and Communities Together (PACT) meetings and concerns regarding lack of consistency would be raised with West Midlands Police and the Community Safety Team.

RESOLVED

- (1) That the information contained in the report be endorsed and that the Council be recommended to approve the three-year Community Safety Plan for 2008 – 2011.
 - (2) That the concerns expressed relating to Partnerships and Communities Together (PACT) meetings be raised with the Police and the Community Safety Team.
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DELIVERY OF REGENERATION IN THE BOROUGH – A PROPOSED ARMS LENGTH COMPANY

The Cabinet considered a report of the Director of the Urban Environment on proposals to extend the scope of the proposed regeneration Arms Length Company to cover development activity in Brierley Hill. It was proposed to commence the operation of the Arms Length Company by using income from properties acquired with Advantage West Midlands funding. Delegated authority was also sought to the agreement of the membership of the Arms Length Company Board prior to the appointment of a Chief Executive.

RESOLVED

- (1) That the early establishment of a regeneration Arms Length Company using existing funding in advance of full funding from Advantage West Midlands and English Partnerships be supported.
- (2) That the proposal to extend the scope of the proposed Arms Length Company to cover both Dudley and Brierley Hill Town Centres be supported.
- (3) That the Leader of the Council and the Cabinet Member for Economic Regeneration, in consultation with the Director of the Urban Environment, be authorised to agree the membership of the Arms Length Company Board prior to the appointment of a Chief Executive.
- (4) That approval be given to develop a town centre partnership in Dudley and in consultation with the Brierley Hill Regeneration Partnership Board establish a new town centre partnership for Brierley Hill, both of which would operate through the Arms Length Company.

QUARTERLY CORPORATE PERFORMANCE MANAGEMENT REPORT

The Cabinet considered the final quarterly corporate performance management report for 2007/08 relating to performance for the period 1st January to 31st March, 2008.

In considering the report, reference was made to the importance of Select Committees being effectively engaged in the scrutiny of issues arising from the report.

RESOLVED

- (1) That the content of the Quarterly Corporate Performance Management Report be approved.
- (2) That the Quarterly Corporate Performance Management Report be referred to Select Committees to consider specific issues within their terms of reference.

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NEIGHBOURHOOD RENEWAL FUND TRANSITIONAL GRANT

The Cabinet considered a report of the Chief Executive outlining the allocation of the Government's transitional grant to succeed Neighbourhood Renewal Funding and proposed arrangements for the future management of this funding stream.

RESOLVED

That the Cabinet note the position in relation to the commitments arising from the former Neighbourhood Renewal Fund regime to be met by the transitional funding during 2008/09 and 2009/10 and approve the use of unallocated funding to support priorities arising from the New Generation Local Area Agreement.

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REVENUE AND CAPITAL OUTTURN 2007/08

The Cabinet considered a report of the Director of Finance on the provisional financial results for the year ended 31st March, 2008.

RESOLVED

- (1) That the draft outturn results for 2007/08, including Gershon efficiencies, be noted.
 - (2) That the effect of the General Fund Revenue Outturn on General Balances at 31st March, 2008 be noted.
 - (3) That the position on earmarked reserves at 31st March, 2008 be noted.
 - (4) That the latest forecast General Fund Revenue position for 2008/09 be noted.
 - (5) That Cabinet Members, the Chief Executive, Directors and budget holders be reminded to exercise strict budgetary control in managing the 2008/09 budget in accordance with previous decisions of the Cabinet and Council.
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CAPITAL PROGRAMME MONITORING

The Cabinet considered a report of the Director of Finance on the implementation of, and a number of proposed amendments to, the Capital Programme.

With the consent of the Leader and the meeting, an addendum to the report concerning Kingswinford Library and the Library Modernisation Programme was circulated and considered.

In relation to an issue raised concerning Section 106 monies, the Director of Finance undertook to provide a written response to Councillor Sparks. Concerns were also expressed regarding the Leasowes Restoration project with particular reference to the use of Heritage Lottery Funding and delays with the project. The Cabinet noted the arrangements that had already been put in place to scrutinise, monitor and audit the project. It was noted that a report on the Leasowes Restoration project would be submitted to future meetings of the Select Committee on Regeneration, Culture and Adult Education and the Halesowen Area Committee.

RESOLVED

- (1) That the current progress with the 2008/09 Capital Programme, as set out in Appendix A to the report now submitted, be noted.
- (2) That the results of the Post Completion Review of capital projects, as set out in Appendix B to the report now submitted, be noted.
- (3) That in respect of the European Regional Development Fund Priority 3 Sustainable Urban Development South Black Country Package Plan:-
 - (a) The Director of the Urban Environment be authorised to submit outline and full applications on behalf of the Council to Advantage West Midlands for funding for projects in the European Regional Development Fund Priority 3 Sustainable Urban Development South Black Country Package Plan, and for "Connecting to Opportunity" match funding, as set out in paragraph 12 of the report now submitted.
 - (b) The Director of the Urban Environment be authorised to accept any grant funding arising from the Advantage West Midlands and European funding applications, as set out in paragraph 12 of the report now submitted.

- (c) The Director of Law and Property be authorised to sign the necessary funding agreements with Advantage West Midlands, as set out in paragraph 12 of the report now submitted.
- (3) That the Council be recommended:
- (a) That the allocation of £0.882m extra Disabled Facilities Grant funding be noted, and the Capital Programme amended accordingly, as set out in paragraph 5 of the report now submitted.
 - (b) That the expenditure on Stair Lifts be approved and included in the Capital Programme, as set out in paragraph 6 of the report now submitted.
 - (c) That the Capital Programme be amended to include the additional £82,000 of Kick Start Funding, as set out in paragraph 7 of the report now submitted.
 - (d) That the Council's allocation of £810,000 from the Regional Housing Pot be noted, and the associated expenditure included in the Capital Programme, as set out in paragraph 8 of the report now submitted.
 - (e) That the scheme to infill the Stourbridge Rock Caverns be approved, and the Capital Programme amended accordingly, as set out in paragraph 9 of the report now submitted.
 - (f) That the Dudley Southern By-Pass resurfacing works be approved and included in the Capital Programme, as set out in paragraph 10 of the report now submitted.
 - (g) That the package of works to Future Skills Dudley Accommodation be approved and included in the Capital Programme, as set out in paragraph 11 of the report now submitted.
 - (h) That subject to funding (and the availability of match funding) being confirmed, the European Regional Development Fund Priority 3 Sustainable Urban Development South Black Country Package Plan scheme be included in the Capital Programme, as set out in paragraph 12 of the report now submitted.

- (i) That the improvements at Lister Road Depot be approved and included in the Capital Programme, as set out in paragraph 13 of the report now submitted.
- (j) That the Fens Pool Gating scheme be approved and included in the Capital Programme, as set out in paragraph 14 of the report now submitted.
- (k) That £100,000 for Disabled Access works be included in the 2008/09 Capital Programme, as set out in paragraph 15 of the report now submitted.
- (l) That the “Other Services” Capital Programme for 2008/09 be approved, as set out in paragraphs 17 and 18 of the report now submitted.
- (m) That the urgent amendment to the Capital Programme, as set out in paragraph 20 of the report now submitted, be noted.
- (n) That the proposals in relation to the Kingswinford Library and the library modernisation programme, as set out in the addendum to the report circulated at the meeting, be approved and that the project be added to the library modernisation capital programme.

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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 2008/09 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 now submitted.

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ISSUES ARISING FROM SELECT COMMITTEES

No issues were raised.

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>Description of Item</u>	<u>Relevant Paragraphs of Part 1 of Schedule 12A</u>
13-51 Orchard Street, Brierley Hill Regeneration Project	3
Staffing Issue – Chief Executive's Directorate	1

13-51 ORCHARD STREET, BRIERLEY HILL REGENERATION PROJECT

The Cabinet considered a report of the Director of Adult, Community and Housing Services on a regeneration project affecting Nos. 13-51 Orchard Street, Brierley Hill.

RESOLVED

That, subject to any necessary approvals required by the Council in relation to the Capital Programme, the contents of the report submitted to the meeting be noted and that approval be given:-

- (1) To declare the land at 13 – 51 Orchard Street, Brierley Hill surplus to be disposed of for the purposes of social housing.
- (2) To dispose of the land to Black Country Housing Group on terms and conditions to be negotiated and agreed by the Director of Law and Property.
- (3) To discount the land value as set out in the report and to provide financial support to Black Country Housing Group of a matching amount through the use of Section 106 commuted sums.

- (4) To seek authorisation to suspend tenants' right to buy, to give tenants affected by the clearance a re-housing priority and to pay home loss and disturbance allowances.
 - (5) To commence the acquisition by agreement of property and rights.
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STAFFING ISSUE – CHIEF EXECUTIVE'S DIRECTORATE

A report of the Chief Executive was submitted seeking approval to terminate the contract of employment of an employee on the grounds of redundancy.

RESOLVED

That the termination of the contract of the employee referred to in the report now submitted on the grounds of redundancy, and on the terms and conditions referred to in the report, be approved.

The meeting ended at 7.13 p.m.

LEADER OF THE COUNCIL