

## **MEETING OF THE CABINET**

Wednesday, 13<sup>th</sup> September, 2006 at 6.00 p.m.  
in Committee Room 2 at the Council House, Dudley

### **PRESENT:-**

Councillor Fraser-Macnamara (Deputy Leader) (in the Chair)  
Councillors Evans, Knowles, Miller, Mrs. Millward, Mrs. Shakespeare  
and Mrs. Walker.

Minority Group Members nominated to attend meetings of the Cabinet:  
Councillors Ali, G.H. Davies, Ms. Foster, Ms. Partridge, Sparks and  
Tomkinson (Labour Group); and Councillor Tyler (Liberal Democrat  
Group)

### **OFFICERS:-**

The Chief Executive, Director of Law and Property, Director of Adult,  
Community and Housing Services, Director of Children's Services,  
Director of the Urban Environment, Director of Finance, together with  
the Democratic Services Manager and other Officers.

### 28      **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were received on behalf of  
Councillors Adams, Caunt, Crumpton, Mrs Martin and Mrs Ridney.

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### 29      **CHANGES IN REPRESENTATION OF MINORITY GROUP MEMBERS**

It was reported that Councillor Tomkinson was serving in place of  
Councillor Mrs Ridney as a member of the Labour Group, nominated to  
attend meetings of the Cabinet, for this meeting only.

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### 30      **DECLARATIONS OF INTEREST**

No Member declared an interest, in accordance with the Members'  
Code of Conduct, in relation to any matter to be considered at this  
meeting.

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### 31      **MINUTES**

With reference to the preamble to Minute No. 21 (Investing in the  
Future – Transforming Secondary Provision), the Cabinet Member for  
Children's Services clarified that full and open consultation would be  
undertaken and this would include all secondary schools.

## RESOLVED

That subject to the point of clarification referred to above, the minutes of the Meeting of the Cabinet held on 14<sup>th</sup> June, 2006, be approved as a correct record and signed.

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### ECONOMIC REGENERATION ACTIVITIES

A report of the Director of the Urban Environment was submitted on regeneration activities in the Borough.

The report included details of a proposed delivery vehicle for the Dudley Area Development Framework, the proposed Townscape Heritage Initiative (THI) for Dudley Town Centre and the progress of a strategy for the submission of bids to the Heritage Lottery Fund (HLF). The Cabinet was also advised of the progress of the Regeneration Strategy for Local Centres.

#### RESOLVED:-

##### The Dudley Area Development Framework Delivery Vehicle

- (1) That the progress on the work being undertaken by King Sturge in developing proposals for delivering the Dudley Area Development Framework and an associated business plan be noted.

##### The Dudley Town Centre Townscape Heritage Initiative

- (2) That in the event of the Heritage Lottery Fund (HLF) approving the Stage 2 application for a grant for the Dudley Townscape Heritage Initiative, the Director of the Urban Environment be authorised to accept the grant and, in liaison with the Director of Law and Property, to enter into a grant contract with the HLF.
- (3) That the ongoing work of the Council to secure match funding to complement the Dudley Townscape Heritage Initiative (THI) 'Common Fund' be supported.
- (4) That the Council be recommended to include the first year's total capital cost of the Dudley Town Centre THI project in the 2007/08 capital programme at a cost of £110,000.

- (5) That approval be given for the preparation and submission of a bid to Advantage West Midlands (AWM) for match funding to contribute to the 'Common Fund'; that the Director of the Urban Environment be authorised to sign the applications to AWM for funding and that the Director of Law and Property enter into a legal agreement with AWM when the funding is secured.
- (6) That the Director of the Urban Environment, in consultation with the Cabinet Member for Regeneration, be authorised to prepare criteria, conduct negotiations with applicants and issue grants for the Dudley Town Centre Townscape Heritage Initiative.

#### District and Local Centres Regeneration

- (7) That the priorities for the regeneration of the Borough's local centres be approved, together with the proposal that the centres at Shell Corner, Cradley/Windmill Hill, Pensnett, and Quarry Bank become the priority for the preparation of appropriate regeneration plans.

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#### THE WREN'S NEST AND SEVEN SISTERS HERITAGE EXPERIENCE – BIG LOTTERY FUND (BIG) AND HERITAGE LOTTERY FUND (HLF) APPLICATIONS

A report of the Director of the Urban Environment was submitted on the progress of the Black Country's Living Landmarks: the People's Millions bid to the Big Lottery Fund (BIG) for the development of the scheme known as "A Million People: The Black Country as Urban Park".

The Cabinet was recommended to proceed with the submission of the Stage 2 BIG application and a complementary application to the Heritage Lottery Fund (HLF).

Members expressed strong support for this exciting project and noted the significant benefits the project would have for the Black Country and the wider region. It was recommended that processes be established, as soon as possible, to engage with Members, community groups, schools and the public, with a view to generating widespread interest and support for the project in advance of the public vote, scheduled for October, 2007.

RESOLVED

- (1) That the progress made on the development of the Seven Sisters and Wren's Nest Heritage Experience project be noted.
- (2) That the submission of the Stage 2 "A Million People: The Black Country as Urban Park" Big Lottery Fund (BIG) application be approved.
- (3) That the submission of the Heritage Lottery Fund (HLF) application for the stabilisation of the Seven Sisters mines, interpretation and educational elements of the site and the visitor facilities at the Seven Sisters be approved.
- (4) That the Council be recommended to include £175,000 in the capital programme to cover the site investigation works.
- (5) That the ongoing work of the Council to secure match funding to support the BIG and HLF applications be supported.
- (6) That the Director of the Urban Environment be authorised to submit applications to Advantage West Midlands and any other potential match funding bodies and to accept any grant funding arising.
- (7) That a Strategic Management Group be established within the Council, to be chaired by the Cabinet Member for Leisure and Culture, for the development phase of the project and its subsequent implementation.
- (8) That the Director of the Urban Environment, in consultation with the Director of Finance, be authorised to enter into contracts with the necessary specialist contractors and consultants in order to meet the timescales outlined in the report.
- (9) That the Director of Law and Property, in consultation with the Director of the Urban Environment, be authorised to enter into any related legal agreements to effect the delivery of the project.

Further to the meeting of the Cabinet held on 8<sup>th</sup> February, 2006 (Minute No. 114 refers), a report of the Director of the Urban Environment was submitted on the formal adoption of the Council's Supplementary Planning Documents (SPDs) on Nature Conservation and the Historic Environment.

Full copies of the SPDs had been made available in the Member's Room and on the Council's Internet site, together with the associated Sustainability Appraisals, the Statement of Community Involvement and the representations received as a result of public consultation.

RESOLVED

That the Supplementary Planning Documents for Nature Conservation and the Historic Environment be approved and adopted.

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35      **DRAFT SUPPLEMENTARY PLANNING DOCUMENT - A DEVELOPER'S GUIDE TO NEW HOUSING AND THE URBAN DESIGN CONTEXT – APPROVAL FOR PUBLIC CONSULTATION**

A report of the Director of the Urban Environment was submitted on a proposed period of public consultation in respect of the draft Supplementary Planning Document (SPD) titled "New Housing Development, A Guide to Establishing Urban Context".

Full copies of the draft SPD had been made available in the Member's Room and on the Council's Internet site, together with the associated Sustainability Appraisal and the Statement of Community Involvement.

RESOLVED

That the draft Supplementary Planning Document "New Housing Development, A Guide to establishing Urban Context" be approved for publication for a statutory public consultation period of six weeks.

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36      **PUBLIC CONSULTATION ON THE DRAFT 'PARKING STANDARDS AND TRAVEL PLANS' SUPPLEMENTARY PLANNING DOCUMENT**

A report of the Director of the Urban Environment was submitted on a proposed period of public consultation in respect of the draft Supplementary Planning Document (SPD) on Parking Standards and Travel Plans.

Full copies of the draft SPD had been made available in the Member's Room and on the Council's Internet site, together with the associated Sustainability Appraisal and the Statement of Community Involvement.

RESOLVED

That the draft Parking Standards and Travel Plans Supplementary Planning Document be approved for publication for a statutory public consultation period of six weeks.

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37      CONFIRMATION OF JOINT WORKING WITH THE OTHER THREE BLACK COUNTRY AUTHORITIES ON THE PRODUCTION OF A JOINT CORE STRATEGY PLANNING DOCUMENT

A report of the Director of the Urban Environment was submitted on proposals to confirm the Council's commitment to working with Sandwell Metropolitan Borough Council, Walsall Metropolitan Borough Council and Wolverhampton City Council on the production of a joint Core Strategy Development Plan document.

The production of a Core Strategy Development Plan Document was a requirement of the Planning and Compulsory Purchase Act 2004. The joint Core Strategy would set the planning framework for the development of the Borough, as well as the rest of the Black Country, up to 2021.

RESOLVED

- (1) That the Council be recommended:-
    - (a) That the joint working arrangements with Sandwell MBC, Walsall MBC and Wolverhampton City Council be confirmed and approved for the production of a joint Core Strategy Development Plan document.
    - (b) That approval be given to any necessary procurement of work and services, jointly with the other authorities, to assist in the production of the document, provided that sufficient resources can be identified and evaluated.
  - (2) That the Chief Executive write to the Chief Executive of the Local Government Association to raise issues of joint working with the other local authorities in the context of ongoing discussions on the City Region.
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38      INTERIM CORPORATE ICT STRATEGY 2006/07

A joint report of the Director of Finance and the Director of Children's Services was submitted on the interim corporate ICT strategy 2006/07. The interim strategy document built on positive achievements made by the Council to meet e-government targets and recognised challenges associated with the Government's emerging Transformational Government agenda.

#### RESOLVED

That the interim Corporate ICT Strategy for 2006/07 be approved, published and implemented and that the Director of Finance be authorised to carry out the recommended actions associated with the adoption of the interim strategy.

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#### PROVIDING A MODERN LIBRARY SERVICE IN DUDLEY MBC – A STRATEGY FOR THE FUTURE

A report of the Director of Adult, Community and Housing Services was submitted on proposals to adopt a new vision and associated principles for the future development of the Dudley Libraries Service.

The proposals had been developed in the context of the guidance from the Department of Culture, Media and Sport entitled 'A Framework for the Future: Libraries, Learning and Information in the Next Decade'. The Council had participated in a peer review process in 2005, which had led to the development of an implementation plan as a first stage of a full review of the service.

The review recognised the strengths of the existing service and highlighted issues and improvement areas to be addressed by the Council. The vision statement for the Library Service would be "Open and Accessible to All" and this would be underpinned by a series of principles aimed at creating a strategy for the development of an excellent, modern library service for the future.

The Cabinet was advised that as a consequence of the remodelling of Council Services, responsibilities for Libraries, Archives and Adult and Community Learning Services had been re-assigned to the Cabinet Member for Housing.

In response to questions concerning the review of Library provision, the Cabinet Member for Housing indicated that no final decisions had been taken at this stage pending the completion of the review.

## RESOLVED

- (1) That, as a consequence of the remodelling of Council Services, the re-assignment of Cabinet Member responsibilities for Libraries, Archives and Adult and Community Learning Services to the Cabinet Member for Housing be endorsed and that the Director of Law and Property be authorised to confirm the necessary changes in the Council's Constitution.
- (2) That approval be given to the implementation of the vision, principles and outline strategy, as set out in the report, to make the aspirations of the Library Service a reality in Dudley.
- (3) That the Director of Adult, Community and Housing Services submit a further report on the key areas for future implementation.

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## REVIEW OF HOMELESSNESS STRATEGY

A report of the Director of Adult, Community and Housing Services was submitted on a review of the Council's Homelessness Strategy. The Homelessness Act 2002 required the Council to produce a strategy, monitor its implementation and update the strategy every five years. A multi-agency group had monitored the implementation of the strategy and the associated action plans and the Cabinet received the annual report on the Homelessness Service for 2005/06.

The updated Homelessness Strategy 2006 – 2011 had been made available in the Member's Room and on the Council's Internet site. The draft document had been the subject of consultation at a Housing Conference on 5<sup>th</sup> July, 2006 and with registered social landlords through the Dudley Housing Partnership. Views of service users had also informed the development of the revised action plan.

The report summarised the main findings of the review and issues for inclusion in the future action plan.

In respect of a question from a Member concerning the reasons for the use of an external credit referencing agency, the Director of Adult, Community and Housing Services indicated that she would respond in writing and that the response would be circulated to all Members for information.

## RESOLVED

That the update Homelessness Strategy be approved and adopted.



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## QUARTERLY CORPORATE PERFORMANCE MANAGEMENT REPORT

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A report of the Chief Executive was submitted on the Quarterly Corporate Performance Management Report for the first quarter in 2006/07, relating to performance for the period from 1<sup>st</sup> April to 30<sup>th</sup> June, 2006. Members commented on the report and received an update following the meeting of the Cabinet Performance Management Sub-Group on 6<sup>th</sup> September, 2006.

In response to queries concerning the handling of telephone calls by Dudley Council Plus, the Chief Executive undertook to write to the Member concerned.

### RESOLVED

- (1) That the Quarterly Corporate Performance Management Report be received and approved.
  - (2) That the information contained in the Quarterly Corporate Performance Management Report be referred to Select Committees to consider specific issues within their terms of reference.
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## SPENDING PROJECTIONS

A report of the Director of Finance was submitted on the details of the projected outturn for 2006/07.

### RESOLVED

- (1) That the projected net overspending set out in paragraph 2 of the report, and the necessary action to fund the overspending, be noted.
  - (2) That the requirement for all Cabinet Members, Directors and budget holders to exercise stringent budgetary control for the remainder of the current financial year be reiterated, in accordance with the Council's approved Financial Management Regime.
  - (3) That the effects on the Council's Medium Term Financial Plan be noted.
  - (4) That action be taken to replenish General Balances when the opportunity arises.
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## UPDATE OF THE COUNCIL'S CAPITAL STRATEGY

A report of the Director of Finance was submitted on proposals to update the Council's Capital Strategy.

RESOLVED

That the draft Capital Strategy, as now submitted, be approved as the basis of consultation with Select Committees.

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CAPITAL PROGRAMME MONITORING

A joint report of the Chief Executive and Director of Finance was submitted indicating progress on the implementation of the Capital Programme and proposed certain amendments in connection with the Programme.

RESOLVED

- (1) That the current progress with the 2006/07 Capital Programme, as set out in the report, be noted.
- (2) That the Council be recommended:-
  - (a) That the development of the Burnt Tree Island scheme be approved and included in the Capital Programme, as set out in paragraph 6 of the report.
  - (b) That the Schools Travel Plan grant allocation be noted, and the associated expenditure be included in the Capital Programme, as set out in paragraph 7 of the report.
  - (c) That in respect of the Extension to Cornbow Shopping Centre, the contingent liability for future compensation payments be noted (together with the indemnity received from the developer to cover such costs), and that any such expenditure be included in the Capital Programme, as set out in paragraph 8 of the report.
  - (d) That the Safer Stronger Communities Fund grant allocation be noted and the associated expenditure be included in the Capital Programme, as set out in paragraph 9 of the report.

- (e) That the Emergency Planning Offices project be included in the Capital Programme, as set out in paragraph 10 of the report.
  - (f) That the works to the Mere Centre to accommodate the PULSE team be approved and included in the Capital Programme, as set out in paragraph 11 of the report.
  - (g) That the urgent amendments to the Capital Programme, as set out in paragraphs 12-13 of the report be noted.
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45      ANNUAL LETTER 2005/06 FROM THE LOCAL GOVERNMENT OMBUDSMAN IN RESPECT OF COMPLAINTS MADE AGAINST THE COUNCIL

A report of the Director of Law and Property was submitted on the content of the annual letter 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 31<sup>st</sup> March, 2006.

RESOLVED

- (1) That the information contained in the report and Appendices be noted and that all Directors review their internal arrangements, as appropriate, 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 set timescales.
  - (2) That the Director of Law and Property action the request of the Ombudsman to include an appropriate hyperlink to their website.
  - (3) That the Director of Law and Property organise a training session for all Members of the Council relating to the work of the Local Government Ombudsman's service.
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46      ISSUES ARISING FROM SELECT COMMITTEES

There were no issues arising from Select Committees.

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47      EXCLUSION OF THE PUBLIC

RESOLVED

That the public be excluded from the meeting for the following items of business on the grounds that:-

- (a) they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Local Government Act, 1972 as indicated below; and
- (b) in all the circumstances, the public interest in disclosing the information is outweighed by the public interest in maintaining the exemption from disclosure.

<u>Item</u>	<u>Paragraph No.</u>
Dudley Town Centre Regeneration – Redevelopment of Dudley Civic Quadrant.	3
Restructuring of Transportation and Engineering Related Services.	1
Directorate of the Urban Environment Human Resource Issues.	1

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#### DUDLEY TOWN CENTRE REGENERATION – REDEVELOPMENT OF DUDLEY CIVIC QUADRANT

Prior to the consideration of this item, the Chief Executive made a disclosure of a personal interest to the effect that:-

- (a) he had been a contributor to the book entitled Public Sector Plc, as referred to in paragraph 7 of the report; and
- (b) in view of the involvement with Public Sector plc, as referred to above, a Director of that organisation was personally known to him as a friend.

In view of the above, the report submitted to the meeting was amended by the deletion of all references to the Chief Executive as being an author or signatory to the report and the removal of the reference to the Chief Executive in the recommendations.

A joint report of the Director of Finance and the Director of Law and Property was submitted on proposals for the comprehensive redevelopment of the Dudley Civic Quadrant site.

RESOLVED

- (1) That the scheme be supported in principle.

- (2) That the proposed Success Criteria be supported in principle, as set out in paragraph 15 of the report.
  - (3) That Officers report back to the Cabinet on the detailed wording of the Success Criteria.
  - (4) That a report be submitted to the Council following the consideration of the report referred to in (3) above.
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**RESTRUCTURING OF TRANSPORTATION AND ENGINEERING  
RELATED SERVICES**

A report of the Director of the Urban Environment was submitted on proposals for the restructuring of the Transportation and Engineering Sections within the Directorate of the Urban Environment, together with applications for voluntary severance in respect of two employees.

**RESOLVED**

- (1) That the voluntary severance requests of the two employees concerned (GI and FB) be approved on the terms and conditions set out in the report.
  - (2) That the restructuring of the Transportation and Engineering Sections in the Directorate of the Urban Environment be approved and that the revised organisational structure be as set out in Appendix 2 of the report.
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**DIRECTORATE OF THE URBAN ENVIRONMENT –  
HUMAN RESOURCES ISSUES**

A report of the Director of the Urban Environment was submitted on a request for voluntary severance made by a member of staff (AM).

**RESOLVED**

That the application for voluntary severance be approved on the terms and conditions set out in the report.

The meeting ended at 8.11 p.m.

**LEADER OF THE COUNCIL**