

MEETING OF THE CABINET

Wednesday, 1st November, 2006 at 6.00 p.m.
in the Council Chamber at the Council House, Dudley

PRESENT:-

Councillor Caunt (Leader - Chairman);
Councillors Adams, Evans, Knowles, Mrs. Martin, Miller, Mrs. Millward,
Mrs. Shakespeare and Mrs. Walker.

Opposition Group Members nominated to attend meetings of the
Cabinet: Councillors Crumpton, G.H. Davies, Ms. Foster, Ms. Partridge,
Sparks, Mrs. Ridley and Waltho (Labour Group); and Councillor Tyler
(Liberal Democrat Group).

OBSERVERS:-

Councillors Mrs. Aston and Finch.

OFFICERS:-

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

ANNOUNCEMENT BY LEADER

Prior to the commencement of the formal agenda items, the Leader
referred to the recent tragic incident at the Lister Road Depot, which
had resulted in the death of a Council employee. Members stood in
silent tribute as a token of respect to the memory of the employee
involved. Sincere condolences would be communicated to his family.

51

APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received on behalf of
Councillors Ali and Fraser-Macnamara.

52

CHANGES IN REPRESENTATION OF MINORITY GROUP MEMBERS

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

53 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.

54 MINUTES

RESOLVED

That the minutes of the Meeting of the Cabinet held on 13th September, 2006, be approved as a correct record and signed.

55 CIVIL PARKING ENFORCEMENT

The Cabinet considered a report of the Directors of Urban Environment, Finance and Law and Property seeking approval for the introduction of Civil Parking Enforcement (CPE) in the Borough with an implementation date of 1st April, 2008. It was proposed that all associated administrative and enforcement operations would be carried out 'in-house'.

RESOLVED

That subject to the necessary approval of the Council:-

- (1) Having regard to Parliamentary processes, approval be given for the adoption of powers to permit the enforcement of on-street parking restrictions, through the creation of a Special Parking Area and a Permitted Parking Area throughout the Borough for implementation on 22nd October, 2007.
- (2) Approval be given to funding the full implementation of Civil Parking Enforcement (CPE) initially from Council reserves.
- (3) The Director of Law and Property and the Director of Finance, in consultation with the Cabinet Member for Transportation and the Director of the Urban Environment, be authorised to establish the legal and budgetary frameworks for the introduction of CPE.

- (4) Approval be given for the Council to participate in the National Parking Adjudication Service (NPAS) Joint Committee under Section 101 of the Local Government Act 1972.
 - (5) Two Council Members (one acting as the other's deputy) be nominated to represent the Council on the NPAS Joint Committee as and when necessary.
 - (6) Approval be given to the setting of nationally accepted penalty charges of £60 (reduced to £30 for payment within 14 days and incremented to £90 after non payment) for parking offences with effect from the date of the commencement of Decriminalised Parking Enforcement.
 - (7) The Director of Law and Property be authorised to enter into an NPAS Joint Committee agreement.
 - (8) The Director of Law and Property be authorised to assess bailiff service requirements for the non-payment of Penalty Charge Notices.
-

CULTURAL STRATEGY

The Cabinet considered a report of the Director of the Urban Environment on the adoption of the Council's Cultural Strategy for 2006 to 2009. The strategy document identified linkages to the Council's overall corporate priorities and the priorities of the wider community as identified in the Comprehensive Performance Assessment (CPA).

Members welcomed and commented positively on the Cultural Strategy. Reference was made to the grouping of libraries and archives under the heading of cultural services within the existing CPA arrangements. It was noted that changes were being considered to the CPA process at a national level.

Reference was also made to proposals to hold a 'Dudley Community Olympics' event in 2008. The Cabinet supported this concept in principle, however, it was recognised that more detailed work was required on the specific implications. It was also noted that there were restrictions on the use of the term 'Olympics' and the Council would need to reconsider the proposed title of the event.

RESOLVED

- (1) That subject to the necessary approval of the Council, the Cultural Strategy be approved and adopted.

- (2) That the concept of the 'Dudley Community Olympics' be supported in principle, subject to further detailed analysis of the financial and other implications.
-

57

NORTH PRIORY ESTATE REGENERATION PROJECT

The Cabinet considered a report of the Director of Adult, Community and Housing Services on the progress of the North Priory Regeneration Project. Approval was sought to take the Project forward through the option of the full regeneration of the Estate.

The Cabinet Member for Housing responded to issues raised in relation to the use of consultants, the implications of the loss of the Council's housing stock and the wider implications for the Borough. Concerns were also expressed regarding the current and future implications for residents on the Estate and the non-inclusion of Ward Councillors on the Project Board.

The Cabinet Member for Housing indicated that the existing residents had been, and would continue to be, involved throughout the duration of the project.

RESOLVED

That, subject to the necessary approval of the Council, authority be given to:-

- (1) Continue with the project and to develop a prospectus inviting proposals from potential development partners.
 - (2) Procure a development partner to work with the Council on the regeneration of the North Priory Estate with the 100% redevelopment option; a minimum 30% of affordable housing and generating a capital receipt adequate to cover the Council's initial costs.
 - (3) Incur expenditure as outlined in paragraph 20 of the report.
 - (4) Seek approval to bid for Housing Corporation funds.
-

58

ANNUAL PROPERTY PERFORMANCE REPORT

The Cabinet considered a report of the Director of Law and Property on the first Annual Property Performance Report for 2005/06.

In presenting the report, the Cabinet Member for Personnel, Legal and Property referred to the update of the strategic work plan and the ongoing involvement of the lead Opposition Group spokespersons in this work.

RESOLVED

- (1) That the Annual Property Performance Report for 2005/06 and its conclusions be approved and that the Director of Law and Property, in consultation with relevant Directorates, be authorised to take the necessary action identified in the report.
- (2) That the strategic work plan for the Corporate Property Policy be approved.

59

ANNUAL REVIEW OF EQUALITY AND DIVERSITY 2006

The Cabinet considered a report of the Director of Law and Property on the annual review of Equality and Diversity for 2006.

RESOLVED

That the annual review of Equality and Diversity 2006 be approved.

60

DRAFT DISABILITY EQUALITY SCHEME

The Cabinet considered a report of the Director of Law and Property on the draft Disability Equality Scheme. The report also updated Members on the preparation of an overall Equality Scheme for the Council.

Cabinet Members responded to issues regarding the practical implementation of the Scheme. Reference was made to work to extend the Occupational Health Service and work in progress to consult on and review the implications of the new Age Regulations. Responsibility for the scrutiny of the Equality Scheme was within the remit of the Select Committee on Regeneration, Culture and Adult Education.

RESOLVED

- (1) That the Director of Law and Property be authorised, in consultation with Councillor Mrs. Shakespeare, to approve the final version of the Disability Equality Scheme for publication by 4th December, 2006.

- (2) That the progress towards the preparation of the overall Equality Scheme be noted.
 - (3) That the updated Equality and Diversity Policy, as set out at Appendix A to the draft Scheme, be approved.
-

61 DRAFT SUPPLEMENTARY PLANNING DOCUMENT ON OPEN SPACE, SPORT AND RECREATION PROVISION – APPROVAL FOR PUBLIC CONSULTATION AND PARTICIPATION

The Cabinet considered a report of the Director of the Urban Environment on the draft Supplementary Planning Document (SPD) on Open Space, Sport and Recreation Provision.

RESOLVED

That the draft Supplementary Planning Document on Open Space, Sport and Recreation Provision be approved as a basis for public consultation.

62 ADOPTION OF STATEMENT OF COMMUNITY INVOLVEMENT

The Cabinet considered a report of the Director of the Urban Environment seeking approval for the formal adoption of the Council's Statement of Community Involvement.

RESOLVED

That the Statement of Community Involvement be approved and adopted.

63 DRAFT LOCAL AREA AGREEMENT

The Cabinet considered a report of the Chief Executive on the draft Local Area Agreement (LAA) which had been prepared in accordance with Government requirements by the end of September, 2006. The Authority was required to work with partners to finalise the LAA by the end of February, 2007 for implementation with effect from April, 2007.

RESOLVED

That the draft Local Area Agreement be endorsed and the requirement to develop the draft for the next stage of submission by December 2006 be noted.

64 APPROVAL OF GAMBLING POLICY

The Cabinet considered a report of the Licensing and Safety Committee on the proposed adoption of the Council's Gambling Policy.

RESOLVED

That the recommendation of the Licensing and Safety Committee in respect of the Council's Gambling Policy be endorsed and that the policy be recommended to the Council for approval.

65

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.

The Director of the Urban Environment undertook to respond to a query raised by a Member in respect of maintenance liabilities associated with Friends of Parks Groups.

RESOLVED

- (1) That current progress with the 2006/07 Capital Programme be noted.
- (2) That the Director of Adult, Community and Housing Services be authorised to make a bid for Wellbeing Lottery funding, as set out in paragraph 20 of the report, and to accept any resultant offer of resources.
- (3) That the Council be recommended:-
 - (a) That the refurbishment of the North Wing of Himley Hall be approved and included in the Capital Programme, as set out in paragraph 6 of the report.
 - (b) That the expenditure items set out in paragraph 7 of the report be approved and added to the Liveability programme.
 - (c) That the expenditure on Incinerator Equipment be included in the Capital Programme, as set out in paragraph 8 of the report.

- (d) That the Stourbridge Area Skatepark project be approved and included in the Capital Programme, as set out in paragraph 9 of the report.
- (e) That the Highways Capital Programme be amended, as set out in paragraph 10 of the report.
- (f) That the project to replace the Huntingdon Gardens Play area be approved and included in the Capital Programme, as set out in paragraph 11 of the report.
- (g) That the Drews Holloway Culvert parapet upgrade be included in the Capital Programme, as set out in paragraph 12 of the report.
- (h) That the ICT hardware and software expenditure be approved and included in the Capital Programme, as set out in paragraph 13 of the report.
- (i) That the Committee Room ICT equipment project be approved and included in the Capital Programme, as set out in paragraph 14 of the report.
- (j) That the additional works relating to the relocation of the People Using Local Services Everyday (PULSE) Team be approved and included in the Capital Programme, as set out in paragraph 15 of the report.
- (k) That the replacement of the utility blocks at the Oak Lane Gypsy Site be approved and included in the Capital Programme, as set out in paragraph 16 of the report.
- (l) That the Netherton Community Café Project be approved in principle and included in the Capital Programme, subject to further analysis of the estimated costs and sources of funding, including the contribution from Advantage West Midlands.

- (m) That the Housing Market Renewal funding of £283,000 be directed to the provision of Housing Assistance Grants in the designated market renewal areas of Dudley, Brierley Hill and Lye, in turn enabling the release of £189,000 to address waiting times for Disabled Facilities Grants, as set out in paragraph 18 of the report.
 - (n) That, subject to satisfactory legal arrangements being made to protect the Council's interests, the request of Dudley Primary Care Trust to meet the initial refurbishment cost of the Priory Road Pharmacy be agreed, and the project be included in the Capital Programme, as set out in paragraph 19 of the report.
 - (o) That, subject to the success of the funding bid, any capital elements of the Wellbeing project be included in the Capital Programme, as set out in paragraph 20 of the report.
 - (p) That a capital budget of £100,000 be established to undertake feasibility works and minor improvements arising out of the Library Review, as set out in paragraph 21 of the report.
-

66 CONFIDENTIAL REPORTING POLICY

The Cabinet considered a report of the Standards Committee monitoring the operation of the Council's Confidential Reporting Policy. Consideration was also given to a number of proposed modifications to the policy.

RESOLVED

That the Council be recommended to approve the updates to paragraphs 7.1 and 7.5 and the amended paragraph 8.5 of the Confidential Reporting Policy, as set out in the report.

67 DUDLEY TOWN CENTRE CONSERVATION AREA MANAGEMENT PLAN

The Cabinet considered a report of the Director of the Urban Environment seeking approval to a Conservation Area Management Plan for Dudley Town Centre.

RESOLVED

- (1) That the Dudley Town Centre Conservation Area Management Plan be approved and adopted and that approval be given to its proactive implementation throughout the lifetime of the Townscape Heritage Initiative and beyond.
- (2) That the Cabinet support the proactive application of the Council's planning powers, as set out in the Dudley Conservation Area Management Plan and supported by the Development Control Committee, to ensure the effective ongoing management of the Dudley Town Centre Conservation Area.

68

ISSUES ARISING FROM SELECT COMMITTEES

There were no issues arising from Select Committees.

The meeting ended at 7.30 p.m.

LEADER OF THE COUNCIL