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## CAPITAL PROGRAMME MONITORING

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### 1.0 Purpose

- 1.1. To consider the proposals of the Cabinet regarding certain amendments to the Capital Programme and matters associated therewith.

### 2.0 Background

- 2.1. On consideration of the issues referred to in paragraphs 2.2 to 2.7 (inclusive) below, the Cabinet, at its meeting held on 15th June 2005, resolved to recommend the Council to approve the proposals set out in section 3 below. Other proposals contained in the report to the meeting were determined by the Cabinet under the powers delegated to them. A copy of the full report is available from Richard Sanders in the Directorate of Law and Property (tel. (01384 815236) or email [richard.sanders@dudley.gov.uk](mailto:richard.sanders@dudley.gov.uk))).

### 2.2 Urban Environment

#### 2.2.1 Liveability - Physical Improvements, Phase 1

Following the completion of the Parks Masterplans for the first 6 parks in the Liveability programme, officers have worked with the Friends of the Parks groups to prepare a prioritised list of physical improvements for each park. In order to deliver an effective programme of improvements and effectively spend "Section 106" funds secured for the purposes of open space and children's play improvements in the vicinity of a number of parks in the Liveability project, it is proposed that the following additions to the Liveability project are approved and included in the Capital Programme.

- Netherton Park - £24,000 towards provision of a new children's play area and seating.
- King George V Park, Wordsley - £24,000 towards provision of a new multi-use games area.
- Buffery Park - £24,000 towards provision of a new children's play area.

Implementation of the above schemes will be subject to geotechnical investigations and the determination of planning applications.

#### 2.2.2 Other Play Area and Open Space Improvements

It is also proposed that the following schemes to utilise available Section 106 funding be approved and included in the Capital Programme.

- Highfields Park, Halesowen - £36,000 for the provision of footpaths, lighting and landscape improvements. These improvements would complement the recently completed skatepark at the site.

- Bernard Oakley Gardens, Cradley - £44,000 for improvements to open space and children's play.
- Parkes Street, Brierley Hill - £4,000 for improvements to the open space.
- Clockfields, Amblecote - £49,000 to enhance the existing play area at Amblecote Recreation Ground.
- Hurst Green Park, Halesowen - £15,000 to increase the budget for the proposed multi use games area to enable a new tarmac base to be installed.
- Lye Local Centre - £8,000 to assist implementation of environmental improvements in Lye as set out in the Lye Area Action Plan in conjunction with funding available from the Local Centres capital budget.
- Swan Lane, Hawbush £30,000 for playing field improvements.
- Kinver Street, Wordsley £14,000 for improvements to footpaths in the open space, the condition of which have been a source of complaints from users.

The sums received via some Section 106 agreements are in excess of the sums proposed for inclusion in the capital programme as they also provide for a period of maintenance on completion of the improvements. There is currently no additional funding over and above these amounts available for the subsequent maintenance of these facilities

Implementation of the above schemes will be subject to the outcome of public consultations, geotechnical investigations and the determination of planning applications.

#### 2.2.3 Dudley Leisure Centre - Dome Replacement

The existing dome at Dudley Leisure Centre is 15 years old and is in need of replacement. The temporary planning permission granted is due to expire and a new application will need to be submitted. It is proposed that the existing dome is replaced with a similar structure that is likely to attract additional users.

The estimated cost for the removal and replacement work is estimated at £360,000 which can be funded from Section 106 resources. It is proposed that this scheme be approved and included in the Capital Programme.

#### 2.2.4 Leisure Centres - Disability Discrimination Act Compliance

The Disability Discrimination Act (DDA)1995 places a duty of care on local authorities to make reasonable adjustment to all public buildings and services for people with a disability. An audit of leisure facilities undertaken by Dudley Property Consultancy has highlighted the following priorities:

- Halesowen Leisure Centre - including lifts, accessible toilets, kitchen works, steps, car parking, etc. - £126,000.
- Crystal Leisure Centre - including induction loop, visual strobes, etc. - £17,000.
- Dudley Leisure Centre - including lifts, exit routes, induction loop, etc. - £72,000.

These works can be funded from reserves held by the Directorate, and it is proposed that they be approved and included in the Capital Programme.

#### 2.2.5 Leisure Centres - Replacement of Leisure Management System

The Capital Programme currently includes a scheme to implement a new computerised leisure management system. As part of this development a further £13,000 has been received from the Black Country Knowledge Society (funded by Advantage West Midlands) to support a customer database linked to the new system.

It is proposed that this enhancement be approved and included in the Capital Programme.

#### 2.2.6 Dudley Town Centre - Priory Street Acquisitions

Advantage West Midlands (AWM) has recently funded the production of the Area Development Framework (ADF) for Dudley Town Centre. Priory Street has been identified as the highest priority for land and property assembly within the ADF. It is regarded as the key to “kick start” the regeneration of the Town Centre and is seen as the second phase of the Stone Street Square development.

At its meeting on 15<sup>th</sup> December 2004, Cabinet was advised that an opportunity had arisen to submit an application for funding through the Arc of Opportunity Regeneration Zone to AWM for resources for land acquisition.

Cabinet was advised that in order to comply with the necessary timescales an urgent decision (ref DUE/88/2004) was made by the Leader of the Council in consultation with Director of Finance on 29<sup>th</sup> November 2004:

- to approve the submission of a bid to AWM for funding to acquire premises in Priory Street Opportunity Area of Dudley Town Centre;
- to authorise the Director for the Urban Environment to accept any grant funding arising, and include the scheme in the Capital Programme
- to authorise the Director of Law and Property to enter into negotiations to acquire one or more premises on terms to be negotiated and agreed by him up to the limit of the funding approved.

Following ongoing discussions with AWM, the opportunity arose to increase the grant assistance for land acquisitions in the Priory Street Opportunity Area. Officers were advised of this opportunity and given two days in early May to submit a revised outline application to AWM. On 12<sup>th</sup> May 2005 a revised outline application for funding was approved by AWM and will provide the strategic context for future full applications for funding to acquire individual properties within the Priory Street Opportunity Area.

The revised application will enable the Council, which currently owns around 0.2 hectares, to assemble enough of the Opportunity Area to make redevelopment attractive and economically viable for potential developers. Discussions are advanced between the Council and a number of private sector development partners to implement a series of redevelopment projects in the Town Centre in accordance with the ADF's recommendations.

It is the Council's intention to negotiate the acquisition of properties with existing owners through private treaty with the objective of identifying a critical mass of property to attract development partners. Where key acquisitions cannot be secured, use of the Council's compulsory acquisition powers will be considered.

It is envisaged the project may subsequently be delivered through a joint venture arrangement, and AWM will have the opportunity to recover its initial investment in the project from the disposal receipts generated.

The funding of the acquisition project will be met from AWM. An amount of Council match funding is included in the bid, which comprises primarily contributions in-kind through officers' time spent on the project, land searches and survey fees.

It is now proposed that:

- the action of the Director of the Urban Environment in submitting an increased application to Advantage West Midlands for funding to acquire the premises in the Priory Street Opportunity Area of Dudley Town Centre be approved;
- the Director of the Urban Environment be authorised to submit full applications to AWM for the acquisition of individual properties and to accept any grant funding arising;
- the Director of Law and Property be authorised to enter into negotiations to acquire one or more premises on terms to be negotiated and agreed by him up to the limit of the funding approved;
- the Director of Law and Property be authorised to sign the necessary legal agreements with AWM;
- the Director of the Urban Environment be authorised to enter into a Joint Venture Agreement between the Council, AWM and the preferred developers;
- the scheme be included in the Capital Programme.

#### 2.2.7 Lister Road Garage Improvements

As part of the on-going improvements to the vehicle maintenance garage at Lister Road, it is necessary to acquire a number of vehicle lifts to replace the existing aged equipment which is beyond economic repair. The estimated cost of the new equipment is £60,000, which can be funded from the Transport trading account.

It is proposed that this expenditure be approved and included in the Capital Programme.

#### 2.2.8 Limestone Mine Stabilisation Programme

Limestone Mine stabilisation is funded by English Partnership's Land Stabilisation Programme (LSP). With completion of the Seven Sisters stabilisation only three major mines now at the following sites remain open and require treatment: Stepshaft, Bluebell Park and Black Country Museum.

With other major stabilisation schemes coming on stream nationally, the Office of the Deputy Prime Minister has imposed more stringent interpretation of the LSP's criteria for funding, with more rigorous appraisal of schemes than hitherto, together with staged approvals.

In order to secure funding for the stabilisation of the remaining open mines there is a need to undertake an Outline Project Proposal (OPP), with these costs being recoverable upon approval of schemes.

Stepshaft Mine presents a unique opportunity to secure preservation of the archaeological heritage by stabilising it in an open condition. However, the LSP has now indicated that it will not fund this work in isolation and any proposal needs be on the basis of a contribution to a major heritage bid that is currently being progressed. There is, however, the question of securing the site in the interim whilst this is being progressed and it is proposed that an OPP be made to the LSP to fund fencing to secure the area above the mine.

Bluebell Park contains an area of open mine beneath property and as this area falls within the LSP's remit to secure the safety of property, it has indicated a desire to see proposals that mitigate this risk by treating only the areas under property. It is proposed that an OPP be submitted for stabilising the areas of mine that either affects property or offers the most economically advantageous solution.

Black Country Museum as a commercial activity poses a dilemma as there is a need to assess the cost-benefits associated with both securing the asset that is the museum and considering the safety of visitors. It is proposed that an OPP be submitted for the stabilisation of the mine

The estimated cost of preparing an Outline Project Proposal is £10,000 for each site, and it is proposed that this be included in the Capital Programme and underwritten from available capital resources until the stabilisation schemes are approved.

## 2.3 Social Services

### 2.3.1 Capital Programme 2005/06

The Supported Capital Expenditure (SCE) allocation for Social Services in the current year amounts to £212,000.

It is proposed that this be allocated to specific projects as follows.

	£000
Parkes Hall Refurbishment - to cover increased costs as a result of unforeseen delays in commencing the project	42
Integrated Children's System - to complement available grant monies for acquiring the preferred system	40
Falcon House - refurbishment works and furnishings to accommodate (primarily) the Treatment Fostering Team	50
Minor Works - to address emerging priority issues in the Directorate's asset portfolio	70
Development of future projects	10
<b>Total</b>	<b>212</b>

It is intended to bring forward proposals for a fully prioritised 3 year programme in due course.

### 2.3.2 Future development of Local Authority Residential Homes and the further development of Housing With Care

A report on the above issue was submitted to the meeting of the Cabinet held on 15th June 2005. A copy of the report, which was considered in private session, is available to Members on request to Richard Sanders, Democratic Services, Directorate of Law and Property on (01384) 815236 or extension 5236 or by email [richard.sanders@dudley.gov.uk](mailto:richard.sanders@dudley.gov.uk). The Cabinet approved the use of a capital receipt as referred to in paragraph 3.4 of the report submitted to the meeting.

## 2.4 Housing

### 2.4.1 Extra Care Housing

The Council has secured a £50,000 grant for a scheme to adapt two or more bungalows in Brierley Hill for use by tenants with learning disabilities moving into an independent living environment.

It is proposed that this expenditure be approved and included in the Capital Programme.

## **2.5 Chief Executive's**

### **2.5.1 Safer Stronger Communities Fund**

The Safe and Sound Community Safety Partnership has been allocated £110,000 for 2005/06 by the Home Office for capital projects from the Safer Stronger Communities Fund (which replaces the Building Safer Communities initiative). The funding will be administered by the Community Safety Team. Of the total, £74,000 will be used for activities to combat illicit drug supply and availability, and £36,000 for other crime reduction measures - vehicle crime, burglary, antisocial behaviour, etc.

It is proposed that the grant allocation be noted, and that the associated expenditure be included in the Capital Programme.

### **2.5.2 Neighbourhood Renewal Fund**

The Cabinet, at its meeting held on 15th June 2005, approved a programme of expenditure on various projects under the Neighbourhood Renewal Fund, totalling £372,000. A copy of the report is available from Richard Sanders, Democratic Services, Directorate of Law and Property on (01384) 815236 or extension 5236 or by email to [richard.sanders@dudley.gov.uk](mailto:richard.sanders@dudley.gov.uk).

The approval of the Cabinet is requested for the inclusion of the capital element of the expenditure of £50,000 in the Capital Programme.

## **2.6 Education and Lifelong Learning**

### **2.6.1 Primary Schools Review**

The Cabinet, at its meeting held on 15th June 2005, approved proposals for progressing the Primary Schools Review, endorsing statements of intent and principle and authorising the Cabinet Member for Lifelong Learning to publish proposals for specific schools. A copy of the report is available from Richard Sanders, Democratic Services, Directorate of Law and Property on (01384) 815236 or extension 5236 or by email [richard.sanders@dudley.gov.uk](mailto:richard.sanders@dudley.gov.uk).

The Cabinet also resolved to recommend that capital resources released by the implementation of specific proposals within the primary school sector be utilised to help ensure that all primary school education takes place in high quality buildings and approval is requested to this and to the inclusion of the expenditure in the Capital Programme.

## **2.7 Urgent Amendments to the Capital Programme**

### **2.7.1 Mears Coppice - Replacement of Bridge**

The main vehicular access to the 17 residential properties in Mears Coppice, Quarry Bank, is currently over a steel frame structure with a timber decking situated over the River Stour. An alternative route is via an inadequate access off Lawnsdown Road.

Recent inspections have noted further deterioration on both the steel structure and the wooden deck and problems with access by delivery vehicles have highlighted that there is an urgent need to investigate either alternative access provision or replacement of the bridge.

Replacement of the bridge was included in the Local Transport Plan (LTP) and Consultants have examined the feasibility of replacing the Bridge with a new access road. However, the prioritisation exercise undertaken as part of the Bridge Strengthening Programme for the LTP has indicated that Mears Coppice Bridge does not deliver the LTP outputs, and as such is currently programmed to be delivered beyond 2011. It was not considered appropriate to bring this forward within the LTP programme.

It was proposed that detailed investigations be undertaken together with consultation with the local community regarding abandonment of the bridge and provision of a new access to Mears Coppice.

The cost of replacing the bridge together with necessary work to the local highway amounts to around £0.45m. The estimated cost of providing a new access amounts to around £1.2m and from an initial evaluation it would appear that construction of the new access could be funded from developers' contributions associated with making land available for development and sale of land in the Council's ownership. A future report will be submitted when detailed costings and negotiations have taken place.

The cost of the detailed feasibility work amounts to £50,000 which can be met from the Bridge Assessment and Strengthening capital budget.

In order to progress this matter, an urgent decision (ref. DUE/53/2005) was made by the Leader of the Council in consultation with the Director of Finance on 4<sup>th</sup> May 2005 that:

- approval be given to investigate the replacement of Mears Coppice Bridge and that this be included in the Capital Programme;
- approval be given to enter into negotiations with local industry to secure contributions to the scheme.

#### 2.7.2 Enhanced Alarm System

In order to meet the necessary installation timescales, an urgent decision (ref. DOF/8/2005) was made by the Leader of the Council in consultation with the Director of Finance on 20<sup>th</sup> May 2005 that the installation of an Enhanced Alarm (Emergency Evacuation) System in certain Council premises be included in the Capital programme. The detailed decision which was considered in private, is available to Members on "Membernet" or on request to Richard Sanders, Democratic Services, Directorate of Law and Property on (01384) 815236 or email [richard.sanders@dudley.gov.uk](mailto:richard.sanders@dudley.gov.uk).

#### 2.7.3 Properties at Pensnett Road

The Council has previously resolved to expedite the demolition of the properties at 51, 53, 59 and 61 Pensnett Road, Holly Hall and approved a budget of £30,000 towards the cost of progressing these works, which will then be offset against future capital receipts from the sale of the land.

However, whereas the cost of the demolition works alone could be undertaken within this figure, the overall cost of clearing the sites also includes expenditure on surveys, professional fees and asbestos removal, which itself can be just as costly as the actual demolition works. The overall cost of this approach is now estimated to be around £85,000. Future capital receipts from the sale of the surplus land are still likely to be significantly in excess of this figure.

In order to take advantage of current tenders, an urgent decision (ref. DUE/66/2005) was made by the Leader of the Council in consultation with the Director of Finance on 31st May 2005 that proposals to proceed with the demolition of properties at Nos. 51, 53, 59 and 61 Pensnett Road, Holly Hall, at an estimated cost of £85,000, be endorsed and that the scheme be included within the Capital Programme.

### **3.0 Proposals**

That the Council be recommended:

- 3.1 That the additions to the Liveability project, and (subject to geotechnical investigations and the determination of planning applications) their inclusion in the Capital Programme, as set out in paragraph 2.2.1, be approved.
- 3.2 That the schemes to utilise Section 106 funding, and (subject to the outcome of public consultation, geotechnical investigations and the determination of planning applications) their inclusion in the Capital Programme, as set out in paragraph 2.2.2, be approved.
- 3.3 That the project to replace the Dome at Dudley Leisure Centre and its inclusion in the Capital Programme, as set out in paragraph 2.2.3, be approved.
- 3.4 That the Disability Discrimination Act works at Leisure Centres and their inclusion in the Capital Programme, as set out in Paragraph 2.2.4, be approved.
- 3.5 That the enhancement to the Leisure Management System and its inclusion in the Capital Programme, as set out in paragraph 2.2.5, be approved.
- 3.6 That the scheme to acquire premises in the Priory Street Opportunity Area of Dudley Town Centre be included in the Capital Programme, as set out in paragraph 2.2.6
- 3.7 That the expenditure on replacing the Vehicle Lifts at Lister Road Garage be approved and included in the Capital Programme, as set out in paragraph 2.2.7.
- 3.8 That Outline Project Proposals be made to the English Partnerships Land Stabilisation Programme in respect of the Limestone Stabilisation Programme, and that the cost of preparation be included in the Capital Programme and underwritten from available capital resources as set out in paragraph 2.2.8.
- 3.9 That the Social Services Capital Programme for 2005/06, as set out in paragraph 2.3.1, be approved.
- 3.10 That the use of the capital receipt referred to in paragraph 2.3.2 above be approved and included in the Capital Programme.
- 3.11 That the scheme to adapt bungalows in Brierley Hill as part of the Extra Care Housing initiative, and its inclusion in the Capital Programme, as set out in paragraph 2.4.1, be approved.
- 3.12 That the capital element of the programme of expenditure under the Neighbourhood Renewal Fund for 2005/06, as referred to in paragraph 2.5.2 above, be approved and included in the Capital Programme.



- 3.13 That the use of capital receipts, arising from the implementation of specific proposals under the review of the Primary Schools sector for utilisation to help ensure that all Primary School education takes place in high quality buildings, as referred to in paragraph 2.6.1 above, be approved and included in the Capital Programme.
- 3.14 That the grant allocation from the Safer Strong Communities Fund be noted, and that the associated expenditure be included in the Capital Programme, as set out in paragraph 2.5.1.
- 3.15 That the Urgent Amendments to the Capital Programme as set out in paragraph 2.7, be noted.

#### **4.0 Finance**

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

#### **5.0 Law**

- 5.1 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.

#### **6.0 Equal Opportunities**

- 6.1 These proposals comply with the Council's policy on Equal Opportunities.

#### **7.0 Recommendation**

- 7.1. That the proposals set out in Section 3 be approved.

#### **8.0 Background Papers**

- 8.1 Various internal e-mails relating to individual schemes and proposals.  
Relevant resource allocation notifications.

*David Caunt*

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LEADER OF THE COUNCIL

