

## MEETING OF THE CABINET – 12<sup>th</sup> FEBRUARY, 2007

The Cabinet, at its meeting held on the 12<sup>th</sup> February, 2007, made the decisions indicated in respect of the items listed:

<u>Issue</u>	<u>Decision</u>
Minutes	That the minutes of the meetings held on 13 <sup>th</sup> December, 2006 and 9 <sup>th</sup> January, 2007 be approved as a correct record and signed.
Revenue Budget Strategy and Setting the Council Tax 2007/08	<p>That the Council be recommended to approve the following:-</p> <ul style="list-style-type: none"><li>• The budget requirement for 2007/08, and service allocations as set out in the report.</li><li>• That the statutory amounts required to be calculated for the Council's spending; income and use of reserves; budget requirement and; transfers to and from its collection fund as referred to in Section 67(2)(b) be now calculated by the Council for the year 2007/08 in accordance with Sections 32 to 36 of the Local Government and Finance Act, 1992 as shown in Appendix 3 of the report.</li><li>• That, having calculated the aggregate in each case of the amounts in Appendix 3 of the report, the Council, in accordance with Section 30(2) of the Local Government Finance Act, 1992 agrees the following levels of Council Tax for Dudley Council services for 2007/08.</li></ul>

### Valuation Bands

<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>
<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
672.82	784.96	897.10	1009.23
<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>
<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
1233.51	1457.78	1682.06	2018.47

- plus the amounts to be notified for the Police and Fire and Rescue Authority precepts.

- That the Chief Executive and Directors be authorised to take all necessary steps to implement the proposals contained in the report, in accordance with the Council's Financial Management Regime.
- That the Council reminds the Chief Executive and Directors to exercise strict budgetary control in accordance with the Financial Management Regime and care and caution in managing the 2007/08 budget, particularly in the context of commitments into later years and the impact that overspending in 2007/08 will have on the availability of general balances to support spending in 2008/09 and 2009/10.
- That the provisional Annual Efficiency Statement (AES) as set out as Attachment A to the report be noted.
- That the Medium Term Financial Strategy (MTFS) set out as Attachment B to the report be approved.

Deployment of Resources:  
Housing Revenue Account  
and Public Sector Housing  
Capital

- (1) That approval be given to a rent increase for Housing Revenue Account (HRA) dwellings on 11<sup>th</sup> June, 2007 with an average increase of £2.91 and a maximum increase of £5.18 in line with Government rent guidance;
- (2) That an increase of 3.6% in other charges as outlined in paragraphs 8 and 9 of the report be approved;
- (3) That the amendments to Homecall charges for residents other than Council tenants as outlined in paragraph 10 of the report be noted;
- (4) That the proposed garage rent increases and dates of future increases as set out in paragraphs 11 and 12 of the report be approved;

Subject to the approval of the Council:-

- (5) That the revised HRA budget for 2006/7 and HRA budget for 2007/8 outlined in Appendix 1 to the report be approved;
- (6) That the public sector housing revised capital budget for 2006/7 and capital budgets for 2007/8 to 2010/11 set out in Appendix 2 to the report be approved;
- (7) That the Director of Adult, Community and Housing Services, in consultation with the Cabinet Member for Housing, be authorised to manage and allocate resources to the capital programme as outlined in paragraph 23 of the report;
- (8) That the Director of Adult, Community and Housing Services be authorised to procure and enter into contracts for the delivery of the capital programme, as outlined in paragraph 24 of the report;
- (9) That the medium-term financial strategy set out in Appendix 4 to the report be approved.

Transport Settlement:  
Proposed Transport Capital  
Programme for 2007/08 and  
Road Safety Grant

- (1) That the Transport Capital Settlement for 2007/2008 be noted.
- (2) That the Council be recommended:-
  - (a) To approve the report and the allocation of Transport Capital Funding as set out in Appendix 1 to the report.
  - (b) To approve the following:-
    - (i) The schemes and programming identified in Appendix 2 – Bridge Strengthening and that advance work is undertaken on bridges not included in the current year.
    - (ii) The schemes and programming identified in Appendix 3 – Retaining Walls, that advance work is undertaken on walls not included in the current year and that the Director be authorised to bring construction work forward as funding permits.

- (iii) The schemes identified in Appendix 4 – Railway Road Vehicle Incursion, that design work is undertaken as resources permit, and that the Director be authorised to bring forward construction as funding permits.
- (iv) The schemes identified in Appendix 5 – Upgrading of Parapets, that design work is undertaken as resources permit and that the Director be authorised to bring forward construction as funding permits.
- (v) The schemes identified in Appendix 6 – Bus Showcase and that the Director be authorised to undertake work as funding is made available.
- (vi) The schemes and programming identified in Appendix 7 – Local Safety Schemes and that the Director be authorised to undertake work from the reserve programme as funding permits.
- (vii) The schemes and programming identified in Appendix 8 – Proposed Safer Routes to School Measures and that the Director be authorised to undertake work from reserve programme as funding permits.
- (viii) The schemes and programming identified in Appendix 9 – Pedestrian Crossing Programme and that the Director be authorised to undertake work from reserve programme as funding permits.
- (ix) The acquisition of land and property purchase associated with approved schemes as funding allows.

- (x) That the Director of the Urban Environment continues to initiate studies into future minor improvement schemes.
- (xi) That the Cabinet Member for Transportation in consultation with the Director of the Urban Environment be authorised to identify, and where appropriate, implement any remedial works to local safety schemes of a minor nature, the introduction of antiskid material and provision of variable speed message signs and mobile speed camera sites.
- (xii) That the Director of Law and Property in conjunction with the Director of the Urban Environment commences property acquisition by negotiation for schemes identified in Appendix 1.
- (xiii) That any scheme within the Local Safety Schemes and Safer Routes to Scheme programme of work which cannot be implemented within the relevant timescale or financial resources available for that particular programme of works be deferred and submitted for re-assessment for possible inclusion in a future programme of works.
- (xiv) That the Director of the Urban Environment continues to progress the highway improvement programme associated with outcomes from the Black Country Study and regeneration initiatives as set out in Appendices 1 and 10.

(xv) That the Cabinet Member for Transportation in consultation with the Director of the Urban Environment be authorised to approve the programme of Street Lighting Improvement and the programme of Highway Maintenance.

(xvi) That the Road Safety Grant be allocated as set out in the report.

Consultation on Spatial Options for the West Midlands Regional Spatial Strategy (RSS) Phase 2 Revision – Proposed Response by Dudley MBC

That the views expressed in the report and the Appendix be supported and the Director of the Urban Environment be authorised to submit a response to the Regional Planning Body based on these.

That the Director of the Urban Environment, in consultation with the Cabinet Member for Economic Regeneration, be authorised to take any necessary action in connection with the submission of a Black Country response on Phase II of RSS and the request that the Joint Advisory Group co-ordinate responses to the review within the Sub Region.

Public Consultation on the Black Country Core Strategy

That the undertaking of local public consultation events for the Black Country Core Strategy be endorsed.

Bringing the Local Development Scheme (LDS) into Effect

That approval be given to bring the Local Development Scheme into effect.

Planning Policy Statement 3 (PPS3) 'Housing'

That the content of the report and Appendix 1 be noted.

Extra Care Housing – Current Phase

That the progress be acknowledged and the initial choice of sites be supported.

Review of Local Government White Paper "Strong and Prosperous Communities"

That the implications of the White Paper "Strong and Prosperous Communities" for the future structure and operation of the Council be noted.

Capital Programme Monitoring and Bids for External Funding

That current progress with the 2006/07 Capital Programme, as set out in paragraph 2 and Appendix A be noted.

That the Dancing Cavern project be supported, and that the Chief Executive be authorised to make the necessary applications for funding to the Big Lottery Reaching Communities fund, as set out in paragraph 20.

That the results of the Post Completion Review of capital projects, as set out in Appendix B be noted.

That the Council be recommended:-

- That the expenditure of a further £0.5m on Disabled Facilities Grants be approved and the Capital Programme be amended accordingly, as set out in paragraph 8.
- That the Director of Adult, Community and Housing Services be authorised to make a formal bid to DCLG for funding for additional plots at the Oak Lane Gypsy Site, and that subject to such funding being received the project be approved as included in the Capital Programme as set out in paragraph 9.
- That the expenditure of £35,000 on Stairlifts be approved and included in the Capital Programme, as set out in paragraph 10.
- That the Capital Programme be amended to reflect the increased estimated cost of the PULSE team relocation, as set out in paragraph 11.
- That subject to the increase in revenue budget being approved, the expenditure on a further 50,000 wheeled bins be approved and included in the Capital Programme, and that the expenditure of the Waste Performance and Efficiency Grant on vehicles for use in the green waste collection service be approved and included in the Capital Programme, as set out in paragraph 12.
- That the acquisition of a new Document Management System for Planning and Development be approved and included in the Capital Programme, as set out in paragraph 13.

- That the grant from the Cory Environmental Trust for improvements at Mary Stevens Park be noted, and the scheme be included in the Capital Programme, as set out in paragraph 14.
- That the Personalised Learning Centre project at the Dormston School be approved and included in the Capital Programme, as set out in paragraph 15.
- That the Youth Offending Team Infrastructure project be approved and included in the Capital Programme, as set out in paragraph 16.
- That the Computers for Pupils funding be noted, and that the related expenditure be approved and included in the Capital Programme, as set out in paragraph 17.
- That subject to an appropriate decision by the Cabinet Member for Children's Services, the project to relocate Rosewood Special School be approved and included in the Capital Programme, as set out in paragraph 18.
- That the extra funding for the Wrens Nest Primary School replacement be noted and the Capital Programme be amended accordingly, as set out in paragraph 19.
- That the Urgent Amendments to the Capital Programme, as set out in paragraphs 21-22 be noted.
- That the Prudential Indicators as required to be determined by the CIPFA prudential Code for Capital Finance in Local Authorities and the Local Government Act 2003, as set out in Appendix C, be agreed.

North Priory Estate  
Regeneration Project: Project  
Update and North Priory  
Estate Compulsory Purchase  
Powers

That 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 regenerating the North Priory estate.



That the Directors of Adult, Community and Housing Services and 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;
- (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.

That the Director of Adult, Community and Housing Services be authorised to pay home loss payments and disturbance allowances to the residents of the North Priory regeneration scheme.

That the Director of Adult, Community and Housing Services be authorised to serve demolition notices on the secure tenants on the North Priory regeneration scheme.

Crown Centre Stourbridge:  
Compulsory Purchase Powers

Subject to securing a suitable financial indemnity from a development partner to cover any costs incurred, the Council makes 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, retail, office, residential, leisure, and car parking.

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.

That the Director of Law and Property be authorised to negotiate and complete any undertakings with developers regarding costs and any required development agreement(s) prior to the making of any Order(s).

That the Director of Law and Property be authorised to negotiate terms for the sale of the Bell Street car park as part of any comprehensive redevelopment of the site and for the transfer of any land acquired under the Order or already in the ownership of the Council to a development partner to allow the scheme to proceed.

That the Council be recommended to include any Capital expenditure associated with an order in the Capital Programme.

Promoting Independence for  
People with Physical Disability

That the work of the residents and staff of Bridge House and their relatives be commended in arriving at the significant milestone and taking on the challenge of independent living, or alternative accommodation.

That Bridge House be redesignated as a respite and rehabilitation unit.

That disabled people, relatives and family carers be actively involved in the planning of future provision of respite care and rehabilitation, to meet their needs and aspirations for support and help people live fulfilling and independent lives.

That the funding currently available for Bridge House be retained to support physically disabled people to live independently in their own homes through packages of care and in providing respite care and rehabilitation to support disabled people and their families.

Crown Centre, Stourbridge –  
Tenure Arrangements

That the Director of Law and Property be given delegated authority to:-

- (1) Negotiate and agree suitable terms for the surrender of the existing Headlease and Underlease at the Crown Centre, Stourbridge and replacement with an agreement for lease and/or new headlease to include the Crown Centre and Bell Street car park for a term of 250 years at a market rent (subject to a minimum rent of £100,000) and otherwise on terms to be agreed by the Director of Law and Property.
- (2) Negotiate a development agreement or other undertaking from the developer to replace the existing car park, with a new facility to provide a minimum of 500 car spaces and to make them available to shoppers and visitors on a short-term basis similar to the tariffs and regime operated at nearby public car parks.

Management Arrangements:  
Chief Executive's Directorate –  
(Dudley Council Plus)

That the alterations to the Management arrangements within the Chief Executive's Directorate be approved.

That the request for voluntary severance in respect of Mr. K.M. be approved.

The details of each of the above items are set out in the reports submitted to the meeting of the Cabinet held on 12<sup>th</sup> February, 2007. Copies of the public reports are available from Democratic Services in the Directorate of Law and Property (contact Steve Griffiths, 01384 815235).

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 of 14<sup>th</sup> February, 2007 unless a Select Committee objects to a decision and calls it in.

J POLYCHRONAKIS  
DIRECTOR OF LAW AND PROPERTY

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Dated: 14<sup>th</sup> February, 2007