

COUNCIL MEETING

MONDAY 15th APRIL 2013

**AT 6:00PM
IN THE COUNCIL CHAMBER
COUNCIL HOUSE
DUDLEY**

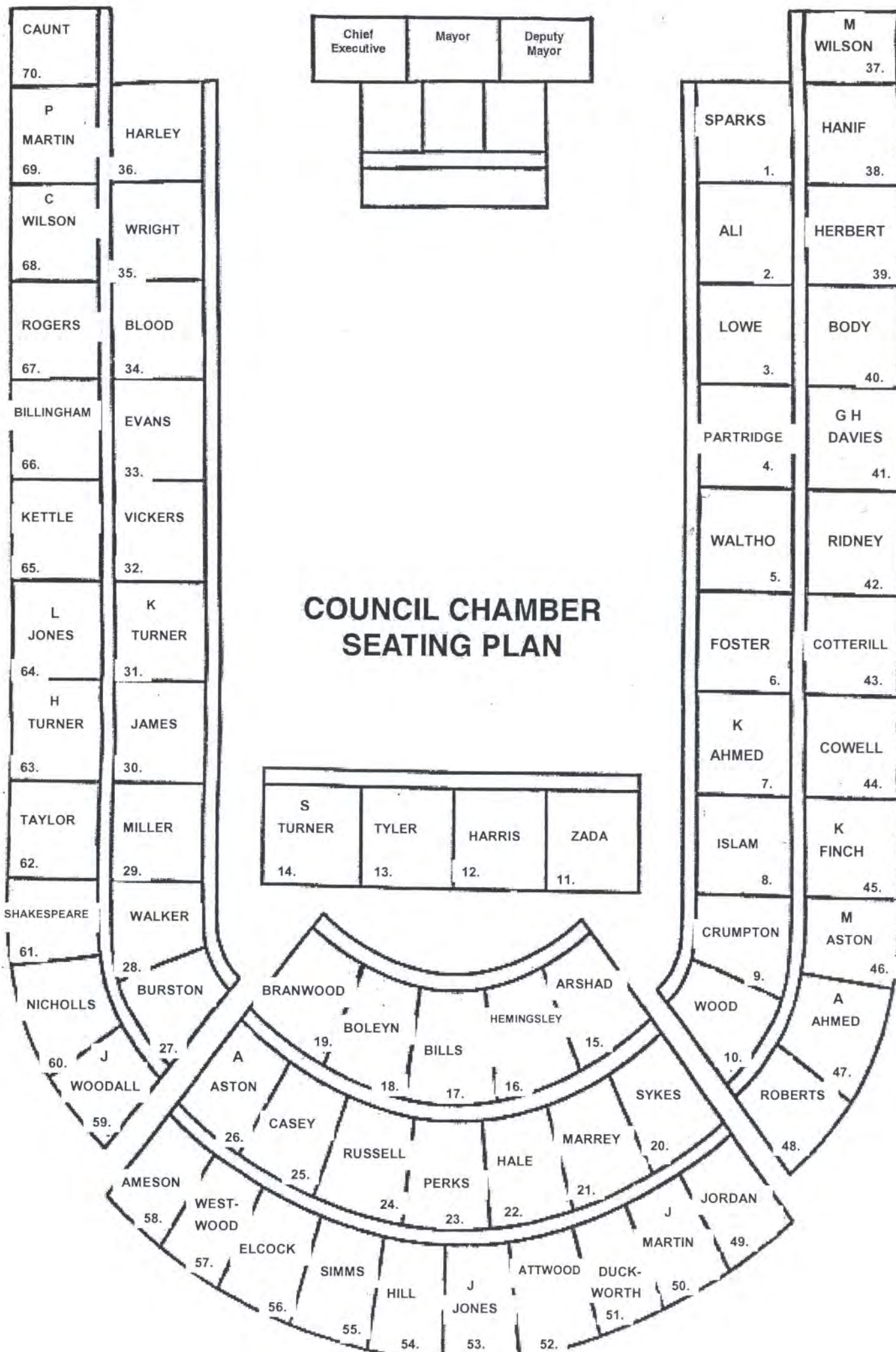
**SUMMONS, AGENDA
AND REPORTS**

If you (or anyone you know) is attending the meeting and requires assistance to access the venue and/or its facilities, could you please contact Democratic Services in advance and we will do our best to help you

**STEVE GRIFFITHS
DEMOCRATIC SERVICES MANAGER
TEL: 01384 815235**

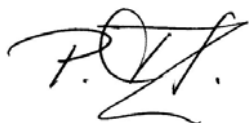
**You can view information about Dudley MBC on
www.dudley.gov.uk**

Members are asked to send advance notice of interests by email to steve.griffiths@dudley.gov.uk by 12.00 noon on Friday, 12th April, 2013



DUDLEY METROPOLITAN BOROUGH

You are hereby summoned to attend a meeting of the Dudley Metropolitan Borough Council to be held at the Council House, Priory Road, Dudley on Monday, 15th April, 2013 at 6.00 pm for the purpose of transacting the business set out in the in the numbered agenda items listed below.



DIRECTOR OF CORPORATE RESOURCES

5th April, 2013

A G E N D A

PRAYERS

1. APOLOGIES FOR ABSENCE
2. TO RECEIVE DECLARATIONS OF INTEREST IN ACCORDANCE WITH THE MEMBERS' CODE OF CONDUCT
3. MINUTES

To approve as a correct record and sign the minutes of the meetings of the Council held on 25th February and 4th March, 2013 (Pages CI/44 - CI/60)

4. MAYOR'S ANNOUNCEMENTS
5. TO RECEIVE REPORTS FROM MEETINGS AS FOLLOWS:

PAGES

	<u>From</u>	<u>To</u>
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Meeting of the Cabinet held on 20th March, 2013

Councillor Sparks to move:

- | | | |
|----------------------------------|---|---|
| (a) Capital Programme Monitoring | 1 | 6 |
|----------------------------------|---|---|

6. TO ANSWER QUESTIONS UNDER COUNCIL PROCEDURE RULE 11
7. TO CONSIDER ANY BUSINESS NOT ON THE AGENDA WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE MAYOR IS OF THE OPINION SHOULD BE CONSIDERED AT THE MEETING AS A MATTER OF URGENCY UNDER THE PROVISIONS OF SECTION 100(B)(4) OF THE LOCAL GOVERNMENT ACT 1972

DUDLEY METROPOLITAN BOROUGH

MINUTES OF THE PROCEEDINGS OF THE COUNCIL
AT THE MEETING HELD ON MONDAY, 25TH FEBRUARY 2013
AT 6.00 PM AT THE COUNCIL HOUSE, DUDLEY

PRESENT:

Councillor Mottram (Mayor)
Councillor A Finch (Deputy Mayor)
Councillors A Ahmed, K Ahmed, Ali, Mrs Ameson, A Aston, M Aston, Attwood, Mrs Billingham, Bills, Blood, Body, Boleyn, Branwood, Burston, Casey, Caunt, Cowell, Crumpton, Duckworth, Elcock, Evans, K Finch, Foster, Hale, Hanif, Harley, Harris, Hemingsley, Herbert, Hill, James, J Jones, L Jones, Jordan, Lowe, Marrey, J Martin, Mrs P Martin, Miller, Ms Nicholls, Partridge, Perks, Ridley, Roberts, Mrs Rogers, Russell, Mrs Simms, Sparks, Sykes, Taylor, K Turner, S Turner, Tyler, Vickers, Mrs Walker, Waltho, Mrs Westwood, C Wilson, M. Wilson, Wood, Wright and Zada together with the Chief Executive and other Officers.

PRAYERS

The Mayor's Chaplain led the Council in prayer.

58 APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors Arshad, Cotterill, Davies, Islam, Kettle, Mrs Shakespeare, Mrs H Turner and Woodall.

59 DECLARATIONS OF INTEREST

Declarations of interests, in accordance with the Members' Code of Conduct, were made by the following Members:

Councillor Burston – Minute No. 30 of the Community Safety and Community Services Scrutiny Committee (Closed Circuit Television (CCTV) in the Dudley Borough) – Non-Pecuniary Interest as the report referred to CENTRO by whom he was employed.

Councillor Wright – Minute No. 51(i) of the Development Control Committee - Planning Application P12/0581 (Trindle Road, Dudley) – Non-Pecuniary Interest in view of reference made to the West Midlands Fire Service, as a member of the West Midlands Fire and Rescue Authority.

Councillor Wright – Minute Nos. 58(i), 58(ii), 58(iv) and 58(vi) of the Development Control Committee (Planning Application P11/1274 – Former Kuehne and Nagel UK, Netherton - Planning Application P12/1273 – Priory Road Car Park, Dudley; Planning Application P12/1354 – Dudley Canal Trust, Dudley; and Planning Application P12/1426 – Former Wordsley Hospital) – Non-Pecuniary Interests in view of reference made to the West Midlands Fire Service and Black Country Living Museum as a Member of the West Midlands Fire and Rescue Authority and a Trustee of Black Country Living Museum.

Councillor Wright – Minute No. 58(iii) of the Development Control Committee (Planning Application P12/0928 – Fire Station, Hagley Road, Halesowen) – Non-Pecuniary Interest as the application was submitted by the West Midlands Fire Service and he was a member of the West Midlands Fire and Rescue Authority.

Councillor Harris – Minute No. 59 of the Development Control Committee (Design in Brierley Hill Town Centre Supplementary Planning Document) - Non-Pecuniary Interest as a Member of the Brierley Hill Town Centre Partnership and Honorary Treasurer of Brierley Hill Civic Society as they were consultees on the Supplementary Planning Document.

Councillor Perks - Minute No. 58(vi) of the Development Control Committee (Planning Application P12/1354 – Dudley Canal Trust, Todds End Field, Dudley) - Non-Pecuniary Interest in view of reference made to the Black Country Living Museum as a volunteer at the Museum.

Councillor Wright – Minute No. 64(viii) of the Development Control Committee (Planning Application P12/1464 – Land and Garages off School Drive, Dudley) - Non-Pecuniary Interest as he had been lobbied on domestic sprinklers and he was a member of the West Midlands Fire and Rescue Authority.

Councillor Zada – Minute No. 64(iii) of the Development Control Committee (Planning Application P12/0462 – New Health Centre, Vacant Land between Jackson Street and Clinic Drive) – Non-Pecuniary Interest as he worked for the National Health Service.

Councillor Cowell – Minute No. 15 of the Licensing and Safety Committee (Quarry Bank (Alcohol Consumption in Designated Public Place) Order 2013) – Non-Pecuniary Interest as a ward member for the area.

Councillor Body – Minute No. 116 of the Taxis Committee (Review of Private Hire Driver's Licence) - Non-pecuniary interest as he knew the complainant.

Councillor Wright – References to Midland Heart – Non-pecuniary interest as a tenant of Midland Heart.

Councillor Crumpton – All matters affecting schools – Non-pecuniary interest as a relative worked as a supply teacher.

Councillor A Aston – Any references to matters affecting West Midlands Ambulance Service (WMAS) – Pecuniary interest as an employee of WMAS.

Councillor M Aston – Delegated Decision Sheet No. 7 (Leadership and Management of Children’s Centres) – Non-pecuniary interest due to involvement with Priory Children’s Centre.

Councillor Boleyn – Minute No. 32 of the Regeneration, Culture and Adult Education Scrutiny Committee (Glass Museum – Project Development) – Pecuniary Interest as Secretary to the Trustees of British Glass Foundation.

Councillor Evans – Any references to Queen Victoria’s Children’s Centre – Non-pecuniary interest as a Member of the Advisory Board.

The Chief Executive, Directors, Assistant Directors and the Treasurer – interests as previously noted in the Minutes of the Cabinet on 12th February, 2013 - Agenda Item No. 6(c) – (Pay Policy Statement) in view of the financial information and employment terms and conditions referred to in the report.

60 MINUTES

RESOLVED

That the minutes of the meeting of the Council held on 26th November, 2012 be confirmed as a correct record and signed.

61 MAYOR’S ANNOUNCEMENTS

(a) Councillor B Sykes

The Mayor welcomed Councillor Sykes to the first full Council meeting since her election for the Wollaston and Stourbridge Town ward at the by-election on 31st January, 2013.

(b) Bessie Priest – Silver Award – Social Worker of the Year

The Mayor reported that Bessie Priest, an employee of the Children’s Services Directorate, had recently achieved a silver award in the Social Worker of the Year Awards. Following remarks from Councillor Crumpton, the Mayor presented the award to Bessie Priest and the Council congratulated her on this achievement. Ms Priest addressed the Council.

(c) Honorary Freeman J. T. Wilson MBE

The Mayor referred in sympathetic terms to the recent death of Honorary Freeman J. T. Wilson MBE. The Council observed a period of silence as a token of respect to his memory. Members of the Council then paid individual tributes. The funeral would be held on 6th March, 2013.

(d) Mayor's Ball

The Mayor reported that the Mayor's Ball would be on 22nd March, 2013 at the Copthorne Hotel, Brierley Hill.

(e) Mayor's Attendant - Coast to Coast Challenge in Costa Rica

The Mayor welcomed the safe return of his Attendant, Mike Crannage, who had successfully completed the Coast to Coast Challenge in Costa Rica in support of the Mayor's Charity Fund.

(f) Mayor's Chaplain

The Mayor congratulated his Chaplain, Heather Humphrey, on becoming a Canon in November, 2012. She had been appointed as a Member of the College of Canons at Worcester Cathedral.

(g) Mayor's Charity Indoor Cricket Tournament

The Mayor reported that a Charity Cricket event would be held at the former Pensnett High School on 2nd March, 2013.

(h) Leader of the Opposition Group

The Mayor congratulated Councillor Harley on his recent election as the Leader of the Opposition Group on the Council.

62 FREEDOM OF THE BOROUGH APPOINTMENTS

A report of the Chief Executive was submitted.

It was moved by Councillor Sparks and seconded by Councillor Ali

That the criteria set out in paragraphs 6 and 7 and the mechanism for making a recommendation, as outlined in paragraphs 8 and 9 of the report now submitted, be approved and adopted.

The following amendment was moved by Councillor Harley and seconded by Councillor Wright

That the wording of (b) of the criteria as described in paragraph 6 of the report be amended to read

'Any person born in the Borough or with a particular connection with the Borough who has made an eminent contribution to charity or voluntary work that has benefitted either the Borough or its people.'

and in addition, (c) be amended to read

‘Any person born in the Borough or with a particular connection with the Borough who has made an eminent contribution to the life of the Borough or to its people, in the fields of culture, medicine, science, social care, the economy, education, public services, politics, sport or entertainment.’

Following a speech by the mover of the original motion, the amendment was put to the vote and lost.

The original motion was thereupon put to the meeting and it was

RESOLVED

That the criteria set out in paragraphs 6 and 7 and the mechanism for making a recommendation, as outlined in paragraphs 8 and 9 of the report now submitted, be approved and adopted.

63 CAPITAL PROGRAMME MONITORING

A report of the Cabinet was submitted.

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

RESOLVED

- (1) That current progress with the 2012/13 Capital Programme, as set out in Appendix A to the report now submitted, be noted and that budgets be amended to reflect the reported variances.
- (2) That the further allocation of Disabled Facilities Grant (DFG) funding of £263,000 be noted and the associated expenditure included in the Capital Programme, and that a further £350,000 of Adult Social Care revenue resources be used to fund DFGs, as set out in paragraph 8 of the report now submitted.
- (3) That the contribution of £100,000 to the redevelopment of Gibbs Road House be approved and included in the Capital Programme, as set out in paragraph 9 of the report now submitted.
- (4) That the contribution of £68,000 to the improvement works being undertaken to CHADD House be approved and included in the Capital Programme, as set out in paragraph 10 of the report now submitted.
- (5) That the £550,000 allocation for Housing Assistance Grants be continued on an ongoing basis and included in the Capital Programme, as set out in paragraph 11 of the report now submitted.
- (6) That the Community Capacity Grant allocations be noted, and the associated spend on relevant Adult Personal Social Services projects be included in the Capital Programme, as set out in paragraph 12 of the report now submitted.

- (7) That the award from the Fuel Poverty fund be noted, and the associated expenditure included in the Capital Programme, as set out in paragraph 13 of the report now submitted.
- (8) That the Council's contribution of £120,000 to the re-provision of the Saltwells Wardens' Base be approved and the project be included in the Capital Programme, as set out in paragraph 14 of the report now submitted.
- (9) That the Weekly Collection Support Scheme funding allocation for Recycling be noted, and that the related project be approved and included in the Capital Programme, as set out in paragraph 15 of the report now submitted.
- (10) That the Wheeled Bins project be approved and included in the Capital Programme, as set out in paragraph 16 of the report now submitted.
- (11) That the Recycling Bunker project be approved and included in the Capital Programme, as set out in paragraph 17 of the report now submitted.
- (12) That the Depot Improvements project be approved and included in the Capital Programme, as set out in paragraph 18 of the report now submitted.
- (13) That the Stourbridge Crematorium Improvement project be approved and included in the Capital Programme, as set out in paragraph 19 of the report now submitted.
- (14) That the funding allocation for Highway Maintenance be noted and the associated expenditure included in the Capital Programme, as set out in paragraph 20 of the report now submitted.
- (15) That the submission of the bid in partnership with Wolverhampton City Council for Local pinch point funding to improve the A4123 Birmingham New Road junction with Shaw Road be approved and that subject to the bid being successful the project be included in the Capital Programme, as set out in paragraph 21 of the report now submitted.
- (16) That the improvement works to Car Park Infrastructure be approved and included in the Capital Programme, as set out in paragraph 22 of the report now submitted.
- (17) That the allocation of capital funding for New 2 Year Old Places be noted and the associated spend included in the Capital Programme, as set out in paragraph 23 of the report now submitted.
- (18) That the Capital Programme be amended to include an increase in the capital budget of £472,000 for the Transforming Our Workplace project, as set out in paragraph 24 of the report now submitted.

- (19) That the Prudential Indicators as required to be determined by the Chartered Institute of Public Finance and Accountancy (CIPFA) Prudential Code for Capital Finance in Local Authorities and the Local Government Act 2003, as set out in Appendix B to the report now submitted, be approved.
 - (20) That the Minimum Revenue Provision (MRP) Policy for 2013/14 be approved as set out in paragraph 28 of the report now submitted.
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64 DEPLOYMENT OF RESOURCES: HOUSING REVENUE ACCOUNT AND PUBLIC SECTOR HOUSING CAPITAL

A report of the Cabinet was submitted.

It was moved by Councillor K Ahmed, seconded by Councillor Ali and

RESOLVED

- (1) That the revised Housing Revenue Account budget for 2012/13 and the Housing Revenue Account budget for 2013/14, as outlined in Appendix 1 to the report now submitted, be approved.
- (2) That the public sector housing revised capital budget for 2012/13 and the capital budget for 2013/14 to 2017/18, as set out in Appendix 2 to the report now submitted, be approved.
- (3) That the Director of Adult, Community and Housing Services and the Director of Corporate Resources be authorised to bid for and enter into funding arrangements for additional resources to supplement investment in the public sector housing stock, as outlined in paragraphs 23 and 24 of the report now submitted.
- (4) That the Director of Adult, Community and Housing Services, in consultation with the Cabinet Member for Housing, Libraries and Adult Learning, be authorised to manage and allocate resources to the capital programme, as outlined in paragraph 25 of the report now submitted.
- (5) That the Council confirm that all capital receipts arising from the sale of Housing Revenue Account assets (other than those specifically committed to support private sector housing) should continue to be used for the improvement of Council homes, as outlined in paragraph 25 of the report now submitted.
- (6) That the Director of Adult, Community and Housing Services, in consultation with the Cabinet Member for Housing, Libraries and Adult Learning be authorised to procure and enter into contracts for the delivery of the capital programme, as outlined in paragraph 26 of the report now submitted.

- (7) That the Housing Revenue Account medium term financial strategy, as outlined in Appendix 4 to the report now submitted, be approved.
-

65 PAY POLICY STATEMENT

A report of the Cabinet was submitted.

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

RESOLVED

That the pay policy statement, as set out in the Appendix to the report now submitted, be approved and adopted.

66 ERNEST STEVENS TRUSTS MANAGEMENT COMMITTEE

A report of the Cabinet was submitted.

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

RESOLVED

- (1) That an Ernest Stevens Trusts Management Committee be established with the terms of reference, as outlined out in Appendix 1 to the report now submitted, subject to the deletion of the word "Mary" from paragraph 1(1) of the terms of reference.
 - (2) That the Committee comprise a total of six Members, with one Councillor being appointed to represent each of the following wards in accordance with the overall political balance requirements of the Local Government and Housing Act 1989 (currently Labour 4; Conservative 2):-

Cradley and Wollescote
Lye and Stourbridge North
Norton
Pedmore and Stourbridge East
Quarry Bank and Dudley Wood
Wollaston and Stourbridge Town.
 - (3) That the Chair and Vice-Chair and Members be appointed to serve on the Committee for the remainder of this municipal year based on the nominations submitted to the Director of Corporate Resources by the two Group Leaders.
 - (4) That no special responsibility allowances be paid to the Chair and Vice-Chair of the Committee pending a review of the Members' Allowances Scheme during 2013.
-

67 TREASURY MANAGEMENT

A report of the Audit and Standards Committee was submitted.

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

RESOLVED

- (1) That the treasury activities in 2012/13, as outlined in the report now submitted, be noted.
- (2) That the Treasury Strategy 2013/14, attached as Appendix 2 to the report now submitted, be approved.
- (3) That the Treasurer be authorised to effect such borrowings, repayments and investments as are appropriate and consistent with the approved Treasury Strategy and relevant guidance.

68 REVISED WORDING OF THE SEVEN PRINCIPLES IN PUBLIC LIFE

A report of the Audit and Standards Committee was submitted.

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

RESOLVED

That the Director of Corporate Resources be authorised to update the Members' Code of Conduct and any other references in the Constitution or associated documentation to include the revised wording of the seven principles in public life.

69 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 Chairs agreed to have reconsidered.

The meeting ended at 8.22 p.m.

MAYOR

DUDLEY METROPOLITAN BOROUGH

**MINUTES OF THE PROCEEDINGS OF THE COUNCIL
AT AN EXTRAORDINARY MEETING HELD PURSUANT
TO SECTION 249 OF THE LOCAL GOVERNMENT ACT 1972**

**ON MONDAY, 25TH FEBRUARY, 2013 AT 8.30 PM
AT THE COUNCIL HOUSE, DUDLEY**

PRESENT:-

Councillor Mottram (Mayor)
Councillor A Finch (Deputy Mayor)
Councillors A Ahmed, K Ahmed, Ali, Mrs Ameson, A Aston, M Aston, Attwood, Mrs Billingham, Bills, Blood, Body, Boleyn, Branwood, Burston, Casey, Caunt, Cowell, Crumpton, Duckworth, Elcock, Evans, Foster, Hale, Hanif, Harley, Harris, Hemingsley, Herbert, Hill, James, J Jones, Jordan, Lowe, Marrey, J Martin, Mrs P Martin, Miller, Ms Nicholls, Partridge, Perks, Ridley, Roberts, Mrs Rogers, Russell, Mrs Simms, Sparks, Sykes, Taylor, K Turner, S Turner, Tyler, Vickers, Mrs Walker, Waltho, Mrs Westwood, C Wilson, M. Wilson, Wood, Wright and Zada together with the Chief Executive and other Officers.

70

APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors Arshad, Cotterill, Davies, K Finch, Islam, L Jones, Kettle, Mrs Shakespeare, Mrs H Turner and Woodall.

71

DECLARATIONS OF INTEREST

No declarations of interests, in accordance with the Members' Code of Conduct, were made in respect of the business to be transacted at this Extraordinary Meeting of the Council.

72

HONORARY FREEMAN

A report of the Chief Executive was submitted on a Freeman of the Borough appointment pursuant to Section 249 of the Local Government Act 1972.

On the motion of Councillor Sparks, and seconded by Councillor Ali, it was

RESOLVED

- (1) That pursuant to Section 249 of the Local Government Act 1972, and in accordance with the criteria adopted by the Council on 25th February, 2013, this Council hereby appoints Mr Lenworth George Henry CBE (known as Lenny Henry) as an Honorary Freeman of the Borough.
- (2) That the Chief Executive be authorised to make the necessary arrangements for a presentation ceremony.

The meeting ended at 8.40 p.m.

MAYOR

DUDLEY METROPOLITAN BOROUGH

MINUTES OF THE PROCEEDINGS OF THE COUNCIL
AT THE MEETING HELD ON MONDAY, 4TH MARCH, 2013
AT 6.00 PM AT THE COUNCIL HOUSE, DUDLEY

PRESENT:-

Councillor Mottram (Mayor)
Councillor A Finch (Deputy Mayor)
Councillors A Ahmed, K Ahmed, Ali, Mrs Ameson, Arshad, A Aston, M Aston, Attwood, Mrs Billingham, Bills, Blood, Body, Boleyn, Branwood, Burston, Casey, Caunt, Cowell, Crumpton, Davies, Duckworth, Elcock, Evans, K Finch, Foster, Hale, Hanif, Harley, Harris, Hemingsley, Herbert, Hill, James, J Jones, Jordan, Lowe, Marrey, J Martin, Mrs P Martin, Miller, Ms Nicholls, Partridge, Perks, Ridney, Roberts, Mrs Rogers, Russell, Mrs Simms, Sparks, Sykes, Taylor, Mrs H Turner, K Turner, S Turner, Tyler, Vickers, Mrs Walker, Waltho, Mrs Westwood, C Wilson, M Wilson, Wood, Wright and Zada; together with the Chief Executive and other Officers.

PRAYERS

The Mayor's Chaplain led the Council in prayer.

73

APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received on behalf of Councillors Cotterill, Islam, L Jones, Kettle, Shakespeare and Woodall.

74

DECLARATIONS OF INTEREST

Declarations of interests, in accordance with the Members' Code of Conduct, were made by the following Members in respect of Minute No. 77 below:

Councillor Wright - References to Midland Heart – Non-pecuniary interest as a tenant of Midland Heart.

Councillor Crumpton – All matters affecting schools – Non-pecuniary interest as a relative worked as a supply teacher.

Councillor A Aston – Any references to matters affecting West Midlands Ambulance Service (WMAS) – Pecuniary interest as an employee of WMAS.

Councillor Boleyn – References to British Glass Foundation - Pecuniary Interest as Secretary to the Trustees.

Councillor Hill – Budget issues impacting on Adult Social Care – Non-pecuniary interest as family members were employed by the service.

Councillor Evans – Any references to Queen Victoria's Children's Centre – Non-pecuniary interest as a member of the advisory board.

75

MAYOR'S ANNOUNCEMENTS

(a) Mayor's Charity Indoor Cricket Tournament

The Mayor thanked all those who had participated in the indoor cricket event held on 2nd March, 2013. Approximately £300 had been raised for the Mayor's Charity Fund.

(b) Mayor's Attendant - Coast to Coast Challenge in Costa Rica

The Mayor asked that any outstanding sponsorship monies or additional donations be submitted to his Attendant, Mike Crannage. The T-shirt raffle draw would be held shortly.

(c) Mayor's Ball

The Mayor reported that tickets for the Mayor's Ball on 22nd March, 2013 were available from the Mayor's Secretary.

(d) Charity Tandem Ride

The Mayor reported that he, along with the Deputy Mayor, would be undertaking a Charity tandem bike ride from Dudley to Halesowen on a date to be arranged.

76

SUSPENSION OF COUNCIL PROCEDURE RULES

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

RESOLVED

That, under Council Procedure Rule 22.1, the time restriction of five minutes referred to in Council Procedure Rule 14.4, be suspended to enable the Cabinet Member for Finance and the Lead Spokesperson for the Opposition Group to speak for longer than five minutes on Minute No. 77 below and to enable the Cabinet Member for Finance to speak for longer than five minutes to exercise his right of reply to the debate.

REVENUE BUDGET STRATEGY AND SETTING THE COUNCIL TAX 2013/14

A joint report of the Chief Executive and the Treasurer was submitted, setting out recommendations concerning the deployment of General Fund Revenue Resources, a number of statutory calculations that had to be made by the Council and the Council Tax to be levied for the period from 1st April, 2013 to 31st March, 2014.

It was moved by Councillor Lowe and seconded by Councillor Ali, that the recommendations in paragraphs 67 to 70 (inclusive) in the report on the Revenue Budget Strategy and Setting the Council Tax for 2013/14, be approved and adopted.

Following the debate, Councillor Lowe was afforded and exercised his right of reply pursuant to Council Procedure Rule 14.11(b). The motion was put to the vote and it was

RESOLVED

- (1) That the budget for 2013/14 and service allocations, as set out in the report now submitted, be approved as follows:

Service	£m
Children's Services	68.458
Adult, Community and Housing Services	103.487
Urban Environment	56.213
Corporate Resources	15.618
Chief Executive's	3.849
Total Service Budget	247.625

- (2) That the Council Tax Freeze Grant be accepted for 2013/14.
- (3) That the statutory amounts required to be calculated for the Council's spending, contingencies and contributions to reserves; income and use of reserves; transfers to and from its collection fund; and Council Tax requirement, as referred to in Section 67(2)(b) be now calculated by the Council for the year 2013/14 in accordance with Sections 31A, 31B and 34 to 36 of the Local Government and Finance Act 1992 as shown below:-

- (a) £733.233000m being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) of the Act (*The Council's spending, contingencies, contribution to reserves and specified transfers from the general*

fund to the collection fund).

(b) £640.414000m being the aggregate of the amounts which the Council estimates for the items set out in Sections 31A (3) of the Act (*The Council's income, use of reserves, and specified transfers from the collection fund to the general fund*).

(c) £92.819000m being the amount by which the aggregate at (a) above exceeds the aggregate at (b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year.

(d) £1125.3737 being the amount at (c) above divided by the Council Tax base of 82478.38, calculated by the Council, in accordance with Section 31B (1) of the Act, as the basic amount of its Council Tax for the year.

(e) Dudley Council Tax for each Valuation Band

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
750.25	875.29	1000.33	1125.37	1375.46	1625.54	1875.62	2250.75

being the rounded amounts given by multiplying the amount at (d) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different bands.

(f) Precepts for each Valuation Band

That it be noted for the year 2013/14, that the major precepting authorities have issued the following amounts in precepts to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of the dwellings shown below:

	A £	B £	C £	D £	E £	F £	G £	H £
West Midlands Police	68.29	79.67	91.05	102.43	125.19	147.95	170.72	204.86
West Midlands Fire and Rescue	35.21	41.08	46.95	52.82	64.55	76.29	88.03	105.63

- (4) That, having calculated the aggregate in each case of the amounts in Appendix 8 to the report now submitted, the Council, in accordance with Section 30(2) of the Local Government Finance Act, 1992, agrees the following levels of Council Tax for 2013/14:

Valuation Bands

A £	B £	C £	D £	E £	F £	G £	H £
853.75	996.04	1138.33	1280.62	1565.20	1849.78	2134.37	2561.24

- (5) That 2012/13 budgets be revised to reflect the variances set out in paragraph 8 of the report now submitted.
- (6) That the Chief Executive, in consultation with the Director of Public Health and the Cabinet Member for Health and Wellbeing, be authorised to determine allocation of the available public health grant funding for 2013/14.
- (7) That the 20% discretionary rates relief currently awarded by the Council to Voluntary Aided (VA) schools be removed from 2014/15.
- (8) That the Medium Term Financial Strategy (MTFS), as set out in the report now submitted, be approved.

- (9) That the Council determines that a referendum relating to Council Tax increases is not required in accordance with Chapter 4ZA of Part 1 of the Local Government Finance Act 1992.
- (10) That Cabinet Members, the Chief Executive and Directors be authorised to take all necessary steps to implement the proposals contained in the report now submitted, in accordance with the Council's Financial Management Regime.
- (11) That the Chief Executive and Directors be reminded to exercise strict budgetary control in accordance with the Financial Management Regime and care and caution in managing the 2013/14 budget, particularly in the context of commitments into later years and the impact that any overspending in 2013/14 will have on the availability of resources to meet future budgetary demands.

The meeting ended at 9.15 p.m.

MAYOR

Meeting of the Council – 15th April, 2013

Report of the Cabinet

Capital Programme Monitoring and External Funding

Purpose of Report

1. To report progress on the implementation of the Capital Programme.
2. To propose amendments to the Capital Programme and give consideration to external funding issues.

Background

3. At the meeting on 20th March, 2013, the Cabinet considered a report on Capital Programme Monitoring and External Funding and made recommendations to the Council as contained in this report.
4. The table below summarises the *current* 3 year Capital Programme updated where appropriate to reflect latest scheme spending profiles.

Service	2012/13	2013/14	2014/15
	£'000	£'000	£'000
Public Sector Housing	35,517	36,814	31,629
Other Adult, Community & Housing	8,605	5,687	1,407
Urban Environment	13,596	31,671	13,541
Children's Services	11,652	17,168	67
Corporate Resources	3,339	1,755	920
TOTAL	72,709	93,095	47,564

Note that the capital programme for future years is in particular subject to government grant allocations, some of which have not yet been announced.

5. In accordance with the requirements of the Council's Financial Regulations, details of progress with the 2012/13 Programme are given in Appendix A. It is proposed that the current position be noted, and that budgets be amended to reflect the reported variances.

Adult, Community and Housing Services

Redistribution of Kickstart Funding

6. The Kickstart programme provided assistance to improve housing conditions in the private sector through equity and repayment loans. This was administered through a consortium with seventeen other local authorities known as West Midlands Kickstart Partnership, with funding from the Government's Regional Housing Pot. When the Kickstart programme ended, unused funds were redistributed to partner Authorities and as a result the Council has received £252,000. It is proposed to reinvest these funds through our current Housing Assistance schemes to continue to improve the condition of properties occupied by vulnerable households in the private sector, and that this expenditure be included in the Capital Programme.

7. Green Deal/Energy Company Obligation (ECO) Update and Home Energy Conservation Act (HECA)

The Cabinet has considered a separate report from the Director of Adult, Community and Housing Services on the Green Deal and Energy Company Obligation (ECO). The report referred to joint Black Country work that has been undertaken and further proposed work at a local level. The report also dealt with the approval of the Council's Home Energy Conservation Act return. The full report is available on the Internet (via the Committee Management Information System) and a copy can be supplied to any Member on request from Democratic Services (01384 815235).

On consideration of the report, the Cabinet resolved:

- (1) That the report be noted.
- (2) That the various options for delivering Green Deal/ Energy Company Obligations in Dudley be developed further to finalise the Borough's approach to Green Deal/ Energy Company Obligations and that a further report be submitted to a future meeting of the Cabinet for decision.
- (3) That the Council be recommended to authorise the Cabinet Member for Housing, Libraries and Adult Learning, the Director of Adult, Community and Housing Services and the Director of Corporate Resources to bid for and enter into an Energy Company Obligations funding arrangement.
- (4) That the Dudley Home Energy Conservation Act report be approved and made publicly available on the Council's internet site.

The Council is recommended to endorse the decision of the Cabinet as set out in (3) above.

Children's Services

Schools Grant Allocations 2013/14

8. The following grant funding has been allocated to the Council for schools capital investment.

	£m
Devolved Capital	0.820
This will be allocated to projects by schools on the basis of their own priorities.	
Capital Maintenance	3.847
This will be allocated on the basis of priorities with regard to health and safety issues, building condition surveys and access needs.	
Basic Need – New Pupil Places (2013/14 & 2014/15)	3.119
This will be allocated to specific projects following appropriate consultation and evaluation of options.	
Total	7.786

It is proposed that the allocations be noted, and the associated spend included in the Capital Programme.

Urgent Amendments to the Capital Programme

Council Housing New Build (Care and Support Specialised Housing)

9. The Homes and Communities Agency (HCA) announced at the end of October 2012 capital grants worth up to £300m to support development and stimulate the specialised housing market over the next five years. Specifically, £160m is being made available to support the development of affordable specialist housing for older people and adults with disabilities outside London.

Evidence shows that investment in specialised housing for older people and adults with disabilities or mental health problems is cost-effective and has a positive impact on health and social care spend.

It is proposed to explore opportunities for development of specialised council housing utilising Housing Revenue Account (HRA) sites that have been identified for disposal but have no sale pending. Two sites / schemes are planned:

- The Walk, Sedgley – 6 supported apartments plus (funded from HRA) 3 general needs houses.
- Norfolk Road, Wollaston – 8 supported apartments.

The proposed bid follows the Council's successful construction of 72 new council homes supported by the HCA, including 18 supported apartments. There remains considerable demand for appropriate homes where people with learning disabilities can live independently with support. The bid will provide additional affordable housing, particularly in areas where there is a shortage of appropriate dwellings. It will also contribute towards regeneration and the use of infill land which is currently vacant.

It is expected that the outcome of the bidding process will be known in May 2013. In the event of this bid not being successful, a report will be brought to a future Cabinet meeting regarding the prioritisation of the New Build capital budget.

Resources totalling £2,100,000 over the two financial years 2013-14 and 2014-15 have been identified for this scheme within the Council's Capital Programme. This budget will also support the construction of 3 general needs council homes, funded by the Council. The bid requests HCA grant support at a rate of £27,500 per unit, or £385,000 in total. The balance of the costs will be met from existing HRA resources, Section 106 development funds to support affordable housing, and capital receipts from Right to Buy sales.

To comply with bid timescales, a decision (ref. DCR/05/2013) was made by the Leader of the Council in consultation with the Cabinet Member for Housing, Libraries and Adult Learning, Director of Adult, Community and Housing Services, and the Treasurer on 5th February 2013 to submit a bid for HCA Care and Support Specialised Housing Fund grant for the construction of 14 supported apartments for people with learning disabilities and that the project be included in the Capital Programme.

Directorate of Adult, Community and Housing Services (DACHS) - Accommodation

10. A review of current DACHS accommodation outside Dudley town centre has been undertaken, with a view to rationalising operational accommodation, delivering further savings in line with the Transforming our Workplace agenda and DACHS future accommodation strategy.

Harbour Buildings at the Waterfront, Brierley Hill, has been identified as the most suitable building to accommodate around 400 staff relocating from 6 buildings. Initially around 120 staff will relocate from Capstan House, Waterfront, 60 staff from the central Dudley campus and 50 staff from Falcon House, Dudley. In addition, 90 staff will move from Solus House and 60 staff from Forge House in 2014-15, when the leases on these buildings come to an end. The proposal will deliver annual revenue savings for rent and service charges rising to £150,000 per year once all moves are completed.

Refurbishment work is currently being undertaken by the landlord, to bring the building back to its original condition. £250,000 is required to fit the building out so that it meets our specific requirements, including cabling, fittings and partitioning. These costs can be funded from HRA resources.

The Landlord's contractor is already on site and the Council's fit-out can be delivered more economically if undertaken at the same time as the landlord's refurbishment. To fit in with these timescales, a decision (ref. DCR/07/2013) was made by the Leader of the Council in consultation with the Treasurer on 15th February 2013 that the project to refurbish Harbour Buildings at the Waterfront to meet the Council's specific requirements to accommodate DACHS be included in the Capital Programme.

Finance

11. This report is financial in nature and information about the individual proposals is contained within the body of the report.

Law

12. The Council's budgeting process is governed by the Local Government Act 1972, the Local Government Planning and Land Act 1980, the Local Government Finance Act 1988, the Local Government and Housing Act 1989, and the Local Government Act 2003.

Equality Impact

13. These proposals comply with the Council's policy on Equality and Diversity.
14. With regard to Children and Young People:
- The Capital Programme for Children's Services will be spent wholly on improving services for children and young people. Other elements of the Capital Programme will also have a significant impact on this group.
 - Consultation is undertaken with children and young people, if appropriate, when developing individual capital projects within the Programme.
 - There has been no direct involvement of children and young people in developing the proposals in this report.

Recommendations

15. The Council is recommended:
- That current progress with the 2012/13 Capital Programme, as set out in Appendix A, be noted and that budgets be amended to reflect the reported variances.
 - That the Council's redistributed Kickstart funding of £252,000 be reinvested through current Housing Assistance Grants schemes, and that this expenditure be included in the Capital Programme, as set out in paragraph 6.
 - That the Cabinet Member for Housing, Libraries and Adult Learning, the Director of Adult, Community and Housing Services and the Director of Corporate Resources be authorised to bid for and enter into an Energy Company Obligations funding arrangement as referred to in paragraph 7.
 - That the Schools Grant allocations be noted, and the associated spend included in the Capital Programme, as set out in paragraph 8.
 - That the urgent amendments to the Capital Programme, as set out in paragraphs 9 and 10, be noted.



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Leader of the Council

2012/13 Capital Programme Progress to Date

Service	Budget £'000	Spend to 31 st January £'000	Forecast £'000	Variance £'000	Comments
Public Sector Housing	35,517	20,423	35,517	-	
Other Adult, Community & Housing	8,605	5,685	8,605	-	
Urban Environment	13,596	8,821	13,643	+47	See note 1
Children's Services	11,652	8,776	11,652	-	
Corporate Resources	3,339	1,826	3,339	-	
TOTAL	72,709	45,531	72,756	+47	

Note 1: Overspend of £47,000 on the New Salt Barn and Green Waste Facility - as a result of unavoidable building materials contractor change due to availability / quality issues. To be funded from revenue budgets.