

MEETING OF THE CABINET

Wednesday, 12th February, 2014 at 6.00 p.m.
in Committee Room 2 at the Council House, Dudley

PRESENT:-

Councillor Sparks (Leader of the Council) (Chair)
Councillor Lowe (Deputy Leader)
Councillors K Ahmed, Branwood, Crumpton, Foster, Partridge,
S Turner, Waltho and Wood.

Conservative Group Members appointed to attend meetings of the
Cabinet: Councillors Evans, Harley, James, Kettle, Vickers and Wright.

OFFICERS:-

Chief Executive, Director of Corporate Resources, Director of the Urban
Environment, Interim Director of Children's Services, Director of Public
Health, Treasurer, Assistant Director of Adult, Community and Housing
Services, Assistant Director of Corporate Resources (Human Resources
and Organisational Development), Assistant Director of the Urban
Environment and the Assistant Principal Officer (Democratic Services).

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APOLOGY FOR ABSENCE

An apology for absence from the meeting was received on behalf of
Councillor Mrs Simms.

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CHANGES IN REPRESENTATION OF OPPOSITION GROUP MEMBERS

It was reported that Councillor Evans was serving in place of Councillor
Mrs Simms for this meeting only.

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DECLARATIONS OF INTEREST

The following Members declared non-pecuniary interests, in accordance
with the Members Code of Conduct, in relation to Agenda Item No. 6
(Revenue Budget Strategy and Setting the Council Tax 2014/15):-

Councillor Vickers – as the Chair of the Tenterfields Children's Centre
Management Committee.

Councillor Evans – as a Member of the Advisory Board of the Queen
Victoria Children's Centre.

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MINUTES

RESOLVED

That the minutes of the meeting of the Cabinet held on 5th December, 2013, be approved as a correct record and signed.

61

ANNUAL AUDIT LETTER 2012/13

A joint report of the Chief Executive and the Treasurer was submitted on the External Auditor's Annual Audit Letter for 2012/13.

The Cabinet Member for Finance reported that the Letter gave a positive assessment of the Council's financial statements and its arrangements to secure value for money. K. Bellingall was present at the meeting representing the Council's External Auditors, Grant Thornton.

RESOLVED

That the External Auditor's Annual Audit Letter for 2012/13, together with the views of the Auditor, be noted.

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REVENUE BUDGET STRATEGY AND SETTING THE COUNCIL TAX 2014/15

A joint report of the Chief Executive and the Treasurer was submitted on the deployment of General Fund revenue resources, a number of statutory calculations that had to be made by the Council and, subject to the receipt of the Police and Fire precepts, the Council Tax to be levied for the period from 1st April, 2014 to 31st March, 2015.

The Cabinet Member for Finance presented the report and noted that:-

- The figures in the report were based on the provisional local government finance settlement. The final settlement had now been received, however, this required only minor changes and did not affect the overall budget strategy. Revised figures would be incorporated in the report to the Council.
- Dudley Youth Council had submitted electronic and paper petitions calling for the views of young people to be taken into account and for the Council not to be cut funding for youth services. The report to the Council would be amended accordingly.

- The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 required that a named vote be taken on the revenue budget strategy and setting the Council Tax 2014/15 at the full Council meeting.

The Cabinet Member for Finance referred to the scale of the financial challenges faced by the Council as a result of reductions in Government funding. Significant efforts had been made to lobby for a fair deal for Dudley. Particular reference was made to the New Homes Bonus funding, which would now remain in Council control.

Full copies of the Equality Impact Assessments had been provided to Cabinet Members and the Opposition Members appointed to attend meetings of the Cabinet.

RESOLVED

- (1) That the Council be recommended to approve:-
- (a) The budget for 2014/15 and service allocations as set out in the report.
 - (b) That the statutory amounts required to be calculated for the Council's spending, contingencies and contributions to reserves; income and use of reserves; transfers to and from its collection fund; and council tax requirement, as referred to in Section 67(2)(b) be now calculated by the Council for the year 2014/15 in accordance with Sections 31A, 31B and 34 to 36 of the Local Government Finance Act 1992 as shown in Appendix 9 to the report.
 - (c) That, having calculated the aggregate in each case of the amounts in Appendix 9, the Council, in accordance with Section 30(2) of the Local Government Finance Act, 1992, agrees the following levels of Council Tax for Dudley Council services for 2014/15:-

Valuation Bands

A	B	C	D
£750.24	£875.28	£1000.32	£1125.36
E	F	G	H
£1375.44	£1625.52	£1875.60	£2250.72

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

- (d) The revision of 2013/14 budgets to reflect the variances set out in paragraph 15 of the report.
 - (e) That the Chief Executive, in consultation with the Director of Public Health and the Cabinet Member for Health and Wellbeing, be authorised to determine the allocation of the available public health grant funding for 2014/15.
 - (f) The Medium Term Financial Strategy as set out in the report.
- (2) That the Treasurer be authorised, in consultation with the Cabinet Member for Finance and the Opposition Spokesperson for Finance, to approve any changes to the budget proposals resulting from the final local government settlement and the setting of the Integrated Transport Authority Levy prior to the Council meeting on 3rd March, 2014, as set out in paragraphs 30 and 37 of the report.
 - (3) That the Council be recommended to determine that a referendum relating to Council Tax increases is not required in accordance with Chapter 4ZA of Part 1 of the Local Government Finance Act 1992.
 - (4) That Cabinet Members, the Chief Executive and Directors be authorised to take all necessary steps to implement the proposals contained in the report, in accordance with the Council's Financial Management Regime.
 - (5) That the Chief Executive and Directors be reminded to exercise strict budgetary control in accordance with the Financial Management Regime and care and caution in managing the 2014/15 budget, particularly in the context of commitments into later years and the impact that any overspending in 2014/15 will have on the availability of resources to meet future budgetary demands.
 - (6) That the Chief Executive and Directors, in consultation with the Leader, Deputy Leader and relevant Cabinet Members, be authorised to explore the areas set out in paragraph 55 of the report and report back to the Cabinet in July, 2014 with specific proposals.

- (7) That the arrangements for Local Government Pension Scheme employer contributions, set out in paragraph 31 of the report, including the implications for the Council's budgets for 2017/18 – 2019/20, be noted and that the Treasurer, in consultation with the Cabinet Member for Finance and the Opposition Spokesperson for Finance, be authorised to continue discussions with the Pension Fund and bring final proposals for approval by the Council on 3rd March, 2014.
- (8) That Directors be authorised to offer, through Human Resources, the opportunity of volunteering for redundancy to employees whose service is undergoing a restructure involving the saving of posts.
- (9) That the continued use of the delegated approvals process for any voluntary or compulsory redundancies be authorised.
- (10) That the Council be recommended to approve the Pay Policy Statement 2014 as set out in Appendix 11 to the report now submitted.

(This was a Key Decision with the Council and Cabinet being named as Decision Takers).

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DEPLOYMENT OF RESOURCES: HOUSING REVENUE ACCOUNT AND PUBLIC SECTOR HOUSING CAPITAL

A joint report of the Director of Adult, Community and Housing Services and the Treasurer was submitted on proposals for the deployment of the Housing Revenue Account and associated matters for 2014/15 and in respect of the Housing Capital Programme for the period from 2014/15 to 2018/19.

RESOLVED

- (1) That a rent increase for Housing Revenue Account dwellings on 7th April, 2014, with an average increase of £1.22 (1.5%) and a maximum increase of £2.17 as outlined in paragraph 3 of the report, be approved.
- (2) That an increase of 3.2% in service charges, as outlined in paragraphs 5 and 7 of the report, be approved.
- (3) That an increase of 12% in heating and lighting charges for sheltered housing from an average weekly charge of £13.11 to an average weekly charge of £14.43, other than at The Gables and Netherton Lodge where charges will remain at their current rates, as set out in paragraph 6 of the report, be approved.

- (4) That an increase from £2.10 to £2.20 for laundry tokens, as outlined in paragraph 8 of the report, be approved.
- (5) That an increase of 1.5% to the current charge for pitch licences at Oak Lane, as outlined in paragraph 9 of the report, be approved.
- (6) That an increase of 1.5% in water charges at Oak Lane to £6.25 per week, as set out in paragraph 9 of the report, be approved.
- (7) That maintaining the leaseholders' administration fee at current levels, as outlined in paragraph 10 of the report, be approved.
- (8) That maintaining charges for private Telecare clients at current levels, as outlined in paragraph 11 of the report, be approved.
- (9) That an increase of 11.8% for garage plot rent and access agreements, and the dates proposed for future increases, as set out in paragraphs 13 and 15 of the report, be approved.
- (10) That an increase in garage rents as outlined in paragraph 14 and the dates proposed for future increases, as set out in paragraph 15 of the report, be approved.
- (11) That the Council be recommended:-
 - (a) To approve the revised Housing Revenue Account budget for 2013/14 and the Housing Revenue Account budget for 2014/15, as outlined in Appendix 1 of the report.
 - (b) To approve the public sector housing revised capital budget for 2013/14 and the capital budget for 2014/15 to 2018/19 attached as Appendix 2 to the report.
 - (c) To authorise the Director of Adult, Community and Housing Services and the Director of Corporate Resources to bid for and enter into funding arrangements for additional resources to supplement investment in the public sector housing stock as outlined in paragraphs 25 and 26 of the report.
 - (d) To authorise the Director of Adult, Community and Housing Services, in consultation with the Cabinet Member for Housing and Community Safety, to manage and allocate resources to the capital programme as outlined in paragraph 27 of the report.

- (e) To confirm that all capital receipts arising from the sale of HRA assets (other than those specifically committed to support private sector housing) continue to be used for the improvement of council homes, as set out in paragraph 27 of the report.
- (f) To authorise the Director of Adult, Community and Housing Services to procure and enter into contracts for the delivery of the capital programme, as outlined in paragraph 28 of the report.
- (g) To receive the Housing Revenue Account medium term financial strategy and thirty year business plan attached as Appendix 4 to the report.

(This was a Key Decision with the Council and Cabinet being named as Decision Takers)

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CAPITAL PROGRAMME MONITORING

A joint report of the Chief Executive and the Treasurer was submitted on progress with the implementation of the Capital Programme and proposing certain amendments. The report also set out proposals in relation to the "Prudential Indicators" as required to be determined by the Chartered Institute of Public Finance and Accountancy (CIPFA) Prudential Code for Capital Finance in Local Authorities and the Local Government Act, 2003. The report also sought approval in relation to the Council's Minimum Revenue Provision (MRP) Policy for 2014/15.

RESOLVED

- (1) That the result of the Post Completion Review of relevant capital projects, as set out in Appendix C of the report, be noted.
- (2) That the Council be recommended:-
 - (a) That current progress with the 2013/14 Capital Programme, as outlined in Appendix A, be noted and that budgets be amended to reflect the reported variance.
 - (b) That the Disabled Facilities Grant allocation for 2014/15 be noted and the associated expenditure funded from this and other available Housing capital resources be included in the Capital Programme, as set out in paragraph 7 of the report.

- (c) That the revised funding for the Tiled House Lane Residential Home project be approved, and the Capital Programme amended accordingly, as set out in paragraph 8 of the report.
- (d) That it be noted that the programme to be funded from Adult Personal Social Services Capacity Grant this year includes £17,000 of expenditure on fire safety compliance work at Halesowen Library, and also that the Director of Adult, Community and Housing Services be authorised to allocate such funding for similar purposes, as appropriate within the overall objectives of the grant allocations, as set out in paragraph 9 of the report.
- (e) To approve the revised project for the provision of an MOT Testing Facility, as outlined in paragraph 10 of the report.
- (f) To approve the project to renew all Pay and Display machines and its inclusion in the Capital Programme, as outlined in paragraph 11 of the report.
- (g) To approve the Better Bus Area project and its inclusion in the Capital Programme, as set out in paragraph 12 of the report.
- (h) That the Schools Basic Need allocations for 2015/16 and 2016/17 be noted and the associated expenditure included in the Capital Programme, as set out in paragraph 13 of the report.
- (i) That the Schools Capital Maintenance allocation for 2015/16 be noted and the associated expenditure included in the Capital Programme, as set out in paragraph 14 of the report.
- (j) That the Schools Devolved Capital allocation for 2015/16 be noted and the associated expenditure included in the Capital Programme, as set out in paragraph 15 of the report.
- (k) That the Universal Infant Free School Meals allocation be noted and the associated expenditure included in the Capital Programme, as set out in paragraph 16 of the report.
- (l) That the Prudential Indicators as required to be determined by the CIPFA Prudential Code for Capital Finance in Local Authorities and the Local Government Act 2003, as set out in Appendix D to the report, be approved.

- (m) That the Minimum Revenue Provision Policy for 2013/14 be approved as set out in paragraph 21 of the report.

(This was a Key Decision with the Council and Cabinet being named as Decision Takers)

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DUDLEY BUSINESS INVESTMENT ZONE

A joint report of the Directors of the Urban Environment and Corporate Resources was submitted on the creation of the Dudley Business Investment Zone at the Waterfront area of Brierley Hill.

RESOLVED

That the Council be recommended:-

- (1) To approve the creation of a Dudley Business Investment Zone at the Waterfront area of Brierley Hill from the start of the 2014/15 financial year.
- (2) That the Cabinet Member for Regeneration be authorised to determine the composition of the Management Board.
- (3) That the Directors of the Urban Environment and Corporate Resources, in consultation with the Cabinet Members for Regeneration and Finance, be authorised to:-
 - (i) Negotiate and enter into the required legal agreements for the Dudley Business Investment Zone.
 - (ii) Create appropriate delegations for the financial administration of the Dudley Business Investment Zone.
 - (iii) Update and amend the draft management framework.
 - (iv) Amend the Council's discretionary rate relief policy to allow the reduction in business rates for businesses within the designated area for the Dudley Business Investment Zone, as detailed in the report.

(This was a Key Decision with the Council and Cabinet being named as Decision Takers)

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ADOPTION OF THE MEMBERS AND OFFICERS CODE OF CONDUCT – PLANNING MATTERS

A report of the Director of the Urban Environment was submitted on the amended Members and Officers Code of Conduct for Planning Matters. A query was raised concerning references in the Code to formal and informal site visits and a response would be provided accordingly.

RESOLVED

That the Council be recommended to approve the revised Members and Officers Code of Conduct for Planning Matters.

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HIGH STREET INNOVATION FUND AND EMPTY SHOPS GRANT

A report of the Director of the Urban Environment was submitted on the expenditure of the High Street Innovation Fund and the remainder of the Empty Shops Grant.

RESOLVED

- (1) That the allocation of the Empty Shops Grant and High Street Innovation Fund, on the basis outlined in paragraphs 14 to 16 of the report, be approved.
 - (2) That the Director of the Urban Environment, in consultation with the Cabinet Member for Regeneration, be authorised to prepare eligibility criteria for the allocation of Empty Shops Grant and High Street Innovation Fund and issue grants to eligible applicants up to the limit of the Department of Communities and Local Government grant allocations.
 - (3) That the Director of Corporate Resources be authorised to determine applications for funding from the High Street Innovation Fund and the remainder of the Empty Shops Grant, based on recommendations from Community Forums, in the same manner as the existing Community Forum Area Grants process.
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PROVIDING SOCIAL HOUSING FOR LOCAL PEOPLE – STATUTORY GUIDANCE ON SOCIAL HOUSING ALLOCATIONS FOR LOCAL AUTHORITIES IN ENGLAND.

A report of the Director of Adult, Community and Housing Services was submitted summarising the statutory guidance on Social Housing allocations for Local Authorities in England.

RESOLVED

- (1) That a residency requirement be included as part of the qualification criteria requiring the applicant (or member of the applicant's household) to have lived in the Dudley Borough, subject to exemptions, for a period of two years; this to be implemented initially for a period of twelve months to enable a full evaluation and assessment of the overall impact.
- (2) That the Cabinet Member for Housing and Community Safety and the Director of Adult, Community and Housing Services be authorised to consider the guidance and ensure that the allocations policy is in line with the requirements of this statutory guidance.

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ISSUES ARISING FROM SCRUTINY COMMITTEES.

No issues were reported under this item.

The meeting ended at 6.55pm

LEADER OF THE COUNCIL