

## MEETING OF THE CABINET – 11<sup>TH</sup> FEBRUARY, 2009

### NOTICE OF DECISIONS

NOTICE IS HEREBY GIVEN that the Cabinet, at its meeting held on the 11<sup>th</sup> February, 2009, made the decisions indicated in respect of the items listed:

<u>Item</u>	<u>Decision</u>
Minutes	That the minutes of the meetings of the Cabinet held on the 10 <sup>th</sup> December, 2008 and the 7 <sup>th</sup> January, 2009 be approved as a correct record and signed.
Revenue Budget Strategy and Setting the Council Tax 2009/10	<p>That the Council be recommended to approve:-</p> <ol style="list-style-type: none"><li>(1) The budget requirement for 2009/10, and service allocations as set out in the report.</li><li>(2) That the statutory amounts required to be calculated for the Council's spending; income and use of reserves; budget requirement and; transfers to and from its collection fund as referred to in Section 67(2)(b) be now calculated by the Council for the year 2009/10 in accordance with Sections 32 to 36 of the Local Government and Finance Act 1992 as shown in Appendix 3 of this report.</li><li>(3) That, having calculated the aggregate in each case of the amounts in Appendix 3, 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 2009/10:</li></ol>

#### Valuation Bands

A	B	C	D
£	£	£	£
739.10	862.28	985.47	1108.65
E	F	G	H
£	£	£	£
1355.02	1601.39	1847.75	2217.30

plus the amounts to be notified for the Police, and Fire and Civil Defence Authority precepts.

- (4) That the Cabinet Members, Interim Chief Executive and Directors be authorised to take all necessary steps to implement the

proposals contained in this report, in accordance with the Council's Financial Management Regime.

- (5) That the Council reminds the Interim Chief Executive and Directors to exercise strict budgetary control in accordance with the Financial Management Regime and care and caution in managing the 2009/10 budget, particularly in the context of commitments into later years and the impact that overspending in 2009/10 will have on the availability of general balances to support spending in 2010/11 and 2011/12.
- (6) That the Medium Term Financial Strategy (MTFS) set out as Attachment B be approved, and that 2008/09 service budgets be revised to reflect the variances set out in paragraph 11 of the MTFS.

Deployment of Resources:  
Housing Revenue Account  
(HRA) and Public Sector  
Housing Capital

- (1) That the following be approved:
  - (a) a rent increase for HRA dwellings on 6<sup>th</sup> April 2009 with an average increase of £3.91 (6.1%) and a maximum increase of £6.71 in line with government rent guidance;
  - (b) an increase of 5% in other charges as outlined in paragraphs 6 and 8 of the report submitted to the meeting;
  - (c) an increase in heating and lighting charges for sheltered housing from an average weekly charge of £7.11 to an average weekly charge of £8.89, with increases in future years to achieve recovery of our costs (paragraph 7 of the report);
  - (d) the increase from £1.60 to £1.70 for laundry tokens (paragraph 9 of the report);
  - (e) an increase in pitch licences at Oak Lane of 6.1% in line with the average increase in dwelling rents as outlined in paragraph 10 of the report;
  - (f) the maintenance of garage rents at current levels and the dates proposed for future increases (paragraph 11 of the report);
  - (g) the maintenance of garage plot rent and access agreements at current levels, and

the dates of future increases (paragraph 11 of the report);

(h) the revised HRA budget for 2008/9 and the HRA budget for 2009/10 outlined in Appendix 1 to the report, subject to Council approval;

(i) an increase in management charges to leaseholders of £2 per week in order to ensure full recovery of these costs, as outlined in paragraph 15 of the report;

(2) That the Council be recommended:-

(a) to approve the public sector housing revised capital budget for 2008/9 and capital budget for 2009/10 to 2013/14 attached as Appendix 2 to the report;

(b) to authorise the Director of Adult, Community and Housing Services, in consultation with the Cabinet Member for Housing, to manage and allocate resources to the capital programme as outlined in paragraph 22 of the report;

(c) to confirm that all capital receipts arising from the sale of HRA assets (other than those specifically committed to support private sector housing) should continue to be used for the improvement of council homes (paragraph 22 of the report);

(d) 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 23 of the report;

(e) to approve the medium-term financial strategy set out in Appendix 4 and review this later in 2009 as outlined in paragraph 26 of the report.

Update of the Council's  
Capital Strategy

(1) That the issues raised by the Select Committee on community safety and community services, as set out in paragraph 5 of the report submitted to the meeting, be noted.

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|---|-----|---|
|   | (2) | That the Council be recommended to approve the draft Capital Strategy attached to the report submitted to the meeting.  |
| Joint Review -<br>Commissioning Services for<br>People with Learning<br>Disabilities and Complex<br>Needs | (1) | That the findings recommendations in the final report of the Learning Disability Joint Review, be noted.  |
|   | (2) | That the Action Plan be approved.   |
| Dudley Local Improvement<br>Finance Trust LiftCo  | (1) | That the development of the next Health and Social Care Centre in Lye, in partnership with LiftCo and the Dudley Primary Care Trust, be approved.   |
|   | (2) | That a bid for further private finance initiative credits to the Department of Health, to support the Health and Social Care Centre in Dudley, be approved.   |
| Parks and Green Spaces<br>Strategy  | (1) | That the work being undertaken on the Borough's Green Spaces Strategy as summarised in the report submitted to the meeting, be noted.   |
|   | (2) | That the draft Green Spaces Strategy be approved as a basis for consultation.   |
| Local Development Scheme<br>Revision  | (1) | The Council be recommended that the Local Development Scheme for the period 2009-11 be approved as the operational Local Development Scheme for the Borough, to be ratified by the full Council and then submitted to the Government Office for the West Midlands in accordance with the Planning and Compulsory Purchase Act, 2004.  |
|   | (2) | That the Council be requested to authorise the Director of the Urban Environment, in consultation with the Director of the urban Environment, to make future minor changes to the Local Development Scheme for the production of documents specifically relating to the Joint Core Strategy and associated documents being produced by the Black Country Boroughs, but that all significant alterations be submitted to the Cabinet for consideration prior to forwarding to the Government Office. |

Report on the Local Impact of the Economic Downturn and proposals for planned service response

That the information contained in the report be noted and that a proposed Action Plan be reported to a future meeting.

Updating the Community Strategy and Engagement Framework and Local Area Agreement

That the Council be recommended:-

- (1) That the work on the review of the Community Strategy to ensure that it is updated to become a fully sustainable Local Community Strategy be approved, and subject to future adoption by the full Council.
- (2) That the proposed framework for the development of a Dudley Council Community Engagement Strategy, as outlined in the report submitted to the meeting, be approved.
- (3) That the Interim Chief Executive, in consultation with the Leader of the Council, be authorised to approve and submit the Local Area Agreement refresh to Government at the end of February, 2009.

The Sustainable Communities Act, 2007

That the Council be recommended:-

- (1) To welcome the Sustainable Communities Act, 2007 and resolve to be fully engaged with the opportunities it provides; and
- (2) Approve a proposal to establish the DOSTI executive as the Sustainable Communities Panel within Dudley, as outlined in the report submitted to the meeting.

Capital Programme Monitoring

- (1) That current progress with the 2008/09 Capital Programme, as set out in Appendix A to the report submitted to the meeting, be noted.
- (2) That the Interim Director of Children's Services be authorised to submit a bid for Targeted Capital Fund - School Kitchens funding, as set out in paragraph 14 of the report submitted to the meeting
- (3) That the Council be recommended:-

- (a) That subject to the relevant element of the Revenue Budget Strategy being agreed, the expenditure to be funded from prudential borrowing be approved, as set out in the report submitted to the meeting.
- (b) That the funding allocation for new plots within the Oak Lane Caravan Site and the installation of a new mains foul drainage system be noted, and the expenditure be included in the Capital Programme, as set out in the report submitted to the meeting.
- (c) That the installation of a new Memorial Wall at Gornal Wood Crematorium be approved and included in the Capital Programme, as set out in the report submitted to the meeting.
- (d) That the Capital Reward funding associated with the Free Swimming initiative be used to undertake facility planning modeling, and that this expenditure be included in the Capital Programme, as set out in the report submitted to the meeting.
- (e) That the funding for improvements to the Playing Fields and Pitch at Windsor High School be noted, and the project included in the Capital Programme, as set out in the report submitted to the meeting.
- (f) That the Capital Programme be amended to reflect the latest estimated cost of the Old Park Special School relocation project, and the disposal proceeds from the current site be earmarked to fund the project, as set out in the report submitted to the meeting.
- (g) That subject to a targeted Capital Fund - School Kitchens bid being successful, any related schemes be included in the Capital Programme, as set out in the report submitted to the meeting.
- (h) That the Information System for Parents and Providers allocation be noted, and the associated expenditure included in the Capital Programme, as set out in the report submitted to the meeting.

- (i) That the Home Access to ICT allocation be noted, and the associated expenditure included in the Capital Programme, as set out in the report submitted to the meeting.
- (j) That the ICT Strategy expenditure be approved and the Capital Programme amended accordingly, as set out in the report submitted to the meeting.
- (k) That the refurbishment of an additional Training Room / Strategic Coordination Centre for the Contingency and Disaster Management team be approved and included in the Capital Programme, as set out in the report submitted to the meeting.
- (l) That the Urgent Amendments to the Capital Programme, as set out in paragraphs 19 - 22 of the report submitted to the meeting be noted.
- (m) 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, be approved as set out in Appendix B to the report submitted to the meeting.
- (n) That the Minimum Revenue Provision (MRP) Policy for 2009/10 be as set out in paragraph 26 of the report submitted to the meeting.

Quarterly Corporate Performance Management Report

- (1) That the Quarterly Corporate Performance Management Report for the period from the 1<sup>st</sup> October to the 31<sup>st</sup> December, 2008 be noted and its contents approved.
- (2) That the information contained within the Quarterly Corporate Performance Management Report be referred to Select Committees to consider specific issues within their Terms of Reference.

Proposed Dudley Mosque and Community Training and Enterprise Centre

That the content of this report be noted and that a decision on the buy-back of the land at Hall Street, Dudley, continue to be deferred pending the outcome of the application to the High Court.

Response to the Ethnic  
Minority Achievement  
Service Consultation

That the Option A in the report submitted to the meeting be approved.

Castle Hill, Dudley

- (1) That the termination of the Development Agreement between the Council, Castle Hill Dudley Ltd. and St. Modwen Properties plc be approved, that the Interim Chief Executive, Director of the Urban Environment, Director of Law and Property and Director of Finance, in consultation with the Leader of the Council and the Leader of the Opposition Group, be authorised to take the necessary action under the Agreement to secure its termination.
- (2) That the Interim Chief Executive, Director of the Urban Environment and Director of Finance, in consultation with the Leader of the Council and the Leader of the Opposition Group, be authorised to negotiate and agree and new Agreement with Advantage West Midlands, to be executed by the Interim Director of Law and Property.

Directorate of Finance, ICT  
and Procurement - Human  
Resource Issues

That the request for redundancy contained in the report submitted to the meeting be approved on the terms and conditions set out in the report.

The details of each of the above items are set out in the reports submitted to the meeting of the Cabinet. Copies of the public reports may be obtained from Democratic Services in the Directorate of Law and Property (contact 01384 815235 or e-mail [steve.griffiths@dudley.gov.uk](mailto:steve.griffiths@dudley.gov.uk)) or on the Committee Management Information System on the Council's Website [www.dudley.gov.uk](http://www.dudley.gov.uk) and follow the links to Council Decisions/Committee Information.

Except where matters have been referred to the Council, the decisions will come into force, and may then be implemented, on the expiry of five working days of the 13<sup>th</sup> February, 2009, unless a Select Committee objects to a decision and calls it in.

PHILIP TART  
INTERIM DIRECTOR OF LAW AND PROPERTY

The Council House  
Priory Road, Dudley, West Midlands

Dated: 13<sup>th</sup> February, 2009

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(Display until: 20<sup>th</sup> February, 2009)