

Minutes of the Cabinet

Wednesday, 29th October, 2014 at 6 p.m.
in Committee Room 2, The Council House, Dudley

Present:

Councillor D Sparks – Leader of the Council (Chair)
Councillor P Lowe – Deputy Leader (Vice-Chair)
Councillors A Ahmed, H Bills, T Crumpton, J Foster and G Partridge.

Opposition Group Members nominated to attend meetings of the Cabinet

Councillors A Goddard, P Harley, L Jones, N Neale, D Vickers and M Wood (Conservative Group); Councillors P Brothwood and B Etheridge (UKIP Group)

Officers:

J Polychronakis (Chief Executive), J Millar (Director of the Urban Environment), P Tart (Director of Corporate Resources), P Sharratt (Interim Director of Children's Services), I Newman (Treasurer), D Channings (Assistant Director of Housing Services), T Reilly (Assistant Director of Human Resources and Organisational Development) and R Sanders (Assistant Principal Officer – Democratic Services).

31 Apologies for absence

Apologies for absence from the meeting were received from Councillors D Branwood, S Etheridge, R Harris, R James, P Miller and G Simms.

32 Changes in representation of Opposition Groups' Members

Councillors A Goddard, L Jones and N Neale were serving in place of Councillors R James, G Simms and P Miller, respectively, for the Conservative Group and Councillor B Etheridge for Councillor S Etheridge for the UKIP Group, for this meeting of the Cabinet only.

33 Declarations of Interest

Councillor D Sparks declared a pecuniary interest, in accordance with the Members' Code of Conduct, in agenda item no 6 (Capital Programme Monitoring), in so far as paragraphs 9 and 14 of the report submitted to the meeting were concerned, in view of the fact that a member of his family owned a property in Lea Vale Road, Stourbridge.

34 **Minutes**

Resolved

That the minutes of the meeting of the Cabinet held on 1st October, 2014 be approved as a correct record and signed.

35 **Medium Term Financial Strategy**

The Cabinet considered a joint report of the Chief Executive and Treasurer seeking consideration of the latest General Fund revenue position for 2014/15 and Medium Term Financial Strategy to 2017/18 and which presented spending and funding options.

In the discussion on the report, particular reference was made to and questions asked by the Opposition Groups on the projected overspending on Looked After Children, in the light of the revised predictions indicated in paragraphs 6 to 8 of the report, to which the Deputy Leader, as Cabinet Member for Finance, and the Cabinet Member for Children's Services responded.

Assurances regarding two facilities within the Adult, Community and Housing budget were requested by an Opposition Group Member, but the Deputy Leader, as Cabinet Member for Finance, regretted that he was unable to provide them in the current budgetary climate.

Resolved

- (1) That the Cabinet note the forecast favourable variances in relation to Treasury in paragraph 5 of the report; the forecast unfavourable variances in relation to Children's Services and the implications for future years set out in paragraphs 6 to 8 of the report; and the overall risk to General Fund balances set out in paragraph 10 of the report.
- (2) That all senior managers be reminded of the need for strict budgetary control in accordance with the Financial Management Regime and care and caution in managing the budget, particularly in the context of commitments into later years and the impact that any overspending in any one year will have on the availability of resources to meet future budgetary demands.
- (3) That the preliminary strategy outlined above as a basis for consultation, including the proposed allocation of Public Health funding for 2015/16 as set out in Appendix C of the report, be approved.
- (4) That the various issues and risks which will need to be taken into

account in finalising Budget proposals for 2015/16, and the Medium Term Financial Strategy, be noted.

- (5) That the Council be recommended:
- (a) That, in respect of the Council Tax Reduction Scheme(CTR), the transitional arrangement be terminated on 31st March 2015 and that the full 20% cut be implemented from 1st April 2015, and that full protection should be given to pensioners, disabled adults, disabled children, war pensioners and lone parents with a child under 5, as set out in paragraph 21 of the report.
 - (b) That delegated powers be given to the Director of Corporate Resources for making other changes to the documented CTR 2015/16 scheme in line with any government prescribed regulations, upratings and other minor miscellaneous amendments; the resulting 2015/16 scheme documentation to be published on the Council's website before 31st January 2015.
 - (c) That the delegation for approval of voluntary redundancies to the Cabinet Member for Human Resources, Legal, Property and Health and the Director of Corporate Resources, and of compulsory redundancies to the Cabinet Member for Human Resources, Legal, Property and Health and the Assistant Director for Human Resources and Organisational Development be confirmed up to an initial maximum of £5.0m for direct redundancy costs and the capitalised cost of pension strain, in respect of redundancies required to achieve the proposed savings set out in the report.

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

36 **Capital Programme Monitoring**

(Having declared a pecuniary interest in this item, in so far as it related to Lea Vale Road, Stourbridge, the Leader of the Council left the meeting and the meeting room prior to consideration of the item and the chair was taken by the Deputy Leader for the remainder of the meeting.)

The Cabinet considered a joint report of the Chief Executive and Treasurer on progress with the implementation of the Capital Programme, and which proposed amendments to the Programme.

Resolved

That the Council be recommended:

- (1) That current progress with the 2014/15 Capital Programme, as set out in Appendix A of the report, be noted, and that budgets be amended to reflect the reported variances.
- (2) That £600,000 of funding be reallocated from the Housing Assistance Grants budget in order to address pressures on waiting lists for Disabled Facilities Grants in 2014/15, as set out in paragraph 5 of the report.
- (3) That the allocation of funding for the North Priory Community Centre be noted, and the project included in the Capital Programme, as set out in paragraph 6 of the report.
- (4) That the Clean Vehicle Technology funding allocation be noted and the expenditure included in the Capital Programme, as set out in paragraph 7 of the report.
- (5) That the revised funding for the third phase of the Dudley Grid for Learning project be approved, as set out in paragraph 8 of the report.
- (6) That the Urgent Amendment to the Capital Programme, as set out in paragraph 9 of the report, be noted.

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

37 **Review of Housing Finance**

The Cabinet considered a joint report of the Director of Adult, Community and Housing Services and the Treasurer which proposed revisions to the Housing Revenue Account (HRA) budgets to reflect latest financial forecasts, and the Public Sector Housing capital programme. The report also sought approval to the HRA's 30 year Business Plan.

In response to a question regarding the budget of £40.6 million for new build, the Cabinet Member for Housing and Community Safety indicated that this was an indicative budget at this stage and that a more comprehensive report would be submitted in due course.

Resolved

- (1) That the Council be recommended that the revised Housing Revenue Account (HRA) budget for 2014-15 as referred to in paragraphs 5 to 13 of the report and as set out in Appendix 1 to the report, be approved.
- (2) That the Council be recommended that the revised Public Sector Housing capital programme for 2014-15 to 2018-19 as set out in paragraphs 14 to 16 and appendix 2 to the report, including the increase in HRA borrowing in 2015-16 and 2016-17 to fund new

building under the Local Growth Fund, be approved

- (3) That the Director of Adult, Community and Housing Services be authorised to buy back former right to buy properties and to buy other properties, either via mortgage rescue or on the open market, subject to a robust assessment that the property will be purchased at a discounted price that offers good value for money and will be sustainable in terms of lettings, maintenance and major works, as set out in paragraph 17 of the report, and that the Council be recommended to approve that these be added to the capital programme as they are purchased.
- (4) That the redevelopment of the site of 14 to 24 Beech Road, in accordance with paragraph 18 of the report be approved, and the following be authorised in this connection:
 - (a) the acquisition of the leasehold interest of flat 22a Beech Road
 - (b) the termination of the lease of shop 20 Beech Road and the payment of statutory compensation equal to twice rateable value
 - (c) the rehousing of remaining existing tenants and the payment of home loss and disturbance payments
 - (d) approval to acquire or divert vehicular access rights to the rear of 24 Pine Close if necessary
 - (e) approval of any other agreement necessary to facilitate the redevelopment of the site
 - (f) approval to use Compulsory Purchase Order powers for the acquisitions, should negotiation fail.
- (5) That the introduction of a charge of £50 with effect from 1st January, 2015 for the provision of solicitors' information packs for leaseholders, as set out in paragraph 19 of the report submitted to the meeting, be approved.
- (6) That the HRA 30 Year Business Plan, as set out in paragraph 20 and appendix 3 of the report, be approved.

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

38 **Dudley Town Centre Regeneration**

The Cabinet considered a joint report of the Director of the Urban Environment and Director of Corporate Resources providing an update on
C/22

regeneration activity in and around Dudley Town Centre and which also sought approval to the inclusion of the proposed improvements to Coronation Gardens in the Capital Programme.

Resolved

- (1) That the regeneration activity in and around Dudley Town Centre, as referred to in the report, be noted.
- (2) That the Council be recommended that the proposed improvements to Coronation Gardens, as referred to in the report, be approved and included in the Capital Programme.

39 **Business Improvement District**

The Cabinet considered a report of the Director of the Urban Environment seeking authority to working with businesses in Halesowen and Stourbridge on the feasibility of Business Improvement Districts (BID) in those Town Centres.

A question was asked by a Member of the Conservative Group on what provisions were in place to allow for a BID to be wound up within the five year initial period if it was not delivering the economic impact that had been hoped for, to which the Cabinet Member for Regeneration replied that a written response would be submitted to the Member.

Resolved

That the Director of Corporate Resources and the Director of the Urban Environment, in consultation with the Cabinet Members for Finance and Regeneration, be authorised to work with businesses in Halesowen and Stourbridge on the feasibility of Business Improvement Districts in those Town Centres, and, where appropriate, the preparation of fully costed Business Plans, prior to consideration at a future meeting of the Cabinet.

40 **Annual Review of the Constitution**

The Cabinet considered a report of the Director of Corporate Resources on the annual review of the Constitution.

Resolved

That the Council be recommended:

- (1) That the Director of Corporate Resources be authorised to make any urgent, necessary or consequential changes to the Constitution arising from the ongoing review of the Council's Senior Management and Organisational Structure.

- (2) That the Overview and Scrutiny Management Board consider revisions to the Council's Scrutiny Committees and associated scrutiny arrangements in advance of the 2015/16 municipal year with a view to recommendations being submitted to the annual meeting of the Council in May, 2015.
- (3) That the creation of the Integrated Transport Authority (ITA) Overview and Scrutiny Joint Committee in the form set out in the report submitted to the meeting and at Appendix 1 to the report be approved.
- (4) That a Member be appointed as this Council's representative on the ITA Overview and Scrutiny Joint Committee.
- (5) That West Midlands Joint Committee be given delegated powers to determine the remaining places on the ITA Overview and Scrutiny Joint Committee on the principles set out in the report submitted to the meeting and Appendix 1 to the report in order to establish political proportionality.
- (6) That the Director of Corporate Resources be authorised to agree and enter into such documents that are necessary to give effect to the above decisions concerning the ITA Overview and Scrutiny Joint Committee.
- (7) That the proposals set out in the report submitted to the meeting to comply with the Openness of Local Government Bodies Regulations 2014 be approved, including the amendment of Council Procedure Rule 24.6 as referred to in paragraph 28 of the report.
- (8) That the amendment of the Employee Code of Conduct, as set out in paragraph 33 of the report submitted to the meeting, be endorsed.
- (9) That appropriate references to the Anti –Social Behaviour, Crime and Policing Act 2014 and the specific provisions referred to in paragraph 36 of the report be included in Part 3 of the Constitution under the portfolios of the relevant Cabinet Members and Officers
- (10) That the proposed amendments to the powers relating to dangerous trees and the functions of the Development Control Committee relating to trees be approved, subject to the revised wording of the Development Control Committee terms of reference being agreed by the Director of Corporate Resources in consultation with the Director of the Urban Environment and the Chair and Vice-Chair of the Development Control Committee.

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

the Annual Review of Equality for 2014. The full copy of the Annual Review had been placed electronically on the Committee Management Information System and in hard copy in the Members' Room.

Resolved

That the Annual Review of Equality 2014 be approved.

The meeting ended at 7.05 p.m.

LEADER OF THE COUNCIL