

MEETING OF THE CABINET

Wednesday, 29th October, 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, Simms, A. Turner and Mrs. Walker.

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

Councillors Ali, Crumpton, Ms. Partridge, Mrs. Ridney and Sparks (Labour Group).

OFFICERS:-

Chief Executive, Director of Finance, Director of Law and Property, Director of Adult, Community and Housing Services, 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.

43 **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were received on behalf of Councillors G.H. Davies, Ms. Foster and Mrs. Shakespeare.

44 **CHANGE IN REPRESENTATION OF MINORITY GROUP MEMBERS**

It was reported that Councillor Crumpton was serving in place of Councillor Ms. Foster for this meeting of the Cabinet only.

45 **DECLARATIONS OF INTEREST**

Councillor Mrs. Millward declared a Personal Interest, in accordance with the Members' Code of Conduct, in relation to Agenda Item No. 8 (Capital Programme Monitoring – reference to Ellowes Sports College) as a Governor of Ellowes Hall School.

Councillor Ali declared a Personal Interest, in accordance with the Members' Code of Conduct, in relation to Agenda Item No. 10 (Transforming Secondary Education – Building Schools For The Future and Academies) as a Foundation Governor of Castle High School.

Councillor Mrs. Ridney declared a Personal Interest, in accordance with the Members' Code of Conduct, in relation to Agenda Item No. 10 (Transforming Secondary Education – Building Schools For The Future and Academies) as a Governor of The Coseley School.

46 MINUTES

RESOLVED

That the minutes of the meeting of the Cabinet held on 10th September, 2008 be approved as a correct record and signed.

47 RESPONSE TO THE REGIONAL SPATIAL STRATEGY PHASE 2 REVISION PREFERRED OPTIONS REPORT

The Cabinet considered a report of the Director of the Urban Environment on the Council's response to the Preferred Options of the Regional Spatial Document - Phase 2 Revision.

RESOLVED

That the Council's response to the Preferred Options Document of Phase 2 of the Regional Spatial Strategy be approved as part of the consultation process to assist in its formulation.

48 ANNUAL REVIEW OF EQUALITY AND DIVERSITY 2008

The Cabinet considered a report of the Director of Law and Property on the annual review of equality and diversity for 2008.

RESOLVED

That the annual review of equality and diversity for 2008 be approved.

DUDLEY TOWN CENTRE REGENERATION – REDEVELOPMENT
OF DUDLEY CIVIC QUADRANT

The Cabinet considered a joint report of the Director of Law and Property and the Director of Finance on the Dudley Civic Quadrant project.

RESOLVED

That the report be noted and the Director of Law and Property and the Director of Finance be authorised to:-

- (a) continue to work with BV Strategies for a period of six months in exploring other possibilities for joint development;
- (b) work on developing an estate strategy for resolving the Council's accommodation problems;
- (c) submit a further report to the Cabinet in due course.

CAPITAL PROGRAMME MONITORING

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

RESOLVED

- (1) That the progress with the 2008/09 Capital Programme, as set out in Appendix A to the report now submitted, be noted.
- (2) That the Council be recommended:-
 - (a) That the development work on the Primary Social Care Database to support the Transforming Social Care agenda be approved and included in the Capital Programme, as set out in paragraph 5 of the report now submitted.
 - (b) That the realignment of resources for Housing adaptation works be approved, as set out in paragraph 6 of the report now submitted.

- (c) That the Regional Housing Pot allocation for 2008/09 be directed towards supporting regeneration activity on the North Priory estate, in partnership with Bromford Housing Group, as set out in paragraph 7 of the report now submitted.
- (d) That the redevelopment of the BMX Track at Dudley Wood Open Space, and the erection of Ball Stop Fencing to the frontages of houses at Swallow Close be approved and included in the Capital Programme, as set out in paragraph 8 of the report now submitted.
- (e) That the Transport Asset Management funding allocation be noted; that the arrangements for West Midlands Asset Management Plans be agreed, and any related capital expenditure be included in the Capital Programme, as set out in paragraph 9 of the report now submitted.
- (f) That the scheme to resurface paths across the Turls Hill and Swanbrook Valley open space be approved and included in the Capital Programme, as set out in paragraph 10 of the report now submitted.
- (g) That, subject to the necessary match funding being secured, the Wrens Nest project be approved and the capital elements included in the Capital Programme, as set out in paragraph 11 of the report now submitted.
- (h) That the extension of the Fire Alarm System at Himley Hall be approved and included in the Capital Programme, as set out in paragraph 12 of the report now submitted.
- (i) That the improvement works at Crystal Leisure Centre be approved and included in the Capital Programme, as set out in paragraph 13 of the report now submitted.
- (j) That the grant to Ellowes Sports College for an artificial sports surface be noted and that the project be approved and included in the Capital Programme, as set out in paragraph 14 of the report now submitted.

- (k) That the School Travel Plan Grant allocation be noted and the associated expenditure be included in the Capital Programme, as set out in paragraph 15 of the report now submitted.
- (l) That the grant allocation in respect of the Old Park School Specialist College be noted, and that the Communication and Interaction Resource Base project be approved and included in the Capital Programme, as set out in paragraph 16 of the report now submitted.

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

51

13-51 ORCHARD STREET, BRIERLEY HILL REGENERATION PROJECT

The Cabinet considered a joint report of the Director of Adult, Community and Housing Services and the Director of Law and Property on the use of compulsory purchase powers, if necessary, to facilitate the implementation of the Orchard Street Regeneration Project.

RESOLVED

- (1) That the Council make a Compulsory Purchase Order(s) under Section 226(1) (a) of the Town and Country Planning Act 1990 and Section 13 of the Local Government (Miscellaneous Provisions) Act 1976 for the acquisition of the land shown on the Plan now submitted, or the acquisition of new rights, for the purpose of regenerating Orchard Street.
- (2) That the Directors of Adult, Community and Housing Services and of Law and Property, in consultation with the Cabinet Members for Economic Regeneration and Housing, be authorised to:-
 - (a) Take all necessary steps to secure the making, confirmation and implementation of the Compulsory Purchase Order(s) including the publication and service of all notices and the presentation of the Council's case at any Public Inquiry;
 - (b) Negotiate and acquire interests in land and new rights within the Compulsory Purchase Order(s) either by agreements or compulsorily;

- (c) Settle all compensation claims and ancillary claims fees and costs arising as a direct consequence of the Compulsory Purchase Order(s);
 - (d) Approve agreements with land owners setting out the terms for the withdrawal of objections to the Order, including where appropriate seeking exclusion of land or new rights from the Order and/or making arrangements for relocation of occupants.
- (3) That, subject to the approval of the Council, the cost of the acquisition of properties be included in the Capital Programme.

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

52

TRANSFORMING SECONDARY EDUCATION – BUILDING SCHOOLS FOR THE FUTURE AND ACADEMIES

The Cabinet considered a report of the Director of Children's Services on the options available in relation to the future of the Academies programme and proposals for Building Schools for the Future.

RESOLVED

- (1) That the progress to date on Building Schools for the Future and Academies be noted.
- (2) That the Cabinet determine to proceed with the academies programme as set out in paragraphs 20 to 31 of the report now submitted.
- (3) That the Expression of Interest for Building Schools for the Future, as referred to in paragraphs 2 to 19 of the report now submitted, be deferred to Wave 8 or a later stage.

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ISSUES ARISING FROM SELECT COMMITTEES

No issues were raised at this meeting of the Cabinet.

54

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 Paragraph of Part 1 of Schedule 12A</u>
Staffing Issues – Directorate of Children’s Services	1
Staffing Issues – Directorate of Adult, Community and Housing Services	1

55 STAFFING ISSUE – DIRECTORATE OF CHILDREN’S SERVICES

A report of the Director of Children’s Services was submitted on a request for voluntary redundancy from an employee (MB) in his Directorate.

RESOLVED

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

56 STAFFING ISSUE – DIRECTORATE OF CHILDREN’S SERVICES

A report of the Director of Children’s Services was submitted on a request for the termination of the contract of employment of an employee (SK) in his Directorate on the grounds of redundancy.

RESOLVED

That the proposal to terminate the contract of employment of the officer referred to in the report submitted to the meeting (SK) be approved on the grounds of redundancy on the terms and conditions set out in the report.

57

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 to terminate the contract of employment of an employee (DA) in her Directorate on the grounds of redundancy.

RESOLVED

That the request to terminate the contract of employment of the officer referred to in the report submitted to the meeting (DA) on the grounds of redundancy be approved on the terms and conditions set out in the report.

58

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 to terminate the contract of employment of an employee (JT) in her Directorate on the grounds of redundancy.

RESOLVED

That the request to terminate the contract of employment of the officer referred to in the report submitted to the meeting (JT) on the grounds of redundancy be approved on the terms and conditions set out in the report.

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CHIEF EXECUTIVE

The Leader referred to the early retirement of the Chief Executive, Andrew Sparke, on 31st October, 2008. The Leader thanked Mr. Sparke for his work and achievements as Chief Executive and expressed best wishes for the future.

The meeting ended at 6.22 p.m.

LEADER OF THE COUNCIL