

SPECIAL MEETING OF THE CABINET

THURSDAY 25TH APRIL, 2013

**AT 6.30 PM
IN COMMITTEE ROOM 2
AT THE COUNCIL HOUSE
DUDLEY**

If you (or anyone you know) is attending the meeting and requires assistance to access the venue and/or its facilities, could you please contact Democratic Services in advance and we will do our best to help you

**STEVE GRIFFITHS
DEMOCRATIC SERVICES MANAGER**

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**You can view information about Dudley MBC on
www.dudley.gov.uk**

IMPORTANT NOTICE

MEETINGS IN DUDLEY COUNCIL HOUSE

Welcome to Dudley Council House

In the event of the alarm sounding, please leave the building by the nearest exit. There are Officers who will assist you in the event of this happening, please follow their instructions.

There is to be no smoking on the premises in line with national legislation. It is an offence to smoke in or on these premises.

Please turn off your mobile phones and mobile communication devices during the meeting.

Thank you for your co-operation.

Our Ref:
SG/KLG

Your Ref:

Please Ask For:
Steve Griffiths

Telephone No:
01384 815235

17th April, 2013

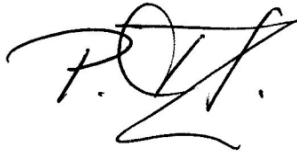
Dear Councillor

SPECIAL MEETING OF THE CABINET – THURSDAY, 25TH APRIL, 2013

You are requested to attend a special meeting of the Cabinet to be held on 25th April, 2013 at 6.30p.m. in Committee Room 2 at the Council House, Priory Road, Dudley to consider the business set out in the agenda below.

The agenda and reports for this meeting can be viewed on the Council's website www.dudley.gov.uk (Follow the links to Councillors in Dudley and Committee Management Information System).

Yours sincerely



Director of Corporate Resources

AGENDA

1. APOLOGIES FOR ABSENCE

To receive apologies for absence from the meeting.

2. CHANGES IN REPRESENTATION OF MINORITY GROUP MEMBERS

To report any changes in the representation of Minority Group Members at this meeting.

3. DECLARATIONS OF INTEREST

To receive declarations of interest, in accordance with the Members' Code of Conduct.

SERVICE RELATED CORPORATE ISSUES

4. REVIEW OF THE COUNCIL'S SCRUTINY ARRANGEMENTS (KEY DECISION)
(PAGES 1 – 22)

To consider the report of the Director of Corporate Resources.

5. DUDLEY MARKET PLACE (PAGES 23 – 27)

To consider the report of the Director of the Urban Environment.

6. EUROPEAN REGIONAL DEVELOPMENT FUND (ERDF) APPLICATIONS
(PAGES 28 – 31)

To consider the joint report of the Director of the Urban Environment and the Director of Corporate Resources.

PRIVATE SESSION

In accordance with Part 1 of Schedule 12A to the Local Government Act, 1972, the Proper Officer has determined that there will be no advance disclosure of the following reports because the public interest in disclosing the information set out in the following items is outweighed by the public interest in maintaining the exemption from disclosure.

7. RESOLUTION TO EXCLUDE THE PUBLIC

To consider the adoption of the following resolution:-

That the public be excluded from the meeting for the following item of business on the grounds that it involves 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.

The submission of the following report complies with the requirements of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations, 2012.

<u>Agenda Item Number</u>	<u>Description of Item</u>	<u>Relevant paragraph of Part 1 of Schedule 12A</u>
8	Staffing Issues – 2013/14 budget savings	1

8. STAFFING ISSUES – 2013/14 BUDGET SAVINGS (PAGES 32 – 37)

To consider the report of the Director of Corporate Resources.

To: All Members of the Cabinet:

Councillor Sparks (Leader - Chair)

Councillor Ali (Deputy Leader)

Councillors K Ahmed, Crumpton, Foster, Islam, Lowe, Partridge, Waltho and Wood.

Opposition Group Members nominated to attend meetings of the Cabinet:

Councillors Blood, Harley, James, K Turner, Vickers, Mrs Walker and Wright.

Meeting of the Cabinet – 25th April, 2013

Report of the Director of Corporate Resources

Review of the Council’s Scrutiny Arrangements

Purpose of Report

1. To consider recommendations on a review of the Council’s scrutiny arrangements in advance of the 2013/14 municipal year.

Background

2. On 13th November, 2012, the Cabinet considered a report on the annual review of the Constitution. The Cabinet agreed, amongst other things, that the Council’s existing overview and scrutiny arrangements and Scrutiny Committee structure be reviewed and that recommendations be presented in advance of the 2013/14 municipal year. This report presents the outcomes of the review undertaken by Scrutiny Chairs.
3. The principles of the review are to strengthen the Council’s overview and scrutiny arrangements; to ensure proper democratic accountability and to promote confidence in the conduct of the Council’s business. The review is also set in the context of significant financial pressures faced by the Council and the need to focus limited resources in the most effective way.
4. As part of the review, Scrutiny Chairs endorsed a series of principles:
 - That the existing informal “Chairs of Scrutiny Committees” meeting be formalised into an “Overview and Scrutiny Management Board”.
 - That a revised structure of Overview and Scrutiny Committees be adopted as set out in Appendix 1. This includes Scrutiny Committees to carry out detailed scrutiny reviews and a separate Scrutiny Committee with a remit for Corporate Performance Management, Efficiency and Effectiveness.
 - That the role of Scrutiny Committees be developed further to comprise:-
 - The adoption of the “Parliamentary Select Committee” model by undertaking single item in-depth scrutiny investigations/inquiries with reports from the Scrutiny Chair being presented to the Cabinet/Council.
 - One Committee to pilot an “in-depth single item scrutiny” during the current municipal year.

- Being more strategic and selective in selecting topics for scrutiny with Scrutiny Committees focussing on in-depth investigations. The Overview and Scrutiny Management Board will have a role in overseeing and co-ordinating the annual scrutiny programme.

- Enhancement of the role of Scrutiny Committees in policy development by carrying out the in-depth scrutiny reviews as referred to above.

- All scrutiny "Call-ins" to be determined by the Management Board (with provision for inviting statutory co-opted members in the case of Education matters).

- Cabinet Members/Chief Officers and others to attend scrutiny meetings to give evidence/reports if required by the Scrutiny Committee (given advance notice).

- The retention of statutory co-opted members on the Scrutiny Committee that considers "Education" matters (ie: Children's Services).

- The Chair of the Overview and Scrutiny Management Board to submit an annual report to the Council on corporate scrutiny activity.

- The Minutes of the Overview and Scrutiny Management Board and individual Scrutiny Committees to be submitted to Council.

5. On 30th January, 2013, Scrutiny Chairs discussed the recommendations to be made to the Cabinet and Council as summarised in this report. The proposals aim to enhance the involvement of elected Members in detailed scrutiny reviews and policy development activity.
6. The role of the Management Board, as reflected in the terms of reference (Appendix 2), will avoid duplication between the work of the Board and individual Scrutiny Committees. The Board will have an ongoing role throughout the year to monitor progress of the annual scrutiny programme; identify/resolve any difficulties and approve variations in the scrutiny programme to reflect changes in circumstances. The Board will also monitor the implementation of specific scrutiny recommendations and have the facility to raise items on the Cabinet agenda. The terms of reference of the Committees (Appendix 2) also give a clear indication of the Cabinet portfolios and Directorate functions within the remit of each Scrutiny Committee.
7. Scrutiny Committees will have discretion to set their own programme of meetings to carry out the reviews that are allocated to them. The Management Board will be programmed in the Council calendar to broadly coincide with the dates of Cabinet meetings. The Performance Management, Efficiency and Effectiveness Scrutiny Committee will be programmed to coincide with the quarterly performance management report being presented to the Cabinet. Additional meetings may be necessary to carry out other reviews. The Health Scrutiny Committee will continue to be programmed as required, in consultation with the Chair, to carry out its work programme and associated functions.

8. In the light of the severe financial pressures, any new structures will have to be implemented from within existing resources. The Management Board and each Scrutiny Committee will have a designated lead officer (at Assistant Director level) and be supported by Democratic Services. With the exception of health scrutiny, where there is a designated support officer to undertake research, all of the other Scrutiny Committees will have to be serviced from within existing resources across the five Council directorates. Ongoing support for the scrutiny function will need to be contained within available resources.
9. The proposal to retain a 'stand alone' Health Scrutiny Committee will assist the Council to fulfil statutory scrutiny functions and respond to the provisions of the Health and Social Care Act 2012. The work of this Committee is 'cross cutting' in nature and embraces activities carried out by Council Directorates (including Public Health from April 2013) and other providers. The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 have now been published and these Regulations will be reflected in the future work of the Health Scrutiny Committee. The implications for the Dudley Health and Wellbeing Board will be the subject of a separate report to the Council.
10. Scrutiny Chairs have been considering the development of an Annual Scrutiny Plan, involving Cabinet Members and Directors in informing the process regarding key issues and policy developments alongside the Cabinet/Directorate business planning process. The final decision on topics for inclusion in the Annual Scrutiny Plan will remain with Scrutiny Chairs and the Overview and Scrutiny Management Board in the future.
11. Scrutiny Chairs have started to consider the development of a draft Annual Scrutiny Programme for the 2013/14 municipal year taking account of the views of Cabinet Members and Directors as part of their business planning cycle. The Children's Services Scrutiny Committee was asked to carry out a pilot "single item" scrutiny at its meeting on 21st March in relation to school performance, the outcome of which is also being reviewed by Scrutiny Chairs.
12. The recommendations of Scrutiny Chairs can be summarised as follows:
 - That an Overview and Scrutiny Management Board be established on the basis set out in this report, with 11 elected members, comprising the Chairs/Vice-Chairs of the five Scrutiny Committees and one additional Member to comply with overall political proportionality requirements.
 - That the revised structure of overview and scrutiny committees, as set out in Appendix 1, be approved and adopted and that each Scrutiny Committee comprise 11 elected members (with co-opted members in the case of Children's Services and the possible future appointment of a co-opted member on the Health Scrutiny Committee).
 - That the future role of Scrutiny Committees be developed on the basis set out in this report.

- That the terms of reference of the Overview and Scrutiny Management Board and the five Scrutiny Committees be as set out in Appendix 2 to the report and that all Scrutiny Committees retain the discretion to include a “Public Forum” on their agenda.
 - That the proposed servicing arrangements referred to in paragraph 8 be noted and that the Director of Corporate Resources confirm the nomination of lead officers for the Scrutiny Committees along with the ongoing Democratic Services support.
 - That the Director of Corporate Resources consider the nomination of a lead officer in respect of the Overview and Scrutiny Management Board to replace the former statutory role of Scrutiny Officer and that the level and quality of support to the Scrutiny Committees be considered as an ongoing issue as part of the implementation of the revised structures.
 - That the scrutiny of the Council’s revenue budget proposals continue on the basis of reports to the individual Scrutiny Committees.
 - That development sessions be held for members and officers to discuss the revised overview and scrutiny arrangements.
 - That the Director of Corporate Resources undertake a review of Article 6 of the Constitution (Scrutiny Committees) and the Scrutiny Procedure Rules and Protocols to give effect to the recommended changes.
 - That the revised arrangements be subject to ongoing review and further consideration by the Overview and Scrutiny Management Board in December, 2013.
13. A draft calendar of Council, Cabinet and Committee meetings for 2013/14 has been produced and is set out in Appendix 3. Subject to the decisions of the Cabinet at this meeting, it is recommended that the calendar be submitted to the annual meeting of the Council on 16th May, 2013.
14. On 26th November, 2012, the Council decided that, pending a review of the Members' Allowances Scheme in 2013, no special responsibility payments be made to the Chairs and Vice-Chairs of Community Forums. A similar decision was made on 25th February, 2013 in relation to the Ernest Stevens Trust Management Committee. Under the Local Authorities (Members' Allowances) (England) Regulations 2003, the Council has a duty to review the indexing arrangements in its Allowances scheme every 4 years. This was last undertaken in July 2009. There have been no increases in Members' Allowances since 2009 as the Allowances are linked to pay awards for Council staff. The Council has a duty to have regard to recommendations made by an Independent Remuneration Panel when reviewing the Members' Allowances Scheme. The Council has previously appointed 4 Independent Persons in line with the standards provisions of the Localism Act 2011. In view of the changes to governance arrangements, it is recommended that the Council request the 4 Independent Persons to form the Independent Review Panel and that the Panel submit its recommendations to the Council in July, 2013.

Finance

15. The costs of operating the revised scrutiny arrangements will be contained within existing budgetary allocations.

Law

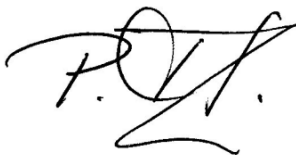
16. Scrutiny Committees are established in accordance with the provisions of the Local Government Act 1972 and the requirements of the Council's Constitution, which was adopted under the Local Government Act 2000, subsequent legislation and associated Regulations and Guidance.
17. Scrutiny powers relating to health are included in the Health and Social Care Acts 2001 and 2012 and associated Regulations and statutory guidance. The Police and Justice Act 2006 gives the Council powers to scrutinise the work of the Crime and Disorder Reduction Partnership and the Local Government and Public Involvement in Health Act 2007 enables local authorities to scrutinise other partners. Much of this legislation has now been consolidated in the Localism Act 2011.

Equality Impact

18. Provision exists within the recommended scrutiny arrangements for overview and scrutiny to be undertaken of the Council's policies on equality and diversity.

Recommendations

19. That the Cabinet consider the recommendations set out in paragraphs 12 to 14 of this report with a view to these recommendations being submitted to the annual meeting of the Council on 16th May, 2013.



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Philip Tart
Director of Corporate Resources

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List of Background Papers

Reports and minutes of Scrutiny Chairs meetings dated 5th December, 2012 and 30th January, 2013

CABINET

Leader and Cabinet Member for Policy
Deputy Leader and Cabinet Member for Regeneration
Cabinet Member for Adult & Community Services
Cabinet Member for Environment & Culture
Cabinet Member for Finance
Cabinet Member for Health and Wellbeing
Cabinet Member for Housing, Libraries & Adult Learning
Cabinet Member for Human Resources, Law & Governance
Cabinet Member for Integrated Children's Services
Cabinet Member for Transportation & Community Safety

COMMUNITY FORUMS

- Amblecote, Cradley & Wollescote and Lye & Stourbridge North
- Belle Vale, Halesowen North, Halesowen South and Hayley Green & Cradley South
- Brierley Hill and Brockmoor & Pensnett
- Castle & Priory, St James's and St Thomas's
- Coseley East & Sedgley
- Gornal and Upper Gornal & Woodsetton
- Kingswinford North & Wall Health, Kingswinford South and Wordsley
- Netherton, Woodside & St Andrews and Quarry Bank & Dudley Wood
- Norton, Pedmore & Stourbridge East and Wollaston & Stourbridge Town

**OVERVIEW AND SCRUTINY
MANAGEMENT BOARD**

Scrutiny Committee

(Corporate Performance Management, Efficiency & Effectiveness)

Scrutiny Committee

(Adult, Community and Housing Services)

Scrutiny Committee

(Children's Services)

Scrutiny Committee

(Health)

Scrutiny Committee

(Urban Environment)

**STATUTORY AND REGULATORY
COMMITTEES**

Appointments Committee
Audit and Standards Committee
Development Control Committee
Dudley Health and Wellbeing Board
Appeals Committee
Licensing and Safety Committee
- Licensing Sub-Committees (x4)
Stevens Trust Management Committee
Taxis Committee

Draft Terms of Reference

Overview and Scrutiny Management Board

To oversee and co-ordinate the Council's Overview and Scrutiny functions under the Local Government Act 2000, any subsequent legislation, regulations or statutory guidance.

To approve and monitor the Annual Scrutiny Programme setting out the reviews to be undertaken by individual Scrutiny Committees and to make any necessary amendments to reflect changes in circumstances that arise during the year.

To oversee the scrutiny of any decisions or actions taken in connection with the discharge of the Council's executive functions; to undertake scrutiny reviews or refer any matters to individual Scrutiny Committees as appropriate.

To oversee and co-ordinate the activities of Scrutiny Committees to avoid duplication and ensure liaison on cross-cutting issues.

To consider and determine items that are called in for scrutiny in respect of decisions made by the Cabinet, Cabinet Members, the Chief Executive or Directors/Chief Officers in accordance with the Overview and Scrutiny Procedure Rules and associated protocols.

To engage with the Leader/Deputy Leader, the Cabinet and other Members as necessary with a view to achieving common aims and continuous improvement and to raise issues with the Cabinet as necessary.

To receive the Forward Plan of Key Decisions to be taken by the Council, the Cabinet, Cabinet Members or Directors/Chief Officers over a four-month period.

To co-ordinate the Council's involvement in scrutiny arrangements at local and regional levels.

To encourage effective partnership working and community involvement in the Overview and Scrutiny functions of the Council.

To make reports and recommendations to the Council and/or the Cabinet in connection with the discharge of Overview and Scrutiny Functions.

To submit an annual report to the Council on the work of the Overview and Scrutiny Management Board.

To receive recommendations, as appropriate, from individual Scrutiny Committees.

Scrutiny Committee (Corporate Performance Management, Efficiency and Effectiveness)

To scrutinise the Quarterly Corporate Performance Management Report and to make any associated recommendations to the Cabinet, Cabinet Members, the Chief Executive, Directors and Chief Officers.

To undertake scrutiny functions associated with the strategic Crime and Disorder Reduction Partnership (Safe and Sound).

In accordance with any relevant statutory requirements and the Annual Scrutiny Programme approved by the Overview and Scrutiny Management Board:-

- (a) To undertake in-depth scrutiny investigations/inquiries in respect of specific issues assigned to the Committee within its terms of reference.
- (b) To contribute to policy development by carrying out the scrutiny of matters falling within the functions of the Chief Executive's Directorate, the Directorate of Corporate Resources and the Cabinet portfolios of the Leader, the Cabinet Member for Finance and the Cabinet Member for Human Resources, Law and Governance.

To submit reports and recommendations to the Cabinet and/or the Council on the outcomes of scrutiny investigations, inquiries and reviews.

To make recommendations to the Overview and Scrutiny Management Board on any proposed amendments to the Annual Scrutiny Programme.

Scrutiny Committee (Adult, Community and Housing Services)

In accordance with any relevant statutory requirements and the Annual Scrutiny Programme approved by the Overview and Scrutiny Management Board:-

- (a) To undertake in-depth scrutiny investigations/inquiries in accordance with the Annual Scrutiny Programme;
- (b) To contribute to policy development by carrying out the scrutiny of matters falling within the functions of the Directorate of Adult, Community and Housing Services and the portfolios of the Cabinet Members for Adult and Community Services and Housing, Libraries and Adult Learning.

To submit reports and recommendations to the Cabinet and/or the Council on the outcomes of scrutiny investigations, inquiries and reviews.

To make recommendations to the Overview and Scrutiny Management Board on any proposed amendments to the Annual Scrutiny Programme.

Scrutiny Committee (Children's Services)

In accordance with any relevant statutory requirements and the Annual Scrutiny Programme approved by the Overview and Scrutiny Management Board:-

- (a) To undertake in-depth scrutiny investigations, inquiries and reviews in accordance with the Annual Scrutiny Programme;
- (b) To contribute to policy development by carrying out the scrutiny of matters falling within the functions of the Directorate of Children's Services and the portfolio of the Cabinet Member for Integrated Children's Services.

To submit reports and recommendations to the Cabinet and/or the Council on the outcomes of scrutiny investigations, inquiries and reviews.

To make recommendations to the Overview and Scrutiny Management Board on any proposed amendments to the Annual Scrutiny Programme.

Scrutiny Committee (Urban Environment)

In accordance with any relevant statutory requirements and the Annual Scrutiny Programme approved by the Overview and Scrutiny Management Board:-

- (a) To undertake in-depth scrutiny investigations, inquiries and reviews in accordance with the Annual Scrutiny Programme;
- (b) To contribute to policy development by carrying out the scrutiny of matters falling within the functions of the Directorate of the Urban Environment and the portfolios of the Cabinet Members for Environment and Culture, Regeneration and Transportation & Community Safety (with the exception of the scrutiny of matters relating to the strategic Crime and Disorder Reduction Partnership – Safe and Sound).

To submit reports and recommendations to the Cabinet and/or the Council on the outcomes of scrutiny investigations, inquiries and reviews.

To make recommendations to the Overview and Scrutiny Management Board on any proposed amendments to the Annual Scrutiny Programme.

Scrutiny Committee (Health)

To fulfil all of the overview and scrutiny functions of a Scrutiny Committee as they relate to the improvement of local health and associated services, as a contribution to the Council's community leadership role, in accordance with relevant legislation, regulations and associated guidance.

To make reports and recommendations to local National Health Service (NHS) bodies and to the Council on any matter reviewed or scrutinised which will explain the matter reviewed, summarise the evidence considered, provide a list of participants in the scrutiny exercise, and make any recommendations on the matter reviewed as appropriate.

To proactively receive information within given timescales, with some exceptions as per Government Guidance, requested from local NHS bodies.

To be consulted by and respond to (as appropriate) NHS bodies in connection with the rationale behind any proposal and options for change to local health services made by the NHS.

To ensure the involvement of local stakeholders in the work of the Committee.

To take referrals from local Patients' Forums.

To act in accordance with Government Guidance relating to Health and Scrutiny functions.

In accordance with any relevant statutory requirements and the Annual Scrutiny Programme approved by the Overview and Scrutiny Management Board:-

- (a) To undertake in-depth scrutiny investigations, inquiries and reviews in accordance with the Annual Scrutiny Programme;
- (b) To contribute to policy development by carrying out the scrutiny of all health related functions and matters falling within the portfolio of the Cabinet Member for Health and Wellbeing.

To submit reports and recommendations to the Cabinet and/or the Council on the outcomes of scrutiny investigations, inquiries and reviews.

To make recommendations to the Overview and Scrutiny Management Board on any proposed amendments to the Annual Scrutiny Programme.

DRAFT CALENDAR OF MEETINGS 2013/2014

MAY 2013

Wednesday	1 st	Appeals Panel (Children's Services Transport)	10.00 a.m.
Tuesday	7 th	Licensing Sub-Committee 4	10.00 a.m.
Thursday	9 th	Taxis Committee	5.30 p.m.
Monday	13 th	Development Control Committee	6.00 p.m.
Thursday	16 th	Annual Council Meeting	6.00 p.m.
Thursday	23 rd	Licensing and Safety Committee	6.00 p.m.
Tuesday	28 th	Licensing Sub-Committee 1	10.00 a.m.
Wednesday	29 th	Overview and Scrutiny Management Board	6.00 p.m.
Thursday	30 th	Taxis Committee	5.30 p.m.

JUNE 2013

Monday	3 rd	Development Control Committee	6.00 p.m.
Tuesday	4 th	Licensing Sub-Committee 2	10.00 a.m.
Tuesday	11 th	Licensing Sub-Committee 3	10.00 a.m.
Tuesday	11 th	Corporate Performance Management, Effectiveness & Efficiency Scrutiny Committee	6.00 p.m.

Wednesday	12 th	Adult, Community and Housing Scrutiny Committee	6.00 p.m.
Thursday	13 th	Children's Services Scrutiny Committee	6.00 p.m.
Monday	17 th	Netherton, Woodside & St. Andrews/ Quarry Bank Community Forum	6.30 p.m.
Monday	17 th	Castle and Priory/St. James's/St. Thomas's Community Forum	6.30 p.m.
Tuesday	18 th	Licensing Sub-Committee 4	10.00 a.m.
Tuesday	18 th	Gornal/Upper Gornal and Woodsetton Community Forum	6.30 p.m.
Tuesday	18 th	Coseley East/Sedgley Community Forum	6.30 p.m.
Wednesday	19 th	Norton/Pedmore & Stourbridge East/ Wollaston & Stourbridge Town Community Forum	6.30 p.m.
Wednesday	19 th	Belle Vale, Halesowen North & South, Hayley Green and Cradley South Community Forum	6.30 p.m.
Thursday	20 th	Cabinet	6.00 p.m.
Monday	24 th	Development Control Committee	6.00 p.m.
Tuesday	25 th	Kingsinford North & Wall Heath/ Kingswinford South/Wordsley Community Forum	6.30 p.m.
Wednesday	26 th	Dudley Health and Wellbeing Board	TBC

Wednesday	26 th	Brierley Hill/Brockmoor and Pensnett Community Forum	6.30 p.m.
Wednesday	26 th	Amblecote/Cradley and Wollescote/Lye and Stourbridge North Community Forum	6.30 p.m.
Thursday	27 th	Urban Environment Scrutiny Committee	6.00pm

JULY 2013

Tuesday	2 nd	Licensing Sub-Committee 1	10.00 a .m.
Thursday	4 th	Taxis Committee	5.30 p.m.
Tuesday	9 th	Licensing Sub-Committee 2	10.00 a.m.
Tuesday	9 th	Audit and Standards Committee	6.00 p.m.
Thursday	11 th	Labour Group	6.30 p.m.
Thursday	11 th	Conservative Group	6.30 p.m.
Monday	15 th	Council	6.00 p.m.
Tuesday	16 th	Licensing Sub-Committee 3	10.00 a.m.
Tuesday	16 th	Health Scrutiny Committee	6.00 p.m.
Wednesday	17 th	Development Control Committee	6.00 p.m.
Tuesday	23 rd	Licensing Sub-Committee 4	10.00 a.m.

AUGUST 2013

Monday	5 th	Development Control Committee	6.00 p.m.
Tuesday	6 th	Licensing Sub-Committee 1	10.00 a.m.

Tuesday	6 th	Taxis Committee	5.30 p.m.
Tuesday	13 th	Licensing Sub-Committee 2	10.00 a.m.
Tuesday	20 th	Licensing Sub-Committee 3	10.00 a.m.
Tuesday	27 th	Licensing Sub-Committee 4	10.00 a.m.
Tuesday	27 th	Development Control Committee	6.00 p.m.

SEPTEMBER 2013

Monday	2 nd	Netherton, Woodside and St. Andrews/ Quarry Bank Community Forum	6.30 p.m.
Monday	2 nd	Castle and Priory/St. James's/St. Thomas's Community Forum	6.30 p.m.
Tuesday	3 rd	Gornal/Upper Gornal and Woodsetton Community Forum	6.30 p.m.
Tuesday	3 rd	Coseley East/Sedgley Community Forum	6.30 p.m.
Wednesday	4 th	Norton/Pedmore and Stourbridge East/ Wollaston and Stourbridge Town Community Forum	6.30 p.m.
Wednesday	4 th	Belle Vale, Halesowen North and South, Hayley Green and Cradley South Community Forum	6.30 p.m.
Thursday	5 th	Corporate Performance Management, Effectiveness and Efficiency Scrutiny Committee	6.00 p.m.
Monday	9 th	Dudley Health and Wellbeing Board	3.00 p.m.
Monday	9 th	Overview and Scrutiny Management Board	6.00 p.m.

Tuesday	10 th	Licensing Sub-Committee 1	10.00 a.m.
Tuesday	10 th	Kingswinford North and Wall Health/ Kingswinford South/Wordsley Community Forum	6.30 p.m.
Tuesday	10 th	Amblecote/Cradley and Wollescote/Lye and Stourbridge North Community Forum	6.30 p.m.
Wednesday	11 th	Brierley Hill/Brockmoor and Pensnett Community Forum	6.30 p.m.
Thursday	12 th	Taxis Committee	5.30 p.m.
Monday	16 th	Development Control	6.00 p.m.
Tuesday	17 th	Licensing Sub-Committee 2	10.00 a.m.
Wednesday	18 th	Cabinet	6.00 p.m.
Thursday	19 th	Audit and Standards Committee	6.00 p.m.
Tuesday	24 th	Licensing Sub-Committee 3	10.00 a.m.
Wednesday	25 th	Health Scrutiny Committee	6.00 p.m.

OCTOBER 2013

Tuesday	1 st	Licensing Sub-Committee 4	10.00 a.m.
Thursday	3 rd	Labour Group	6.30 p.m.
Thursday	3 rd	Conservative Group	6.30 p.m.
Monday	7 th	Council	6.00 p.m.
Tuesday	8 th	Development Control	6.00 p.m.

Tuesday	15 th	Licensing Sub-Committee 1	10.00 a.m.
Wednesday	16 th	Overview and Scrutiny Management Board	6.00 p.m.
Thursday	17 th	Taxis Committee	5.30 p.m.
Tuesday	22 nd	Licensing Sub-Committee 2	10.00 a.m.
Monday	28 th	Development Control Committee	6.00 p.m.
Tuesday	29 th	Licensing Sub-Committee 3	10.00 a.m.
Wednesday	30 th	Cabinet	6.00 p.m.

NOVEMBER 2013

Monday	4 th	Netherton, Woodside and St. Andrews/ Quarry Bank Community Forum	6.30 p.m.
Monday	4 th	Castle and Priory/St. James's/St. Thomas's Community Forum	6.30 p.m.
Tuesday	5 th	Licensing Sub-Committee 4	10.00 a.m.
Tuesday	5 th	Gornal/Upper Gornal and Woodsetton Community Forum	6.30 p.m.
Tuesday	5 th	Coseley East/Sedgley Community Forum	6.30 p.m.
Wednesday	6 th	Norton/Pedmore and Stourbridge East/ Wollaston and Stourbridge Town Community Forum	6.30 p.m.
Wednesday	6 th	Belle Vale, Halesowen Norton and South, Hayley Green and Cradley South Community Forum	6.30 p.m.

Thursday	7 th	Health Scrutiny Committee	6.00 p.m.
Monday	11 th	Adult, Community and Housing Scrutiny Committee	6.00 p.m.
Tuesday	12 th	Kingswinford North and Wall Health/ Kingswinford South/Wordsley Community Forum	6.30 p.m.
Tuesday	12 th	Amblecote/Cradley and Wollescote/Lye and Stourbridge North Community Forum	6.30 p.m.
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Thursday	14 th	Taxis Committee	5.30 p.m.
Monday	18 th	Development Control	6.00 p.m.
Tuesday	19 th	Licensing Sub-Committee 1	10.00 a.m.
Tuesday	19 th	Children's Services Scrutiny Committee	6.00 p.m.
Wednesday	20 th	Corporate Performance Management, Effectiveness and Efficiency Scrutiny Committee	6.00 p.m.
Monday	25 th	Urban Environment Scrutiny Committee	6.00 p.m.
Tuesday	26 th	Licensing Sub-Committee 2	10.00 a.m.
Tuesday	26 th	Overview and Scrutiny Management Board	6.00 p.m.
Thursday	28 th	Labour Group	6.30 p.m.
Thursday	28 th	Conservative Group	6.30 p.m.

DECEMBER 2013

Monday	2 nd	Council	6.00 p.m.
Tuesday	3 rd	Licensing Sub-Committee 3	10.00 a.m.
Thursday	5 th	Cabinet	6.00 p.m.
Monday	9 th	Development Control	6.00 p.m.
Tuesday	10 th	Licensing Sub-Committee 4	10.00 a.m.
Tuesday	10 th	Audit and Standards Committee	6.00 p.m.
Wednesday	11 th	Taxis Committee	5.30 p.m.

JANUARY 2014

Monday	6 th	Development Control	6.00 p.m.
Tuesday	7 th	Licensing Sub-Committee 1	10.00 a.m.
Thursday	9 th	Taxis Committee	5.30 p.m.
Tuesday	14 th	Licensing Sub-Committee 2	10.00 a.m.
Tuesday	21 st	Licensing Sub-Committee 3	10.00 a.m.
Thursday	23 rd	Health Scrutiny Committee	6.00 p.m.
Monday	27 th	Development Control	6.00 p.m.
Monday	27 th	Corporate Performance Management, Effectiveness and Efficiency Scrutiny Committee	6.00 p.m.
Tuesday	28 th	Licensing Sub-Committee 4	10.00 a.m.

Tuesday	28 th	Dudley Health and Wellbeing Board	3.00 p.m.
Tuesday	28 th	Coseley East/Sedgley Community Forum	6.30 p.m.
Tuesday	28 th	Castle and Priory/St. James's/St. Thomas's Community Forum	6.30 p.m.
Wednesday	29 th	Gornal/Upper Gornal and Woodsetton Community Forum	6.30 p.m.
Wednesday	29 th	Netherton, Woodside and St. Andrews/Quarry Bank Community Forum	6.30 p.m.
Thursday	30 th	Norton/Pedmore and Stourbridge East/Wollaston and Stourbridge Town Community Forum	6.30 p.m.
Thursday	30 th	Belle Vale, Halesowen North and South, Hayley Green and Cradley South Community Forum	6.30 p.m.

FEBRUARY 2014

Monday	3 rd	Overview and Scrutiny Management Board	6.00 p.m.
Tuesday	4 th	Kingswinford North and Wall Health/Kingswinford South/Wordsley Community Forum	6.30 p.m.
Tuesday	4 th	Amblecote/Cradley and Wollescote/Lye and Stourbridge North Community Forum	6.30 p.m.
Wednesday	5 th	Brierley Hill/Brockmoor and Pensnett Community Forum	6.30 p.m.
Thursday	6 th	Taxis Committee	5.30 p.m.
Tuesday	11 th	Licensing Sub-Committee 1	10.00 a.m.

Wednesday	12 th	Cabinet	6.00 p.m.
Thursday	13 th	Audit and Standards Committee	6.00 p.m.
Monday	17 th	Development Control	6.00 p.m.
Tuesday	18 th	Licensing Sub-Committee 2	10.00 a.m.
Wednesday	19 th	Licensing and Safety Committee	5.30 p.m.
Thursday	20 th	Labour Group	6.30 p.m.
Thursday	20 th	Conservative Group	6.30 p.m.
Monday	24 th	Council	6.00 p.m.
Tuesday	25 th	Licensing Sub-Committee 3	10.00 a.m.
Tuesday	25 th	Health Scrutiny Committee	6.00 p.m.
Wednesday	26 th	Overview and Scrutiny Management Board	6.00 p.m.
Thursday	27 th	Labour Group	6.30 p.m.
Thursday	27 th	Conservative Group	6.30 p.m.

MARCH 2014

Monday	3 rd	Council (Council Tax)	6.00 p.m.
Tuesday	4 th	Licensing Sub-Committee 4	10.00 a.m.
Monday	10 th	Development Control	6.00 p.m.
Wednesday	12 th	Cabinet	6.00 p.m.
Wednesday	12 th	Taxis Committee	5.30 p.m.

Monday	17 th	Netherton, Woodside and St. Andrews/ Quarry Bank Community Forum	6.30 p.m.
Monday	17 th	Castle and Priory/St. James's/St. Thomas's Community Forum	6.30 p.m.
Tuesday	18 th	Licensing Sub-Committee 1	10.00 a.m.
Tuesday	18 th	Gornal/Upper Gornal and Woodsetton Community Forum	6.30 p.m.
Tuesday	18 th	Coseley East/Sedgley Community Forum	6.30 p.m.
Wednesday	19 th	Norton/Pedmore and Stourbridge East/ Wollaston and Stourbridge Town Community Forum	6.30 p.m.
Wednesday	19 th	Belle Vale, Halesowen North and South, Hayley Green and Cradley South Community Forum	6.30 p.m.
Monday	24 th	Dudley Health and Wellbeing Board	3.00 p.m.
Tuesday	25 th	Licensing Sub-Committee 2	10.00 a.m.
Tuesday	25 th	Kingswinford North and Wall Heath/ Kingswinford South/Wordsley Community Forum	6.30 p.m.
Tuesday	25 th	Amblecote/Cradley & Wollescote/Lye and Stourbridge North Community Forum	6.30 p.m.
Wednesday	26 th	Brierley Hill/Brockmoor and Pensnett Community Forum	6.30 p.m.
Thursday	27 th	Health Scrutiny Committee	6.00 p.m.
Monday	31 st	Development Control	6.00 p.m.

APRIL 2014

Tuesday	1 st	Licensing Sub-Committee 3	10.00 a.m.
Tuesday	8 th	Licensing Sub-Committee 4	10.00 a.m.
Thursday	10 th	Labour Group	6.30 p.m.
Thursday	10 th	Conservative Group	6.30 p.m.
Monday	14 th	Council	6.00 p.m.
Wednesday	16 th	Taxis Committee	5.30 p.m.
Thursday	17 th	Audit and Standards Committee	6.00 p.m.
Tuesday	22 nd	Licensing Sub-Committee 1	10.00 a.m.
Tuesday	22 nd	Development Control	6.00 p.m.
Tuesday	29 th	Licensing Sub-Committee 2	10.00 a.m.

MAY 2014

Tuesday	6 th	Licensing Sub-Committee 3	10.00 a.m.
Thursday	8 th	Taxis Committee	5.30 p.m.
Monday	12 th	Development Control	6.00 p.m.
Tuesday	13 th	Licensing Sub-Committee 4	10.00 a.m.
Thursday	22 nd	Local/European Elections	

Meeting of the Cabinet – 25th April 2013

Report of the Director of Urban Environment

Dudley Market Place

Purpose of Report

1. To seek Cabinet approval for matters associated with the delivery of the Dudley Market Place Public Realm Project

Background

2. The Dudley Area Development Framework (ADF) was adopted by the Council as supplementary planning guidance in December 2005. It presents a vision, development strategy and illustrative development framework to guide residents, businesses, developers, investors and Dudley Council in shaping the future of Dudley town centre over the next ten years and beyond.
3. The aspiration of the Council is to achieve comprehensive and sympathetic redevelopment of the eight opportunity areas and improvements to public and civic spaces as set out in the ADF which will act as a catalyst for regeneration of the town
4. Significant progress has been made on the delivery of the ADF by the Council in partnership with the regeneration company for the Borough, New Heritage Regeneration Ltd, and this includes:
 - Successful delivery of the Dudley Townscape Heritage Initiative
 - Completion of the first 2 phases of Dudley College's town centre campus redevelopment
 - Commencement of construction of the Castle Hill and Zoo project, and securing planning permission and ERDF funding for the £6m visitor arrival infrastructure
 - Significant interest from food retailers in provision of new stores in the Town Centre
5. The project is set in the heart of the Dudley Town Centre Conservation Area and has been developed to help redress the significant issues arising from the economic challenges that Dudley Town Centre, in common with other similar centres across the country, has suffered over the last few years. The Public Realm project alone will not be able to provide the transformational change that Town Centre needs, but in combination with the other priority projects listed in Paragraph 4 above it will make a significant contribution to addressing the

problems of a declining town centre, high levels of deprivation and a poor tourism offer.

6. In summary, the Project aims to:

- Deliver a high quality public realm scheme to the town centre which will focus on the Market Place and stretch from the junction of High Street to Bottom Church (St Edmunds) on Castle Street. It will include a newly designed and upgraded market; new and improved paving, lighting and street furniture, the reinstatement and bringing back into use of the historic fountain, relocation of the public toilets , repositioning of the Duncan Edwards statue and resetting of the Earl of Dudley statue.
- Introduce an Ambassador scheme to the Town Centre which will provide volunteers who, in addition to their knowledge of local history, will have the means through modern technology to provide information for events and attractions across the Borough, including transport timetables and parking facilities. Funding will also be used to support one full time manager post for this scheme.

7. In terms of what this will do to the Town Centre the following outcomes are expected as a result of the project

- an enhanced image of the Town Centre
- increased visitor numbers
- increased expenditure in the Town Centre
- increased civic pride
- increased investor confidence and employment opportunities
- support recent achievements and pave the way for long term investment

8. Recent research has also proven the economic benefits of well-designed buildings, spaces and places. Research undertaken by the Commission for Architecture and the Built Environment has demonstrated how clear financial benefits can be calculated from investing in better quality street design by proving a direct linkage between property and rental values and the quality of the street environment. This is especially relevant in Dudley Town Centre given the history of depressed property values and yields acting to deter private sector investment

9. A cross-Directorate project team has been working closely on the preparation of the proposals in liaison with New Heritage Regeneration Ltd. Subsequent to the Council securing Outline Approval for ERDF funding in July 2011 a full bid was submitted in early January 2012. However, due to a decision of the Local Management Committee (LMC) in January to de-commit ERDF funds from the region the appraisal of the project was put on hold. Following a subsequent call for Outline Applications a revised bid was made under the current 2007-2013 West Midlands ERDF Programme. Outline approval for the proposals was received in January, with the full application being submitted in February and Final approval expected in April.

10. Key project milestones include:

- April 2013 - Outcome of ERDF application known
- June 2013 ERDF funding contract completed; Planning and other statutory consents secured and preparatory/enabling works start on site
- December 2013 - Design & Contract Procurement completed
- January 2014 - Main works start date
- December 2014 - completion on site

11. The proposals have been subject to an extensive consultation exercise. A first stage public consultation exercise took place in April 2011 where views were sought on the various elements of the proposals and on 3 different options for the layout of the Market place. 738 completed survey forms were returned and strong and positive support was demonstrated for the proposals. A second stage public consultation took place in November 2011, with views sought on matters of detailed design and the proposal to extend the improvements along Castle Street to the Earl of Dudley's statue, thereby creating a better link with Dudley Zoo and the Castle Hill development project. This consultation was accompanied by a trial demonstration of lighting of key buildings (including St Edmunds Church and the Castle) and sculptures in the Town Centre and again this was very well received. 309 responses were received to this consultation. In addition to the above, consultation has taken place with Members in the 3 Wards covering the Town Centre, with the Dudley Town Centre Partnership, and via workshops and presentations, with Dudley Market traders to ensure that their requirements are met. Engagement of the Market Traders is continuing through the design work currently underway.

12. Members will be aware of the Dudley Town Centre Partnership which has been in existence for a number of years, and which has acted as a very effective means of engaging Town Centre stakeholders in the delivery of the ADF. Following 2 unsuccessful bids for funding under the Government's Portas Pilot initiative, the Partnership agreed in 2012 to proceed without Government funding with its own Portas Pilot Project, and on the 17 December 2012 the Partnership formally adopted the role of a Town Team for Dudley Town Centre and charged a Project Team with the evolution and delivery of an Action Plan for the Town Centre. A renovated Market Place is key to this Action Plan, by encouraging confidence in the Town Centre and providing a high quality and flexible space for events and additional market trading activity

13. As part of the development of the proposals, the whole life costs of the refurbishment of the Market Place have been estimated based on an enhanced management and maintenance regime, and these will be considered as part of the Council's Revenue budget setting exercise.

14. It will be important that the new public space is actively and regularly used. The Town Team (formerly the Dudley Town Centre Regeneration Partnership) will be responsible for developing and implementing a programme of activities that will capitalise on the opportunities created by the new public space. Proposals to enhance the offer of the Market are in preparation and the new Town Centre Ambassadors will support the cluster of attractions based in the Town Centre and Castle Hill.

Finance

15. The total estimated cost of the project is £6.7m. Of this, there are £1.5m of Capital costs which are ineligible for ERDF grant and these relate to pre-grant award project development costs, demolition and re-siting of toilets, lighting and work relating to the market stalls.
16. The work is proposed to be funded as follows:

ERDF grant	£2.6m	
Council match funding for ERDF	£2.6m	Funded by capital receipts within the Area Development Framework.
Council costs for works ineligible for ERDF	£1.5m	£0.25m funded by Reserves and the remainder from capital receipts within the Area Development Framework
<hr/>		
Total	£6.7m	

17. A relatively small element of the total cost (£0.12m) relates to revenue costs of an Ambassador Manager and overheads. Half of this will need to be funded by the Council over two years from existing budgets.

Law

18. Section 111 of the Local Government Act 1972 enables the Council to do anything that is calculated to facilitate, or is conducive to or incidental to, the discharge of its statutory function.
19. Pursuant to Section 1 of the Localism Act 2011, the Council has the general power of competence to do anything that individuals generally may do.

Equality Impact

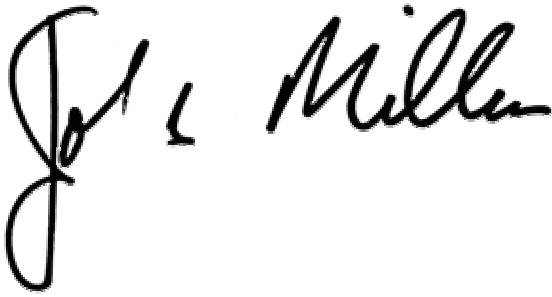
20. Delivery of this project would bring significant benefits to the Town Centre and would have a positive effect for residents, visitors, businesses, investors and developers. Benefits would be achieved for people of all ages, including children and young people, and groups in society. Particular attention is being paid to equality of access in the design of the project, with the engagement of Access in Dudley in the design process

Recommendation

It is recommended that the Cabinet:

- Note the positive support arising from the consultation exercises undertaken for the Dudley Market Place proposals

- Recommend that the Council include the expenditure of £6.7m on the Dudley Market Place project in the Capital Programme, subject to approval of ERDF grant.



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John Millar
Director of Urban Environment

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List of Background Papers

Paved with gold; the real value of good street design. Commission for Architecture and the Built Environment 2007

Meeting of the Cabinet – 25 April 2013

Report of the Director of the Urban Environment and the Director of Corporate Resources

European Regional Development Fund (ERDF) applications

Purpose of Report

1. To seek approval for the Council to act as Guarantor on European Regional Development Fund (ERDF) applications submitted by third party organisations.

Background

2. The 2007-2013 ERDF programme contains 5 priorities for delivery. Priority 3, achieving Sustainable Urban Development (SUD) aims to develop projects that meet the following criteria:
 - Stimulating physical improvements and access
 - Securing an enterprise community
 - Tackling worklessness
 - Energy & sustainable environment
3. The Council is currently working with partners to secure potential funds to implement the following projects under the Priority 3 SUD Package

Ruskin Mill Educational Trust; Glasshouse Development Project.

This project will refurbish 2 underused industrial buildings to create new business floor space, enhance the interpretation of the site's heritage and improve access to and visibility of the Glasshouse as a business/tourism/cultural destination. The value of this project is estimated at £1.08m with up to £381k sought from ERDF.

Dudley Canal Trust; Learning & Access Hub - The Portal Project

This project seeks to provide a new visitor centre with educational facilities on land leased by the Council to the Trust at Todds End. The proposal would form a significant contribution to increasing the visitor numbers as a key element of the proposed leisure cluster at the Castle Hill. The value of this project is estimated at £3.35m with £997K support sought from ERDF. The project has already secured HLF funding and this application for ERDF grant is the final funding application required to allow the project to proceed.

4. On 16th March 2011 the Cabinet considered a report on ERDF funded projects and authorised delegations to Cabinet Members in consultation with Directors to

submit and act as the Accountable Body and Applicant for third party body ERDF applications in certain situations, and where risk levels to the Council could be reduced to an acceptable level. Whereas this approval was for the Council to act as the Applicant and Accountable Body on behalf of 3rd party organisations, the Department for Communities and Local Government (DCLG), who administer ERDF programmes, now wish to see funding applications made directly by non-local authority applicants and with a Guarantor in place who can be made responsible for grant clawback in the event of project failure.

5. As Applicant and Accountable Body the Council takes responsibility for the project with the third party organisation taking on the delivery role. The Council enters into a funding agreement with DCLG and takes responsibility for all the obligations set down in this agreement including scheme monitoring and submission of financial claims. The Council receives the grant funding on behalf of the third party organisation and makes payment to it when it is satisfied that grant conditions have been met. In the event of any irregularities resulting in clawback of grant the Council is the primary organisation responsible for repayment.
6. Where a Guarantor is required, the 3rd party organisation takes responsibility for the project and acts as Applicant and Accountable Body. The Council, acting as Guarantor, enters into a legally binding 'Deed of Guarantee' with DCLG and the 3rd party organisation. Through this Deed the Council will be agreeing to guarantee the obligations set out in the Funding Agreement made between DCLG and the 3rd party organisation. The Deed would only be enforced if the 3rd party organisation defaulted on its obligations.
7. It should be noted that DCLG would only enforce the Deed of Guarantee after all reasonable actions to obtain repayments from the grant recipient had been taken.
8. Whereas the Council taking the role of Applicant and Accountable Body requires considerably more resources in project administration than if it were Guarantor, greater protection is afforded to the Council in this role as it is able to withhold grant payment to the 3rd party organisation in the event of non-compliance with grant conditions. This would not be the case as Guarantor since the 3rd party organisation would be claiming and receiving grant payments directly from DCLG.
9. Whilst recognising the social, economic, cultural and environmental benefits of these projects, should the Council agree to act as Guarantor, it could face a significant risk of grant clawback in the event of any failure to deliver in accordance with the ERDF contractual requirements. For these reasons, it is proposed that the Council only acts as Guarantor for projects where there is an identified realisable chargeable asset in value terms to mitigate any risk of potential ERDF grant clawback. It is proposed that this requirement stand regardless of whether projects are subject to Guarantor or Applicant and Accountable Body requirements.
10. Members should note that the 16th March 2011 Cabinet report referred to in Paragraph 4 also sought approvals with regard to the proposed White House Cone project in Wordsley. Proposals are still in development for this project, however, DCLG require the Council to act as Applicant and Accountable body for this project, and as a result it is not included in this report. It is considered that this project is complementary to and not in competition with the Glasshouse Development project given that the former is primarily a cultural project based on the history of glassmaking in the area, and the latter a centre for innovation, enterprise, creativity and learning.

Finance

11. The major consideration in the Council becoming the guarantor is that there must be identified realisable assets that could realistically be sold to fund any potential clawback of ERDF grant if necessary.
12. Back to back legal agreements with third parties would be required, reflecting all ERDF contractual obligations including grant clawback in order to mitigate risk to the Council.
13. Dedicated Council staff (for project compliance and financial monitoring) will be essential to ensure the level of risk to the Council is minimised and provide the required level of confidence with contractual compliance. No additional staffing resource will be required.

Law

14. The main provisions relating to European Regional Development Fund are contained in the EC Regulations 1080/2006 and 1083/2006 European Regional Development Fund and further amended Regulations.
15. Section 111 of the Local Government Act 1972 empowers the Council to do anything which is calculated to facilitate, or is conducive or incidental to the discharge of its functions.

Equality Impact

16. These proposals comply with the Council's policies on Equality and Diversity.
17. With regard to Children and Young People:

There is no direct effect of the proposals on children and young people

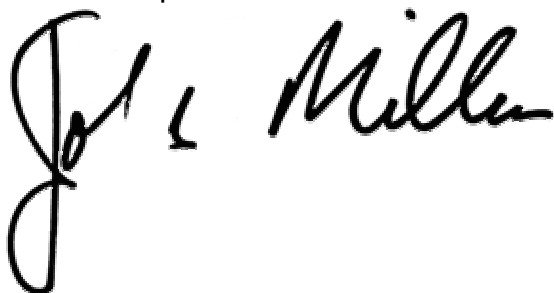
There has been no specific consultation with children & young people

There has been no direct involvement of children and young people in developing the Proposals.

Recommendation

18. It is recommended that the Cabinet:-
 - a) Authorise that the Council act as a Guarantor for those projects outlined in paragraph 3 and for any further such projects in this current 2007-13 and future 2014-2020 European Programmes, where there is a realisable chargeable asset to and where a risk assessment has been undertaken that identifies acceptable risk to the Council.

- b) Authorise the Director of Corporate Resources and the Director of the Urban Environment to undertake the necessary property valuations and legal work to ensure that the proposed charging of the assets is sufficient to protect the Council's position and the cost of this be met by the relevant third party organisation.
- c) Authorise the Cabinet member for Regeneration and the Cabinet member for Human Resources, Law and Governance, in consultation with the Directors of the Urban Environment and Corporate Resources, to;
- Enter into back to back legal agreements with third parties benefiting from ERDF grant where the Council is the Guarantor to ensure grant conditions and liabilities are passed on.
 - Ensure that, where appropriate, third parties secure at their own expense independent expertise to confirm compliance with key areas of the ERDF grant process such as procurement and defrayment of expenditure accord with EU requirements.



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Director of Urban Environment



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Philip Tart
Director of Corporate Resources

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List of Background Papers

Cabinet 16th March 2011:- Report of the Director of the Urban Environment and the Director of Corporate Resources on European Regional Development Fund (ERDF) applications