

MEETING OF THE CABINET

Wednesday, 14th September, 2011 at 6.00 p.m.
in Committee Room 2 at the Council House, Dudley

PRESENT:-

Councillor L Jones (Leader of the Council) (Chairman)
Councillors Adams, Blood, Mrs Faulkner, Stanley, A Turner, Vickers,
Mrs Walker and Wright

together with the following Minority Group Members appointed to attend
meetings of the Cabinet

Councillors Ali, Crumpton, Foster, Ms Harris and Ms Partridge
(Labour Group)

OFFICERS:-

The Chief Executive, Director of Adult, Community and Housing
Services, Director of Corporate Resources, Acting Director of Children's
Services, Treasurer, Assistant Director of the Urban Environment
(Economic Regeneration and Transportation) and Mr Sanders
(Directorate of Corporate Resources), together with other officers.

26

APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received on behalf of
Councillors P Harley, Lowe and Sparks.

27

CHANGES IN REPRESENTATION OF MINORITY GROUP MEMBERS

It was reported that Councillor Ms Harris had been appointed to serve
as a Minority Group representative in place of Councillor Sparks, for this
meeting of the Cabinet only.

28

DECLARATIONS OF INTEREST

Councillor Mrs Walker declared a Personal Interest, in accordance with
the Members' Code of Conduct, in respect of Agenda Item No. 12 (A
Strategy for Services for Adults with Autism in Dudley), in view of the
fact that she has a grandson with autistic difficulties.

Councillor Ali declared a Personal Interest, in accordance with the Members' Code of Conduct, in respect of Agenda Item No. 14 (Community Centres Review – Update), in view of the fact that he is a Director of St Thomas's Network.

Councillor Ali declared a Personal Interest, in accordance with the Members' Code of Conduct, in respect of Agenda Item No. 16 (Black Country Cluster of Primary Care Trusts), in view of his employment with Sandwell Primary Care Trust.

Councillor Crumpton declared a Personal Interest, in accordance with the Members' Code of Conduct, in respect of Agenda Item No. 14, in view of the fact that he is the Chairman and a Trustee of Cradley Community Centre and also a Trustee of Wollescote Community Centre.

Councillor Foster declared a Personal Interest, in accordance with the Members' Code of Conduct, in respect of Agenda Item No. 14, in view of the fact that she is a Member of the Committee of Fens Pool and Pensnett Community Centre.

Councillor Ms Harris declared a Personal Interest, in accordance with the Members' Code of Conduct, in respect of Agenda Item No. 14, in view of the fact that she represents the Council on the Management Board of Nine Locks Community Centre and attends meetings of Oakfield Community Centre, as an observer.

Councillor Ms Partridge declared a Personal Interest, in accordance with the Members' Code of Conduct, in respect of Agenda Item No. 14, in view of the fact that she is a Trustee of Wollescote Community Centre and also associated with Lye Community Centre.

29

MINUTES

RESOLVED

That the minutes of the meetings of the Cabinet held on 29th June and 14th July, 2011, be approved as correct records and signed.

30

COUNCIL PLAN 2013: 2011 ANNUAL REFRESH

A report of the Chief Executive was submitted seeking endorsement for the 2011 Council Plan refresh in line with the Council Plan policy framework for 2010-13.

RESOLVED

That the Council be recommended to endorse the Council Plan 2011 refresh and note the alignment of the Council Plan and Directorate Strategic Plans to the Community Strategy.

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

31

CAPITAL PROGRAMME MONITORING

A joint report of the Chief Executive and the Treasurer was submitted on progress with the implementation of the Capital Programme and which proposed certain amendments to the Programme.

RESOLVED

- (1) That the current progress with the 2011/12 Capital Programme, as set out in Appendix A of the report submitted to the meeting, be noted.
- (2) That the results of the Post Completion Reviews of capital projects, as set out in Appendix B of the report submitted to the meeting, be noted.
- (3) That the Council be recommended:-
 - (a) That the budget for improvements to the Oak Lane site be increased by £103,000 and the Capital Programme amended accordingly, as set out in paragraph 6 of the report submitted to the meeting.
 - (b) That the Disabled Facilities Grant budget for 2012/13 of £2.6 million be approved and included in the Capital Programme, as set out in paragraph 7 of the report submitted to the meeting.
 - (c) That the Local Sustainable Transport Fund allocation be noted and the capital element of the project be included in the Capital Programme, as set out in paragraph 8 of the report submitted to the meeting.
 - (d) That the Urgent Amendments to the Capital Programme, as set out in paragraphs 9-10 of the report submitted to the meeting, be noted.

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

32

QUARTERLY CORPORATE PERFORMANCE MANAGEMENT REPORT

A report of the Chief Executive was submitted on the first Quarterly Corporate Performance Management Report for 2011/12, relating to performance for the period from 1st April to 30th June, 2011.

RESOLVED

- (1) That the Quarterly Corporate Performance Management Report for the period from 1st April to 30th June, 2011 be noted and its contents approved.
- (2) That the information contained in the Quarterly Corporate Performance Management Report be referred to Scrutiny Committees to consider specific issues within their Terms of Reference.

33

DUDLEY MBC AIR QUALITY ACTION PLAN

A report of the Director of the Urban Environment was submitted seeking approval for the formal adoption of the Air Quality Action Plan.

Reference was made in the discussion to issues of carbon management within the Borough. A particular issue considered of importance in the context of carbon management and traffic congestion was the impact of the removal of bus lay bys in certain areas of the Borough.

RESOLVED

- (1) That the Dudley MBC Air Quality Action Plan be approved.
- (2) That a report on the Council's performance on carbon management be submitted to the Cabinet in due course

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

34

FOOD SERVICE PLAN 2011/12

A report of the Director of the Urban Environment was submitted on the contents of the Directorate of the Urban Environment Food Service Plan 2011/12.

RESOLVED

That the Council be recommended that the contents of the Food Service Plan of the Directorate of the Urban Environment for 2011/12 be approved.

35 APPROVAL FOR ADOPTION OF THE REVISED 'PLANNING OBLIGATIONS SUPPLEMENTARY PLANNING DOCUMENT'

A report of the Director of the Urban Environment was submitted on the Council's revised Planning Obligations Supplementary Planning Document.

RESOLVED

That approval be given to the revised Planning Obligations Supplementary Planning Document.

36 SUPPLEMENTARY PLANNING DOCUMENT – ACCESS FOR ALL: DESIGNING AN INCLUSIVE BUILT ENVIRONMENT

A report of the Director of the Urban Environment was submitted on the Council's 'Access for All: Designing and Inclusive Built Environment' Supplementary Planning Document.

RESOLVED

That approval be given to the Supplementary Planning Document – Access for All: Designing an Inclusive Built Environment.

37 A STRATEGY FOR SERVICES FOR ADULTS WITH AUTISM IN DUDLEY

A report of the Director of Adult, Community and Housing Services was submitted on the new Strategy for Services for people with Autism in Dudley.

Reference was made in the discussion to certain aspects of the Strategy, with particular reference to the development of a diagnostic pathway for patients, and to the funding of the Strategy, which would be met from existing resources. An issue of concern identified was that of the agency responsible when a person with autism entered the criminal justice system.

RESOLVED

That the Strategy for Services for Autism, as appended to the report submitted to the meeting, be approved.

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

38

THE MODERNISATION OF ADULT SOCIAL CARE

A report of the Director of Adult, Community and Housing Services was submitted on progress regarding the Adult Social Care modernisation programme and the endorsement of its continuation. The report also requested agreement to the continuation of the home closure programme outlined in the report submitted to the meeting, as part of the modernisation.

Members of the Opposition Group expressed the view that the proposals in the report regarding the modernisation and home closure programmes should be referred for scrutiny prior to decision making, in the light of the current economic situation.

RESOLVED

- (1) That the proposals set out in the report submitted to the meeting be endorsed.
- (2) That the continuation of the Adult Social Care modernisation programme be approved.
- (3) That the home closure programme 2012 as outlined in section 12 of the report submitted to the meeting be endorsed.

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

39

COMMUNITY CENTRES REVIEW - UPDATE

A joint report of the Chief Executive, the Director of Adult, Community and Housing Services, the Director of the Urban Environment and the Acting Director of Children's Services was submitted on the update on the review of community centres.

RESOLVED

- (1) That the work done to date in terms of community centres be noted.
- (2) That the outline 'Shaping Community Centres for the future' Action Plan, as set out in Appendix 1 of the report submitted to the meeting be approved.

- (3) That a further report be submitted to a future meeting on local proposals for Big Society, Open Public Services and implementation of the Localism Bill.
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40

THE LOCAL GOVERNMENT OMBUDSMAN'S ANNUAL REVIEW LETTER 2010/11

A report of the Director of Corporate Resources was submitted on the Annual Review Letter for 2010/11 from the Local Government Ombudsman in respect of complaints received against the Council and dealt with by the Ombudsman's office over the year ending 31st March, 2011.

Reference was made by one member to the content of the covering report, which the member considered could be more informative regarding the detail of the cases alluded to. It was agreed that this would be considered in the context of maintaining confidentiality of case details.

RESOLVED

- (1) That the information contained in the report, and Appendix submitted to the meeting, be noted and that the Chief Executive and Directors be requested to:-
- (a) Review their internal arrangements, as appropriate; and
 - (b) Continue to ensure that requests for information on complaints received are dealt with by the date requested, in order to ensure that responses can be submitted to the Ombudsman's office within the timescales set and the Council's excellent performance on response times can be maintained.
- (2) That all Directorates continue to impose rigorous monitoring of complaint activity to ensure ongoing good practice and a continued reduction in complaints being received.
- (3) That the Annual Review Letter be posted on the Council's website.
- (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 the Annual Review Letter.

41 BLACK COUNTRY CLUSTER OF PRIMARY CARE TRUSTS

A report of the Director of Corporate Resources was submitted to consider the request of the Health and Adult Social Care Scrutiny Committee concerning Member and/or Officer representation from the Black Country Local Authorities on the new Black Country Cluster of Primary Care Trusts.

RESOLVED

That the Black Country Cluster of Primary Care Trusts be informed of this Council's view that local authority representation should be included in the future governance arrangements associated with the NHS reforms.

42 ISSUES ARISING FROM SCRUTINY COMMITTEES

No issues were reported under this item.

43 EXCLUSION OF THE PUBLIC

RESOLVED

That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information, as defined in Part 1 of Schedule 12A to the Local Government Act, 1972, as specified below and, in all the circumstances, the public interest in disclosing the information is outweighed by the public interest in maintaining the exemption from disclosure.

<u>Description of Item</u>	<u>Relevant paragraph of Part I of Schedule 12A</u>
Staffing Issues – Directorate of the Urban Environment	1
Staffing Issues – year one budget savings	1

44 STAFFING ISSUES – DIRECTORATE OF THE URBAN ENVIRONMENT

A report of the Director of the Urban Environment was submitted seeking approval to terminate the contracts of employment of the officers referred to in Appendix 1 of the report, on the grounds of redundancy.

RESOLVED

That the termination of the contracts of employment of the officers referred to in Appendix 1 of 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, if successful redeployment is not achieved.

45

STAFFING ISSUES – YEAR ONE BUDGET SAVINGS

A report of the Director of Corporate Resources was submitted seeking approval to terminate the contract of employment of the officer referred to in the report, on the grounds of compulsory redundancy in accordance with the Managing Employees at Risk of Redundancy Policy.

RESOLVED

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 compulsory redundancy, in accordance with the terms and conditions set out in the report, should redeployment not be possible.

The meeting ended at 8.10pm.

LEADER OF THE COUNCIL