

MEETING OF THE CABINET – 13th DECEMBER, 2006

The Cabinet, at its meeting held on the 13th December, 2006, made the decisions indicated in respect of the items listed:

<u>Issue</u>	<u>Decision</u>
Minutes	That the minutes of the meeting of the Cabinet held on 1 st and 23 rd November, 2006 be approved as a correct record and signed.
Adult Social Care – Annual Review of Performance by Commission for Social Care Inspection	That the Three Stars rating be noted as evidence of further improved performance of Adult Social Services within the Directorate of Adult, Community and Housing Services.
Benefit Fraud Inspectorate (BFI) Report on Dudley MBC	That the excellent outcome of the recent BFI inspection of the Council's Benefit Services be noted.
The Dudley Play Strategy	<ol style="list-style-type: none">(1) That the Manifesto for Children's Play be endorsed.(2) That the Policy for Children's Play be endorsed.(3) That the portfolio of prioritised projects be endorsed.(4) That the £690,321 Big Lottery Fund award for children's play be accepted and that work with the voluntary and community sector to achieve the contracted outcomes be approved.(5) That the Director of Children's Services, working with the Director of the Urban Environment, be responsible for implementing the programme.
Corporate Property Policy 2005 – 2009	That the draft Corporate Property Policy 2005-2009 be approved.

Dudley Area Development
Framework – Cavendish
Quarter: Compulsory
Purchase Powers

- (1) That subject to English Partnerships or their development partner entering into a suitable indemnity agreement to cover any costs incurred, the Council make a Compulsory Purchase Order(s) under Section 226(1)(a) of the Town and Country Planning Act 1990 and Section 13 of the Local Government (Miscellaneous Provisions) Act 1976 for the acquisition of the land shown on the Plan attached, or the acquisition of new rights, for the purpose of securing mixed use development including, office, residential, leisure, ancillary retail and car parking in accordance with the proposals more fully described in the Dudley Town Centre Area Development Framework.
- (2) That the Director of Law and Property, in consultation with the Cabinet Member for Economic Regeneration, be authorised to:-
 - (i) take all necessary steps to secure the making, confirmation and implementation of the Compulsory Purchase Order(s) including the publication and service of all notices and the presentation of the Council's case at any Public Inquiry;
 - (ii) acquire interests in land and new rights within the Compulsory Purchase Order(s) either by agreements or compulsorily; and
 - (iii) approve agreements with land owners setting out the terms for the withdrawal of objections to the order, including where appropriate seeking exclusion of land or new rights from the Order and/or making arrangements for relocation of occupiers.
- (3) That the Director of Law and Property be authorised to negotiate and complete any undertakings with English Partnerships regarding costs and any required development agreement(s) prior to the making of any Order(s).

Investing in the Future –
Transforming Secondary
Education

- (1) That the report be endorsed;

	(2) That the Director of Children's Services be authorised to further develop the Transforming Secondary Education Strategy.
The Green Paper 'Care Matters'	That the Director of Children's Services be authorised to prepare a formal response in consultation with the Cabinet Member for Children's Services, in line with the analysis in paragraph 14 of the report, and that the Director arrange for the response to be published in a form suitable for children and young people.
Update of the Council's Capital Strategy	That the draft Capital Strategy, as attached to the report, be recommended to the Council for approval.
Provisional Revenue Support Grant (RSG) Settlement 2007/08.	<p>(1) That the details of the Provisional RSG Settlement for 2007/08 be noted.</p> <p>(2) That the Director of Finance, in consultation with the Cabinet Member for Finance, be authorised to make an appropriate response on the basis set out in the report.</p>
Quarterly Corporate Performance Management Report	<p>(1) That the Quarterly Corporate Performance Management Report be approved.</p> <p>(2) That the information contained in the Quarterly Corporate Performance Management Report be referred to Select Committees to consider specific issues within their terms of reference.</p>
Resolutions of Central Dudley Area Committee	That the report be noted.
Annual Report of Procurement	<p>(1) That the continued progress in procurement be noted.</p> <p>(2) That the progress against the National Procurement Strategy be noted and endorsed;</p> <p>(3) That the Government's priorities for procurement in local government for 2007/08 be noted.</p>
Capital Programme Monitoring	(1) That the current progress with the 2006/07 Capital Programme, be noted.

- (2) That the results of the Post Completion Review of capital projects, be noted.

Employment Equality (Age) Regulations, 2006

That the increase of the Council's default retirement age from 65 to 70 be approved.

A458 Between Halesowen and Stourbridge – Traffic Management Measures

- (1) That the A458 route be approved for inclusion and subsequent consideration in the West Midlands Phase 2 Red Route package to be submitted to the Department for Transport.
- (2) That, subject to selection of the route for inclusion in Phase 2, the Council affirm its commitment to its introduction as part of the overall policy to improve conditions for the travelling public.
- (3) That a further report be submitted to the Cabinet on progress with the Phase 2 Red Routes submission and the Consultation Strategy to be adopted.

Dudley Local Improvement Financial Trust

- (1) That approval be given for the Council to enter into the Strategic Partnering Agreement, subject to the execution of a Deed of Accession on a non-exclusive basis.
- (2) That the Director of Law and Property, in consultation with the Director of Adult Community and Housing Services and the Director of Finance, be authorised to:-
- Negotiate, finalise, agree and execute the Deed of Accession to the Strategic Partnering Agreement with the Primary Care Trust and Dudley LIFT Co.
 - Finalise, agree and execute on behalf of the Council, the Lease Plus Agreement for the Brierley Hill Centre, together with any additional agreements deemed necessary to enable the project to be completed.
- (3) That the Director of Finance be authorised to issue any certificates under the Local Authorities (Contracts) Act 1997 (if required) in relation to any of the documents as referred to in the report.

	(4) That the Director of Finance be indemnified, in accordance with the form of indemnity set out in Appendix 1 to the report and, in addition, the form of indemnity also be applied to the following postholders:- The Chief Executive, The Director of Law and Property; and The Director of Adult Community and Housing Services.
Dudley Area Development Framework: Cavendish Quarter – Compulsory Purchase Powers	<p>(1) That, subject to the approval of the English Partnerships Executive to support the Cavendish Quarter project, the Council accept the offer of funding and enter into the joint venture agreement.</p> <p>(2) That, as part of the joint venture agreement, the Director of Law and Property be authorised to transfer Council owned land to the selected developer or joint venture body in return for a share of any generated development profits or other development gains.</p> <p>(3) That the proposals in the report be approved, in conjunction with the separate report relating to the Compulsory Purchase Powers for the defined English Partnerships development area for the Cavendish Quarter Opportunity Site.</p>
Termination of Contract on Grounds of Redundancy – PP	That approval be given to terminate the contract of PP on the grounds of redundancy.
Termination of Contract on Grounds of Redundancy – BH	That approval be given to terminate the contract of BH on the grounds of redundancy.
Request for Voluntary Severance - JW	That approval be given to the voluntary severance request of JW.

The details of each of the above items are set out in the reports submitted to the meeting of the Cabinet held on the 13th December, 2006. Copies of the reports are available to members from Democratic Services in the Directorate of Law and Property (contact Richard Sanders, 01384 815236) or electronically on the Council's Committee Management Information System (CMIS).

<http://cmis.dudley.gov.uk/cmiswebpublic/CommitteeSelection.aspx>

Except where matters have been referred to full Council, the decisions will come into force, and may then be implemented, on the expiry of five working days from the 14th December, 2006, unless a Select Committee objects to a decision and calls it in.

J POLYCHRONAKIS
DIRECTOR OF LAW AND PROPERTY

The Council House
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Dudley
West Midlands

Dated: 14th December, 2006