

MEETING OF THE CABINET

Wednesday, 9th February, 2011 at 6.00 p.m.
in Committee Room 2 at the Council House, Dudley

PRESENT:-

Councillor Mrs. Millward (Leader of the Council) (Chairman)
Councillor L. Jones (Deputy Leader)
Councillors Adams, D. Blood, Mrs. Faulkner, P. Harley, Simms, Stanley,
A. Turner and Mrs. Walker

together with the following Minority Group Members appointed to attend meetings of the Cabinet

Councillors Ali, Ms. Foster, Lowe and Mrs. Ridney (Labour Group)

OFFICERS:-

Chief Executive, Director of Adult, Community and Housing Services,
Director of Corporate Resources, Director of the Urban Environment,
Acting Director of Children's Services, Treasurer, Assistant Director of
Building Services (Directorate of Adult, Community and Housing
Services), Assistant Director of Human Resources and Citizenship and
Mr Sanders (Assistant Principal Officer, Democratic Services) – both
Directorate of Corporate Resources.

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APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received on behalf of
Councillors Ms Partridge and Sparks.

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DECLARATIONS OF INTEREST

No member declared a Personal or Prejudicial Interest, in accordance
with the Members' Code of Conduct, in respect of any matter to be
considered at this meeting.

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MINUTES

RESOLVED

That the minutes of the meetings of the Cabinet held on 8th
December, 2010 and 12th January, 2011, be approved as
correct records and signed.

REVENUE BUDGET STRATEGY AND SETTING THE COUNCIL TAX 2011/12

A joint report of the Chief Executive and the Treasurer was submitted seeking consideration of proposals for 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 joint authority precepts, the Council Tax to be levied for the period from the 1st April, 2011 to 31st March, 2012.

RESOLVED

- (1) That the Council be recommended to approve:-
 - (a) The budget requirement for 2011/12, and service allocations as set out in the report now submitted.
 - (b) 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 2011/12 in accordance with Sections 32 to 36 of the Local Government and Finance Act 1992 as shown in Appendix 2 of the report now submitted.
 - (c) That, having calculated the aggregate in each case of the amounts in Appendix 2 of the report now submitted, 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 2011/12.

Valuation Bands

A	B	C	D
£	£	£	£
750.26	875.30	1000.34	1125.39
E	F	G	H
£	£	£	£
1375.47	1625.56	1875.64	2250.77

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

- (2) That the Cabinet Members, Chief Executive and Directors be authorised to take all necessary steps to implement the proposals contained in the report submitted to the meeting, in accordance with the Council's Financial Management Regime.

- (3) That the Council reminds the Chief Executive and Directors to exercise strict budgetary control in accordance with the Financial Management Regime and care and caution in managing the 2011/12 budget, particularly in the context of commitments into later years and the impact that any overspending in 2011/12 will have on the availability of resources to meet future budgetary demands.
- (4) That the Medium Term Financial Strategy (MTFS) set out as Attachment A to the report now submitted be approved, including the revised budget for 2010/11 summarised in paragraph 18 of the MTFS.
- (5) That for furnished but unoccupied properties (except where the liable person resides at another property which is job related), e.g. second homes, the Council Tax discount be reduced from 25% of the applicable charge to 10% with effect from 1st April, 2011.
- (6) That the Treasurer be authorised to convert the cost of Compensatory Added Years (CAYs) previously awarded to employees into funded benefits where appropriate, and to notify the West Midlands Pension Fund accordingly.
- (7) That the Director of Corporate Resources, in consultation with the Cabinet Member for Personnel, Legal and Property, be authorised to determine all applications for voluntary redundancy including those where there are pension implications, up to a maximum of £6m for direct redundancy costs and £2.5m for the capitalised cost of pension strain.

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

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

A joint report of the Chief Executive and the Treasurer was submitted on proposals for the deployment of the Housing Revenue Account and associated matters for 2011/12 and in respect of the Housing Capital Programme for the period from 2012/13 to 2015/16.

Further to paragraph 5 in the report, the views of the Dudley Federation of Tenants' and Residents' Associations, in response to the letter sent on 31st January, 2011 outlining the Government's guidance and the effects in terms of the rent increase proposed, were reported orally by the Cabinet Member for Housing, Libraries and Adult Learning.

RESOLVED

- (1) That a rent increase for Housing Revenue Account dwellings on 4th April, 2011 with an average increase of £4.52 (6.7%) and a maximum increase of £7.05 in line with Government rent guidance, as outlined in paragraph 4 of the report now submitted, be approved.
- (2) That an increase of 4.6% in service charges, as outlined in paragraphs 6 and 8 of the report now submitted, be approved.
- (3) That the removal of charges for communal aerials, as outlined in paragraph 6 of the report now submitted, be approved.
- (4) That an increase of 10% in heating and lighting charges for sheltered housing from an average weekly charge of £8.89 to an average weekly charge of £9.78, as outlined in paragraph 7 of the report now submitted, be approved.
- (5) That an increase from £1.70 to £1.90 for laundry tokens, as outlined in paragraph 9 of the report now submitted, be approved.
- (6) That the increase of 6.7% to the current charge for pitch licences at Oak Lane, as outlined in paragraph 10 of the report now submitted, be approved.
- (7) That the introduction of water charges at Oak Lane at an initial rate of £6 per week, as outlined in paragraph 10 of the report now submitted, be approved.
- (8) That the leaseholders administration fee be maintained at current levels, as outlined in paragraph 11 of the report now submitted.
- (9) That an increase of £1 per month for private Telecare clients, as outlined in paragraph 12 of the report now submitted, be approved.
- (10) That an increase of 8.3% for garage plot rent and access agreements, and the dates proposed for future increases, as outlined in paragraphs 14 and 16 of the report now submitted, be approved.
- (11) That an increase in garage rents and the dates proposed for future increases, as outlined in paragraphs 15 and 16 of the report now submitted, be approved.

- (12) That a further report be submitted to a future meeting of the Cabinet outlining the impact of Housing Revenue Account funding reform, when the information is available, as outlined in paragraph 17 of the report now submitted.
- (13) That a revised Medium Term Financial Strategy be submitted to a future meeting of the Cabinet, when the information is available, as outlined in paragraph 31 of the report now submitted.
- (14) That the Council be recommended:-
- (a) To approve the revised Housing Revenue Account budget for 2010/11 and the Housing Revenue Account budget for 2011/12, as outlined in Appendix 1 of the report now submitted.
 - (b) To approve the public sector housing revised capital budget for 2010/11 and the capital budget for 2011/12 and note the provisional programme for 2012/13 to 2015/16, as outlined in Appendix 2 of the report now submitted.
 - (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 26 and 27 of the report now submitted.
 - (d) To authorise the Director of Adult, Community and Housing Services, in consultation with the Cabinet Member for Housing, Libraries and Adult Learning to manage and allocate resources to the capital programme, as outlined in paragraph 28 of the report now submitted.
 - (e) To confirm that all capital receipts arising from the sale of the Housing Revenue Account assets (other than those specifically committed to support private sector housing) continue to be used for the improvement of council homes, as outlined in paragraph 28 of the report now submitted.
 - (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 29 of the report now submitted.

(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 which proposed certain amendments thereto. 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 and in relation to the Council’s Minimum Revenue Provision (MRP) Policy for 2011/12.

RESOLVED

- (1) That the current progress with the 2010/11 Capital Programme, as set out in Appendix A of the report now submitted, be noted.
- (2) That the results of the Post Completion Review of capital projects, as set out in Appendix B of the report now submitted, be noted.
- (3) That the Council be recommended:-
 - (a) That the extra Kickstart funding be noted and added to the Housing Assistance capital budget, as set out in paragraph 7 of the report now submitted.
 - (b) That the Adult Social Care grant allocations be noted, and the associated spend included in the Capital Programme, as set out in paragraph 8 of the report now submitted.
 - (c) That, subject to agreement at West Midlands level, the Local Transport capital allocations be noted and the associated expenditure included in the Capital Programme, as set out in paragraph 9 of the report now submitted.
 - (d) That, subject to the relevant element of the Revenue Budget Strategy being agreed, the capital expenditure to be funded from prudential borrowing be included in the Capital Programme, as set out in paragraph 10 of the report now submitted.

- (e) That any expenditure funding from developers' "Section 106" Agreements, towards green space, nature conservation, environmental protection and public realm improvements be included in the Capital Programme, as appropriate, as set out in paragraph 11 of the report now submitted.
- (f) That the 2011/12 grant allocations for schools' capital projects be noted and the associated spend included in the Capital Programme, as set out in paragraph 12 of the report now submitted.
- (g) That the Treasurer be authorised, in consultation with the Cabinet Member for Finance, to approve any Capital expenditure in furtherance of the current and future Corporate ICT Strategies, and to amend the Capital Programme as appropriate, as set out in paragraph 13 of the report now submitted.
- (h) That the Urgent Amendments to the Capital Programme, as set out in paragraphs 14 to 17 of the report now submitted, be noted.
- (i) That 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, as set out in Appendix C of the report now submitted, be approved.
- (j) That the Minimum Revenue Provision (MRP) Policy for 2011/12, and updated Policy for 2009/10, as set out in paragraph 22 of the report now submitted, be approved.

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

A report of the Acting Director of Children's Services was submitted on the main findings of the 2010 OfSTED Annual Assessment of Children's Services.

In response to a question, the Cabinet Member for Integrated Children's Services and the Acting Director of Children's Services outlined the action taken when support for a school was necessary.

RESOLVED

That the contents of the report now submitted, be noted.

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ESTABLISHMENT OF A SHADOW DUDLEY HEALTH AND WELL-
BEING BOARD

A report of the Chief Executive was submitted to seek consideration of establishing a Shadow Dudley Health and Wellbeing Board (DHWBB) as a new Council Committee.

RESOLVED

That the Council be recommended:-

- (1) That a Shadow Dudley Health and Wellbeing Board be appointed with Membership and Terms of Reference, as set out in Appendices 1 and 2 of the report now submitted.
 - (2) That the Director of Corporate Resources, in consultation with the Leader and the Cabinet Member for Adult and Community Services, be authorised to amend the Membership and Terms of Reference of the Board in accordance with any recommendations made by the Shadow Board.
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QUARTERLY CORPORATE PERFORMANCE MANAGEMENT
REPORT

A report of the Chief Executive was submitted on the third Quarterly Corporate Performance Management Report for 2010/11, relating to performance for the period 1st October to 31st December, 2010.

RESOLVED

- (1) That the Quarterly Corporate Performance Management Report for the period from 1st October to the 31st December, 2010 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 any specific issues within their Terms of Reference.
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ISSUES ARISING FROM SELECT COMMITTEES

No issues were reported under this item.

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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 Items</u>	<u>Relevant paragraph of Part I of Schedule 12A</u>
Staffing Issues – Directorate of the Urban Environment (2 reports)	1

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STAFFING ISSUES (AA) – DIRECTORATE OF THE URBAN ENVIRONMENT

A report of the Director of the Urban Environment was submitted seeking approval to terminate the contract of employment of the officer referred to in the report on the grounds of redundancy with effect from 16th February, 2011.

RESOLVED

That the termination of the contract of employment of the officer referred to in the report now submitted be approved, on the grounds of redundancy with effect from 16th February, 2011, in accordance with the terms and conditions set out in the report.

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STAFFING ISSUES (PT) – DIRECTORATE OF THE URBAN ENVIRONMENT

A report of the Director of the Urban Environment was submitted seeking approval to terminate the contract of employment of the officer referred to in the report on the grounds of redundancy with effect from 16th February, 2011.

RESOLVED

That the termination of the contract of employment of the officer referred to in the report now submitted be approved, on the grounds of redundancy, with effect from 16th February, 2011, in accordance with the terms and conditions set out in the report.

The meeting ended at 7.10 p.m.

LEADER OF THE COUNCIL