

Minutes of the Meeting of the Cabinet

Wednesday, 14th December, 2016 at 6.00 pm
in Committee Room 2 at The Council House, Dudley

Present:

Cabinet Members

Councillor P Lowe (Leader – Chair)
Councillor J Foster (Deputy Leader - Vice-Chair)
Councillors K Ahmed, H Bills, I Cooper, R Harris, J Martin, D Sparks and Q Zada

Opposition Group Members Nominated to attend the Cabinet

Councillors N Barlow, S Clark, P Harley, L Jones, K Shakespeare, D Stanley and D Vickers (Conservative Group).

Councillor P Brothwood and D Perks (UKIP Group)

Officers

S Norman (Chief Executive), A Lunt (Strategic Director Place), T Oakman (Strategic Director People), A McCormick (Chief Officer Transformation and Performance), I Newman (Chief Officer Finance and Legal Services), M Williams (Chief Officer Environmental Services), M Farooq (Lead for Law and Governance) H Martin (Head of Planning and Development), A Webb (Interim Head of Sport and Leisure Services), S Manson (Principal Policy and Performance Management Officer) and M Johal (Senior Democratic Services Officer)

80 Urgent Item of Business

The Leader announced that an additional report, namely Terms and Conditions Update – Medium Term Financial Strategy, would be considered as an urgent item of business as it could not reasonably be deferred until the next meeting of the Cabinet due to the timescales and deadlines involved with the negotiations concerning pay and conditions. The Chair of the Overview and Scrutiny Management Board had been consulted on the addition of this urgent item to the agenda in line with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

The additional report contained exempt information as defined by Part I of Schedule 12A to the Local Government Act, 1972 concerning details of the ongoing consultation and negotiations with the trade unions. The item would therefore be considered in the private session of the agenda. A revised agenda had been published on the Council's website.

81 **Apologies for Absence**

Apologies for absence from the meeting were received on behalf of Councillors G Partridge and A Millward.

82 **Change in Representation of Opposition Group Members**

Councillor D Stanley attended as a substitute member for Councillor A Millward.

83 **Declarations of Interest**

No Member made a declaration of interest in accordance with Members' Code of Conduct in respect of any matter to be considered at this meeting.

84 **Minutes**

Resolved

That the minutes of the meeting of the Cabinet held on 10th November, 2016, be approved as a correct record and signed.

85 **Ofsted Monitoring Report**

The Cabinet considered a report of the Strategic Director People on the outcome from the first Ofsted Monitoring visit carried out on 12th and 13th October, 2016. The letter from Ofsted setting out the conclusions of their visit was attached as an Appendix to the report.

In response to a query, the Cabinet Member for Children's Services provided an update on virtual schools indicating that a Virtual School Head had been appointed and a standard item was included on every Corporate Parenting Board agenda for discussion. Information and documents could be made available to Members on request.

Resolved

That the information contained in the report on the first Ofsted Monitoring visit, be noted.

86 **Annual Review of Equality 2016**

The Cabinet considered a report on the Annual Review of Equality 2016. A full copy of the document had been made available on the Council's website.

Resolved

That the information contained in the report on the Annual Review of Equality 2016 be approved.

87 Peer Challenge Use of Resources Improvement Plan

The Cabinet considered a report on the release of the Peer Challenge Action Plan to the Association of Directors of Adult Social Services (ADASS) West Midlands, the Peer Challenge Team and the Health and Adult Social Care Scrutiny Committee in January, 2017.

Resolved

That the release of the Peer Challenge Action Plan to the Association of Directors of Adult Social Services (ADASS) West Midlands, the Peer Challenge Team and the Health and Adult Social Care Scrutiny Committee in January, 2017, be approved.

88 Adoption of the Dudley Borough Development Strategy

The Cabinet considered a report on the adoption of the Dudley Borough Development Strategy. The report included a recommendation to the Council that, on the adoption of the Dudley Borough Development Strategy, the Unitary Development Plan 2005 be formally revoked and superseded by the Dudley Borough Development Strategy.

Resolved

- (1) That the Dudley Borough Development Strategy be approved and recommended to the Council for adoption.
 - (2) That the Council be recommended, on the adoption of the Dudley Borough Development Strategy, that the Unitary Development Plan 2005 be formally revoked and superseded by the Dudley Borough Development Strategy.
-

89 Adoption of the Dudley Area Action Plan

The Cabinet considered a report on the adoption of the Dudley Area Action Plan. The report included a recommendation to the Council that, on the adoption of the Dudley Area Action Plan, the Dudley Town Centre Area Development Framework 2005 and Dudley Town Centre chapter of the Unitary Development Plan 2005 be formally revoked and superseded by the Dudley Borough Development Strategy.

Resolved

- (1) That the Dudley Area Action Plan be approved and recommended to the Council for adoption.
 - (2) That the Council be recommended that, on the adoption of the Dudley Area Action Plan, the Dudley Town Centre Area Development Framework 2005 and the Dudley Town Centre chapter of the Unitary Development Plan 2005, be formally revoked and superseded by the Dudley Borough Development Strategy.
-

90 **Review of Leisure Centre Provision with Dudley**

The Cabinet considered a report setting out the current position with regard to the review of Leisure Centre provision in Dudley and on the next steps to be taken in order to reach a position where a 'Full Business Case' assessment could be undertaken in respect of the preferred model for future provision of Leisure Centre facilities within Dudley.

Arising from the presentation of the report and in responding to comments made at the meeting, the Cabinet Member for Planning and Economic Development gave an assurance that no formal decision would be taken without following due process including consultation and referral for appropriate scrutiny.

During the ensuing debate, concerns were expressed about the proposed reduction in the number of Leisure Centres and the potential impact on the economy given the proposed locations which were based outside of the Town Centre. A request was also made that, in future, consideration be given to releasing information into the public domain only when factual and accurate information was available.

Resolved

- (1) That the complex process of determining the optimum model of future leisure provision, which is currently at an early stage, be noted.
 - (2) That the commissioning of a Facilities Planning Model in order to establish the preferred future model of provision of affordable and sustainable Leisure Centres within the borough of Dudley, be approved.
 - (3) That upon completion of the assessments a further report be submitted to Cabinet on the finalised Built Facility Strategy and Options Assessment undertaken in Partnership with Sport England and the Amateur Swimming Association.
-

91 **West Midlands Rail Limited – Change to the Draft Collaboration Agreement with Department for Transport**

The Cabinet considered a report on a change to the drafting of the Collaboration Agreement between West Midlands Rail Limited (WMR Ltd) and the Department for Transport (DfT), in order to progress the rail devolution process in the West Midlands.

Resolved

- (1) That the change of position in relation to rail devolution, as being adopted by the new Secretary of State for Transport, be noted.
- (2) That the Council continue to support the signing of the revised Collaboration Agreement.

92 **Issues arising from Scrutiny Committees**

No issues were raised under this agenda item.

93 **Questions to the Chair under Cabinet Procedure Rule 2.5**

No questions had been submitted under this agenda item.

94 **Exclusion of the Public**

Resolved

That the public and press be excluded from the meeting for the following items of business on the grounds that they contain exempt information as defined in paragraphs 3 and 4 of Part I of Schedule 12A to the Local Government Act 1972 as amended.

95 **Transforming for the Future – Accommodation – Redevelopment of Lister Road and Leys Depots**

The Cabinet considered a report on improvements to the Lister Road Depot and proposals to convert the Leys Depot into the Borough's new centralised Household Waste and Recycling Centre.

Arising from the presentation of the report, and in responding to comments made about the potential increase in the volume of traffic and queues that would be forming to access the site, particularly during peak times, the Cabinet Member for Environmental Services gave an undertaking to conduct a traffic impact assessment.

The Strategic Director Place undertook to circulate Appendix E to the report as it had been omitted erroneously.

Resolved

- (1) That, subject to the necessary planning consents, the partial redevelopment, including additional office accommodation at the Lister Road Depot, be approved.
- (2) That, subject to planning consent, to include a traffic impact assessment and consultation with the Environment Agency, the conversion of the Leys Depot into the Borough's new centralised Household Waste and Recycling Centre site, be approved.
- (3) That, following the Household Waste and Recycling Centre operations being transferred to the Leys Depot, the disposal of Birmingham Street Household Waste and Recycling Centre site via the One Public Estate Programme, be approved.
- (4) That the rationalisation of Housing Services Leased sites, once replacement accommodation is available, be approved.

96 **Transforming for the Future – Housing Stores – Appraisal of an Externally Managed Solution**

The Cabinet considered a report of the Strategic Director Place on proposals to procure an externally managed stores solution subject to formal consultation with staff and Trade Unions.

Resolved

- (1) That the commencement of formal consultation with staff and Trade Unions on options, which may include externalisation of the current stores service, be approved.
 - (2) That the development of contract documents, specifications and conditions of any new wholly externalised managed stores solution, be approved.
 - (3) That the undertaking of any necessary contract procurement in accordance with the Council's Procurement Policies and legal advice to maximise value for money and efficiencies for the Housing Revenue Account, be approved.
-

97 **Terms and Conditions Update – Medium Term Financial Strategy**

The Cabinet considered a joint report of the Chief Executive and Chief Officer Transformation and Performance on a package of proposals to achieve savings from terms and conditions in relation to the Medium Term Financial Strategy.

Resolved

That approval be given for the proposed package to be formally presented to the Trade Unions for balloting with a view to reaching a collective agreement to implement from 1st April, 2017, subject to agreement by full Council.

The meeting ended at 7.30 p.m.

LEADER OF THE COUNCIL