

MEETING OF THE CABINET

Wednesday, 10th September, 2008 at 6.00 p.m.
in Committee Room 2 at the Council House, Dudley

PRESENT:-

Councillor Caunt (Leader of the Council) (Chairman);
Councillor Mrs. Millward (Deputy Leader);
Councillors Adams, Evans, Knowles, Miller, Mrs. Shakespeare, Simms,
A. Turner and Mrs. Walker.

together with the following Minority Group members appointed to
attend meetings of the Cabinet:-

Councillors Ms. Foster, Lowe and Ms. Partridge (Labour Group).

OFFICERS:-

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

18

APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received on behalf of
Councillors Ali, G. H. Davies, Mrs. Ridney and Sparks.

19

CHANGES IN REPRESENTATION OF MINORITY GROUP MEMBERS

It was reported that Councillor Lowe was serving in place of Councillor
Sparks for this meeting of the Cabinet only.

20

DECLARATIONS OF INTEREST

No member declared a personal or prejudicial interest, in accordance
with the Members' Code of Conduct, in any matter to be considered at
this meeting.

21

MINUTES

RESOLVED

That the minutes of the meeting of the Cabinet held on 11th June, 2008 be approved as a correct record and signed.

22

SPENDING PROJECTIONS 2008/09

The Cabinet considered a report of the Director of Finance on the projected out-turn for 2008/09 and recommended amendments to the revenue budget to be funded from General Balances.

In the light of the Council's overall financial position, the Deputy Leader reiterated the need to exercise stringent budgetary control for the remainder of the current financial year and in future years.

RESOLVED

That the Council be recommended:-

- (1) To approve the allocations from General Balances to fund the budget adjustments set out in paragraph 4 of the report now submitted.
- (2) To note the spending pressures outlined in paragraph 5 of the report now submitted.
- (3) To reiterate to all Cabinet Members, Directors and budget holders the need to exercise stringent budgetary control for the remainder of the current financial year in accordance with the Council's Approved Financial Management Regime.
- (4) To note the effects on the Council's Medium Term Financial Plan.
- (5) To take action to replenish General Balances when the opportunity arises.

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

23

UPDATE OF THE COUNCIL'S CAPITAL STRATEGY

The Cabinet considered a report of the Director of Finance on proposals to consult Select Committees on the update of the Council's Capital Strategy for 2009-2014.

RESOLVED

That the draft Capital Strategy be agreed as the basis of consultation with Select Committees.

24

COMMUNITY RENEWAL STRATEGY

The Cabinet considered a report of the Director of Adult, Community and Housing Services on the draft multi-agency Community Renewal Strategy. The report outlined the progress made within Community Renewal since its transfer to the Directorate of Adult, Community and Housing Services in April 2008.

RESOLVED

- (1) That the Council be recommended to support the draft multi-agency Community Renewal Strategy.
- (2) That the progress made within Community Renewal since its transfer to the Directorate of Adult, Community and Housing Services be noted.

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

25

EMPTY HOMES STRATEGY 2008-2011

The Cabinet considered a report of the Director of Adult, Community and Housing Services on the draft Empty Homes Strategy 2008 – 2011 and a proposed amendment to the existing Housing Assistance Scheme.

RESOLVED

- (1) That the Empty Homes Strategy 2008-2011 be approved.
- (2) That the maximum grant assistance allowed for owners of empty properties be increased to £10,000.

(This was a Key Decision with the Cabinet as the Decision Taker)

26 DRAFT POST 19 LEARNING AND SKILLS STRATEGY

The Cabinet considered a report of the Director of Adult, Community and Housing Services on the draft Post 19 Learning and Skills Strategy.

RESOLVED

That the draft Post 19 Learning and Skills Strategy be approved.

(This was a Key Decision with the Cabinet as the Decision Taker)

27 QUARTERLY CORPORATE PERFORMANCE MANAGEMENT REPORT

The Cabinet considered a report of the Chief Executive on the quarterly corporate performance management report covering the period 1st April to 30th June, 2008.

RESOLVED

- (1) That the content of the Quarterly Corporate Performance Management Report submitted to the meeting be 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.
-

28 REVISED CODE OF CORPORATE GOVERNANCE

The Cabinet considered a report of the Director of Law and Property on proposals to update the Council's Code of Corporate Governance.

RESOLVED

That the Council be recommended to approve the revised Code of Corporate Governance.

29 REVIEW OF THE CONSTITUTION

The Cabinet considered a report of the Director of Law and Property on a review of the Council's Constitution.

RESOLVED

- (1) That the report be noted and referred to the Council.
- (2) That the Council be recommended to authorise the Audit Committee to determine any amendments to Financial Regulations and Contract Standing Orders, including those relating to Schools.

30

CAPITAL PROGRAMME MONITORING

The Cabinet considered a report of the Director of Finance on the implementation of, and a number of proposed amendments to, the Capital Programme.

RESOLVED

- (1) That the current progress with the 2008/09 Capital Programme, as set out in Appendix A to the report now submitted, be noted.
- (2) That the results of the Post Completion Reviews of capital projects, as set out in Appendix B to the report now submitted, be noted.
- (3) That the Council be recommended:
 - (a) To approve the Adult, Community and Housing ICT Strategy projects and their inclusion in the Capital Programme, as set out in paragraph 5 of the report now submitted.
 - (b) To give approval for a Section 8 agreement to be entered into with Staffordshire County Council, and that the drainage works at Norton Road/County Lane, Stourbridge be approved and included in the Capital Programme, as set out in paragraph 6 of the report now submitted.
 - (c) To approve the scheme to refurbish the toilets at Lister Road Garage and its inclusion in the Capital Programme, as set out in paragraph 7 of the report now submitted.
 - (d) To note the successful grant applications for the Townscape Heritage Initiative (THI) project, and to include the related expenditure in the Capital Programme, as set out in paragraph 8 of the report now submitted.

- (e) To approve the improvements at Wrens Nest Nature Reserve and its inclusion in the Capital Programme, as set out in paragraph 9 of the report now submitted.
- (f) To note the Play Pathfinder grant allocation, and that subject to final Department for Children, Schools and Families (DCSF) approval, the associated expenditure be included in the Capital Programme, as set out in paragraph 10 of the report now submitted.
- (g) To amend the Capital Programme to include the costs resulting from the flooding incident at the Highfields site, as set out in paragraph 11 of the report now submitted.
- (h) To note the urgent amendments to the Capital Programme as set out in paragraphs 12 to 15 of the report now submitted.

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

31

FOOD SERVICE PLAN 2008/09

The Cabinet considered a report of the Director of the Urban Environment on the Food Service Plan 2008/09. Members welcomed the report and commended the ongoing work in connection with the implementation of the Plan.

RESOLVED

That the content of the Food Service Plan of the Directorate of the Urban Environment 2008/09 be noted and referred to the Council.

32

LOCAL INVOLVEMENT NETWORK (LINKs) IN DUDLEY

The Cabinet considered a report of the Director of Adult, Community and Housing Services on developments to establish a Local Involvement Network (LINK) including awarding the provider contract to operate in Dudley.

RESOLVED

That the progress towards establishing a LINK in Dudley to be provided by Shaw Trust be supported.

(This was a Key Decision with the Cabinet as the Decision Taker)

33

TRANSFORMATION OF SOCIAL CARE: THE PERSONALISATION AGENDA

The Cabinet considered a report of the Director of Adult, Community and Housing Services on the policy direction and framework action plan relating to the way in which Social Care support was arranged and delivered to Dudley citizens.

Reference was made to the cost of implementing the changes through the Transforming Social Care grant, which was available for three years. The Cabinet noted the need to ensure that this was taken into account in budget planning for future years in order to avoid pressures that had occurred in the past in connection with exit strategies for time-limited Government funding.

RESOLVED

- (1) That the development of the Personalisation agenda be approved.
- (2) That the proposal to hold a Member's workshop on Personalisation on 30th October 2008 at Himley Hall (from 1.00pm with the workshop from 2.00pm until 5.00pm) be supported.
- (3) That the Personalisation framework be approved for implementation as detailed in paragraphs 15 to 27 of the report now submitted.

(This was a Key Decision with the Cabinet as the Decision Taker)

34

PROPOSED DUDLEY MOSQUE AND COMMUNITY TRAINING AND ENTERPRISE CENTRE

The Cabinet considered the response of the Council to the proposed development of land at Hall Street, Dudley for a Mosque and Community Training and Enterprise Centre.

RESOLVED

- (1) That a decision on whether or not to enforce the right to buy-back the site at Hall Street, Dudley be deferred pending further consultation and the completion of an Equality Impact Assessment.

- (2) That the making of an application to the High Court for a judicial review of the Planning Inspector's decision, as referred to in paragraph 10 of the report, be approved, and the Director of Law and Property be authorised to take all necessary action in respect of that application.

35

ANNUAL LETTER 2007/08 FROM THE LOCAL GOVERNMENT OMBUDSMAN IN RESPECT OF COMPLAINTS MADE AGAINST THE COUNCIL

The Cabinet considered the Local Government Ombudsman's Annual Letter for 2007/08 in respect of complaints received against the Council and dealt with by the Ombudsman's office over the year ending 31st March, 2008.

RESOLVED

- (1) That the information contained in the report, and Appendices to the report submitted be noted and that the Chief Executive and Directors be requested to:-
- (a) review their internal arrangements, as appropriate, so as to address in particular the issue of premature complaints to the Ombudsman; and
 - (b) ensure that requests for information on complaints received are dealt with by the date requested so that response times continue to improve and that responses can be submitted to the Ombudsman's office within the timescales set.
- (2) That the Ombudsman's Annual Letter be posted on the Council's website.
- (3) That a copy of the report be forwarded to the Ombudsman, together with a copy of the above decisions taken, as the Council's formal response to his letter.

SOUTH BLACK COUNTRY ENTERPRISE AND INNOVATION CENTRE

The Cabinet considered a report of the Director of the Urban Environment on proposals for the South Black Country Enterprise and Innovation Centre and recommended authorisations to enable the ongoing development of the Centre. In presenting the report, the Cabinet Member for Economic Regeneration thanked all Members and Officers involved in connection with the project

RESOLVED

- (1) That the South Black Country Enterprise and Innovation Centre project be supported.
- (2) That the Director of the Urban Environment, in consultation with the Cabinet Member for Economic Regeneration, be authorised to commence the process of seeking the most appropriate private sector partner for the development of the Centre.
- (3) That the Head of Economic Regeneration Delivery be authorised to make preparations for the submission of a planning application for the Centre on the Castle Gate site.
- (4) That the Directors of the Urban Environment, Children's Services and Adult, Community and Housing Services, in consultation with the Cabinet Members for Economic Regeneration, Children's Services and Adult and Community Services, be authorised to investigate and then develop an appropriate combination of Higher Education Institute (HEI) providers with a strong regional track record of delivery against the three core strengths of (i) engagement of local people and businesses in relation to enterprise and innovation; (ii) higher level innovation and enterprise expertise and (iii) a wealth of research experience linked to innovation and enterprise.
- (5) That the Director of the Urban Environment, in consultation with the Cabinet Members for Economic Regeneration, Children's Services and Adult and Community Services working with partners, be authorised to bring forward proposals for appropriate governance of the Centre.

- (6) That further updates on this project be provided to the Select Committee on Regeneration, Culture and Adult Education.

(This was a Key Decision with the Cabinet as the Decision Taker)

37

STRATA (WREN'S NEST NATIONAL NATURE RESERVE) PROJECT AND STEP SHAFT MINE

The Cabinet considered a report of the Director of the Urban Environment on the options available to secure the Step Shaft Mine and to incorporate the preferred option within the Council's Capital Programme.

RESOLVED

- (1) That Option C, as set out in the report, be supported involving the infilling of the Step Shaft Gallery with aggregate to provide support to the gallery as the first phase in the permanent stabilisation of the mine thereby retaining the unique gallery and enabling access to be gained in the future.
- (2) That the Director of the Urban Environment and the Director of Finance explore Council funding opportunities to fund Option C as part of this year's budget review process and, subject to any necessary approval of the Council, incorporate the project within the Council's Capital Programme.

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

38

ISSUES ARISING FROM SELECT COMMITTEES

No issues were raised at this meeting of the Cabinet.

39

EXCLUSION OF THE PUBLIC

RESOLVED

That the public be excluded from the meeting for the following items of business on the grounds that they involve 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.

<u>Description of Item(s)</u>	<u>Relevant Paragraphs of Part 1 of Schedule 12A</u>
Portway Close Garage Site, Kingswinford – Regeneration Project	3
Staffing Issues – Directorate of Adult, Community and Housing Services	1

40

PORTWAY CLOSE GARAGE SITE, KINGSWINFORD - REGENERATION PROJECT

The Cabinet considered a report of the Director of Adult, Community and Housing Services on a regeneration project affecting the Portway Close Garage Site, Kingswinford.

RESOLVED

- (1) That approval be given to dispose of the land at Portway Close garage site, Kingswinford, for the purposes of social housing.
- (2) That approval be given to dispose of the land to Black Country Housing Group Ltd. upon terms and conditions to be negotiated and agreed by the Director of Law and Property.

(This was a Key Decision with the Cabinet as the Decision Taker)

41

STAFFING ISSUE – DIRECTORATE OF ADULT, COMMUNITY AND HOUSING SERVICES

A report of the Director of Adult, Community and Housing Services was submitted on a request for voluntary severance from an employee (AE) in her Directorate.

RESOLVED

That the request for voluntary severance in respect of the officer referred to in the report submitted to the meeting (AE) be approved on the terms and conditions set out in the report.

42

STAFFING ISSUE – DIRECTORATE OF ADULT, COMMUNITY AND HOUSING SERVICES

A report of the Director of Adult, Community and Housing Services was submitted on a request for voluntary severance from an employee (JJ) in her Directorate.

RESOLVED

That the request for voluntary severance in respect of the officer referred to in the report submitted to the meeting (JJ) be approved on the terms and conditions set out in the report.

The meeting ended at 6.33 p.m.

LEADER OF THE COUNCIL