

MEETING OF THE CABINET – 9TH SEPTEMBER, 2009

NOTICE OF DECISIONS

NOTICE IS HEREBY GIVEN that the Cabinet, at its meeting held on the 9th September, 2009, made the decisions indicated in respect of the items listed:

<u>Item</u>	<u>Decision</u>
Minutes	That the minutes of the meeting of the Cabinet held on the 17 th June, 2009 be approved as a correct record and signed.
Spending Projections 2009/10	<p>That the Council be recommended:-</p> <ol style="list-style-type: none">(1) That the forecast overspending set out in paragraph 4 of the report submitted to the meeting be noted.(2) That approval be given to “earmarking” General Balances to fund the projected overspending in the Directorate of Children’s Services, if ultimately required.(3) That the projected underspending in Finance, ICT and Procurement will be transferred to General Balances be noted.(4) That the need to exercise stringent budgetary control for the remainder of the current financial year in accordance with the Council’s Approved Financial Management Regime be reiterated to all Cabinet Members, Directors and budget holders.(5) That the effect on the Council’s Medium Term Financial Strategy be noted.(6) That action is taken to replenish General Balances when the opportunity arises.
Update of the Council’s Capital Strategy	That the draft Capital Strategy attached to the report submitted to the meeting be agreed as the basis of consultation with Select Committees.
Procurement Progress and Procurement Strategy 2009 - 2014	<ol style="list-style-type: none">(1) That the continued progress in procurement be noted.

	<ul style="list-style-type: none"> (2) That the progress against the national procurement agenda be noted and endorsed. (3) That the new Procurement Strategy for 2009-2014, as set out in Appendix B to the report submitted to the meeting, be approved.
Review of Housing Finance	<ul style="list-style-type: none"> (1) That the Council be recommended that the revised Housing Revenue Account budget for 2009/10 outlined in Appendix 1 to the report submitted to the meeting be approved. (2) That the amended rent increase for Housing Revenue Account dwellings, backdated to 6th April 2009 with an average increase of £1.92 (3%) and a maximum increase of £3.06 in line with the government's proposal on reducing rent levels, be noted. (3) That the outcome of the national Housing Revenue Account Subsidy Review be noted. (4) That the Director of Adult, Community and Housing Services and Interim Director of Finance, in consultation with the Cabinet Members for Housing and Finance, be authorised to respond to the consultation paper referred to in the report submitted to the meeting. (5) That the new arrangements for new council house building be noted.
16-19 Funding Transfer – Operational Changes	That the new duties that are being passed to the Local Authority in April 2010 be noted and that further updates to be provided at subsequent Cabinet Meetings.
'Vision 2025' – A Strategic Plan for Learning	<ul style="list-style-type: none"> (1) That the progress made to date on developing the strategic plan for learning "Vision 2025" be noted. (2) That Cabinet members be invited to submit suggestions, contributions, views and thoughts they may have on the draft vision statement.

	(3)	That the work to be undertaken next, as referred to in the report submitted to the meeting, be endorsed.
Quarterly Corporate Performance Management Report	(1)	That the content of the Quarterly Corporate Performance Management report submitted to the meeting be approved.
	(2)	That the Quarterly Corporate Performance Management Report be referred to Select Committees to consider specific issues within their terms of reference.
Capital Programme Monitoring	(1)	That the current progress with the 2009/10 Capital Programme, as set out in Appendix A to the report submitted to the meeting, be noted.
	(2)	That the Council be recommended:-
	(a)	That the use of legacy monies for Minor Works to Social Care buildings be approved and included in the Capital Programme, as set out in paragraph 5 of the report submitted to the meeting.
	(b)	That the demolition of Coseley Swimming Pool be included in the Capital Programme, as set out in paragraph 6 of the report submitted to the meeting.
	(c)	That the improvements to the Dell Stadium be included in the Capital Programme, as set out in paragraph 7 of the report submitted to the meeting.
	(d)	That the project to expand Hillcrest School and Community College be approved and included in the Capital Programme, as set out in paragraph 8 of the report submitted to the meeting.

- (e) That the contribution towards the provision of an embankment slide at Tanhouse Lane be noted and that the Capital Programme be amended accordingly; and that the Capital Programme be amended to reflect any similar future contributions to Play Pathfinder projects as necessary, as set out in paragraph 9 of the report submitted to the meeting.
- (f) That the replacement of the Corporate Storage Area Network be included in the Capital Programme, as set out in paragraph 10 of the report submitted to the meeting.
- (g) That the demolition of the Tower Street building be included in the Capital Programme, as set out in paragraph 11 of the report submitted to the meeting.
- (h) That the Interim Director of Law, Property and Human Resources be authorised to negotiate and establish any necessary contract to facilitate the demolition of the Tower Street building.
- (i) That the Tower Street site be declared surplus to requirements and ultimately disposed of on terms to be negotiated.
- (j) That a joint-venture agreement, with a suitable partner(s) be established to facilitate the redevelopment of the Tower Street site to effect its ultimate disposal, and that the Interim Director of Law, Property and Human Resources be authorised to negotiate and establish the most advantageous economic terms and legal structure, to effect this arrangement.
- (k) That the urgent amendments to the Capital Programme, as set out in paragraphs 12 – 17 of the report submitted to the meeting be noted.

Food Service Plan
2009/2010

That the Council be recommended that the contents of the Food Service Plan of the Directorate of the Urban Environment for 2009/10 be approved.

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| District and Local Centres Review | <p>(1) That the identification of Cradley/Windmill Hill, Lye, Netherton, Pensnett, Quarry Bank, Shell Corner and Wordsley as priorities for district and local centres regeneration activity be approved.</p> <p>(2) That approval be given to a review of the existing local and district centre regeneration strategies and strategies for the two new priority centres being dealt with through the Development Plan Process as part of the Development Plan Document.</p> |
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Draft Supplementary Planning Document – Glass Quarter – Approval for Public Consultation	That the draft Supplementary Planning Document “Glass Quarter” be approved for publication for a statutory public consultation period of six weeks.
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| The Local Government Ombudsman’s Annual Review 2008/09 | <p>(1) That the information contained in the report, and Appendices to the report submitted to the meeting be noted and that the Chief Executive and Directors be requested to (i) review their internal arrangements, as appropriate, and (ii) so that the response times continue to improve, they continue to ensure that requests for information on complaints received are dealt with by the date requested so that responses can be submitted to the Ombudsman's office within the time scales set.</p> <p>(2) That, given the ongoing concerns expressed by the Ombudsman regarding premature complaints, the Customer Feedback Steering Group be requested to identify the causes and possible solutions to this issue with particular regard to more effective signposting of the Council's complaints procedure, which it should be noted is likely to result in a higher number of complaints being received, with a view to reporting to Corporate Board by 8th December, 2009.</p> <p>(3) That the Annual Review be posted on the Council's website.</p> <p>(4) That a copy of the report submitted to the meeting be forwarded to the Ombudsman, together with a copy of the decision taken, as the Council's formal response to his Annual Review.</p> |
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Day Opportunities for People with a Learning Disability	<p>(1) That, further service modernisation as detailed within the report submitted to the meeting, including the promotion of personal budgets, independent travel, and social enterprises, be approved.</p> <p>(2) That the proposals for further implementation of the Five Year Plan for day opportunities in line with Valuing People Now and the recommendations of the Learning Disability Joint Review, be approved.</p> <p>(3) That the Capital receipts for Audnam and Grange House be earmarked for the refurbishment of Amblecote centre and improvements to other Council facilities in the community used by people with a learning disability.</p>
Shaping the Future of Care Together	<p>(1) That the contents of the report submitted to the meeting be noted.</p> <p>(2) That the Director of Adult, Community and Housing Services be authorised to submit a formal response to this consultation on behalf of the Council.</p> <p>(3) That a local consultation/engagement event be held on the morning of the 15th October to encourage wider debate and the responses from Dudley to which all Members will be invited.</p>
Enabling Development in the Recession	<p>That the implementation of the variance of time limits on planning applications where appropriate as determined by the Local Planning Authority, together with the implementation of a flexible approach to renegotiation of planning obligations and implementation of an overage clause should economic circumstances improve be approved, subject to legal confirmation.</p>
Realignment of Services	<p>(1) That the proposed realignment of services under the divisional structure outlined in the report submitted to the meeting, be agreed.</p> <p>(2) That the substantive appointment of an Assistant Director to replace the current interim arrangement, be approved.</p>

Single Status – Equal Pay and Equal Value Claims	<p>(1) That the strategy outlined in the report submitted to the meeting, be approved.</p> <p>(2) That the Chief Executive, in consultation with the Leader of the Council, the Cabinet Member for Personnel, the Leader of the Opposition, the Interim Director of Law, Property and Human Resources and the Interim Director of Finance, be authorised to approve the settlement of legally justifiable Equal Claims, where the settlement is affordable and financially sound, fair and reasonable.</p>
Staffing Issue - Directorate of Adult, Community and Housing Services – DE	That the termination of the contract of employment of the officer referred to in the report submitted to the meeting be approved, on the grounds of redundancy, in accordance with the terms and conditions set out in the report, be approved.
Staffing Issue - Directorate of Adult, Community and Housing Services – LS	That the termination of the contract of employment of the officer referred to in the report submitted to the meeting be approved, on the grounds of voluntary severance, in accordance with the terms and conditions set out in the report, be approved.

The details of each of the above items are set out in the reports submitted to the meeting of the Cabinet. Copies of the public reports may be obtained from Democratic Services in the Directorate of Law, Property and Human Resources (contact 01384 815236 or e-mail richard.sanders@dudley.gov.uk or on the Committee Management Information System on the Council's Website www.dudley.gov.uk and follow the links to Council Decisions/Committee Information.

Except where matters have been referred to the Council, the decisions will come into force, and may then be implemented, on the expiry of five working days of the 11th September, 2009, unless a Select Committee objects to a decision and calls it in.

PHILIP TART
INTERIM DIRECTOR OF LAW, PROPERTY AND HUMAN RESOURCES

The Council House
Priory Road, Dudley, West Midlands

Dated: 11th September, 2009
(Display until: 21st September, 2009)