

Meeting of the Cabinet – 15th February, 2024

Notice of Decisions

Notice is given that the Cabinet, at its meeting held on 15th February, 2024, made the following decisions in respect of the items listed.

<u>Item</u>	<u>Decisions</u>
Capital Programme Monitoring	<p>That the Council be recommended:-</p> <ol style="list-style-type: none">(1) To note the progress with the 2023/24 Capital Programme, as set out in Appendix A to the report.(2) To approve the additions and amendments to the Capital Programme, as set out in paragraphs 10 to 21 of the report.(3) To agree 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 B to the report.(4) To approve the updated Capital Strategy as set out in Appendix C to the report.(5) To approve the Minimum Revenue Provision (MRP) Policy for 2024/25, as set out in paragraph 25 of the report.
Medium Term Financial Strategy 2024/25	<ol style="list-style-type: none">(1) That the Council be recommended to note:-<ol style="list-style-type: none">(a) The actions of the External Auditors as set out in paragraphs 13 and 14 of the report.(b) The forecast variances to budget in 2023/24 and progress with delivery of savings as set out

in paragraph 18 and Appendices C and D to the report.

- (c) The advice of the Director of Finance and Legal on future saving measures and Council Tax as set out in paragraph 54 of the report.
- (2) That the Council be recommended, with effect from 1st April 2025, that for properties which have been unoccupied and unfurnished for between one and five years, an Empty Homes Premium of 100% is applied, resulting in a 200% Council Tax charge being payable in these circumstances, as set out in paragraph 33 of the report.
- (3) That the Council be recommended, with effect from 1st April 2025, that for properties that have been empty and furnished for more than one year, a premium of 100% is applied, resulting in a 200% Council Tax charge being payable in these circumstances, and that authority be delegated to the Director of Finance and Legal in consultation with the Cabinet Member for Finance and Legal to approve a policy for exceptions to this premium as set out in paragraph 34 of the report.
- (4) That the Council be recommended, with effect from 1st April 2025, that discretionary business rates relief be limited to charities whose registered office is in and/or only provide services to people who live in the Dudley Borough and that authority be delegated to the Director of Finance and Legal in consultation with the Cabinet Member for Finance and Legal to amend the policy to give effect to this change as set out in in paragraph 39 of the report.
- (5) That the Director of Finance and Legal be authorised, following consultation with the Cabinet Member for Finance and Legal and the Opposition Spokesperson for Finance and Legal to approve any changes to the budget proposals resulting from final decisions on the West Midlands Combined Authority Transport Levy and non-transport funding contributions, as set out in paragraph 40 of the report.

- (6) That, subject to any amendments arising from the above, the Council be recommended to approve the following:-
- (a) The budget for 2024/25, and Directorate allocations (including the Public Health budget) 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 2024/25 in accordance with Sections 31A, 31B and 34 to 36 of the Local Government and Finance Act 1992 as set out in Appendix M to the report.
 - (c) That, having calculated the aggregate in each case of the amounts in Appendix M, 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 2024/25.

Valuation Bands

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
1,097.80	1,280.77	1,463.74	1,646.71	2,012.64	2,378.58	2,744.51	3,293.41

- (d) The Medium Term Financial Strategy as set out in the report.
- (7) 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, as set out in paragraph 52 of the report.
- (8) That the Council be recommended to authorise Cabinet Members, the Chief Executive, Deputy Chief Executive and Directors to take all necessary steps to implement the proposals contained in the

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

Review of Housing Finance

- (1) That the latest Housing Revenue Account (HRA) outturn forecast for 2023/24, as set out in paragraphs 8 to 14 and Appendix 1 to the report, be noted.
- (2) That an increase in rents for HRA dwellings by 7.7% from 1st April 2024, as set out in paragraphs 15 to 17 of the report, be approved.
- (3) That the introduction of service charges at full cost recovery, as set out in paragraph 18 of the report, be approved.
- (4) That the Council be recommended to:-
 - (a) To approve the HRA revenue budget for 2024/25, as set out in paragraphs 19 to 21 and Appendix 2 to the report.
 - (b) To approve the public sector housing revised capital budgets for 2024/25 to 2026/27 attached as Appendix 3, noting consultation arrangements outlined in paragraphs 4 to 7 of the report.
 - (c) To authorise the Director of Housing and Communities and the Director of Finance and Legal to bid for and enter into funding arrangements for additional resources to supplement investment in the public sector housing stock, as outlined in paragraphs 24 to 29 and Appendix 3 of the report and that expenditure funded from such resources be added to the Capital Programme.
 - (d) To authorise the Director of Housing and Communities, in consultation with the Cabinet Member for Housing and Safer Communities, to manage and allocate resources to the capital programme as outlined in paragraphs 24 to 29 and Appendix 3 to the report.

- (e) To authorise the Director of Housing and Communities, in consultation with the Cabinet Member for Housing and Safer Communities, to develop and implement service charges as outlined in paragraph 18 of the report.
- (f) To confirm that all capital receipts arising from the sale of HRA assets (other than any receipts that may be specifically committed to support private sector housing) should continue to be used for the improvement of council homes, as set out in paragraphs 24 to 29 and Appendix 3 to the report.
- (g) To authorise the Director of Housing and Communities to continue to buy back former right to buy properties, to buy other properties, and to buy land where required to assemble a viable site for housing development, subject to a robust assessment of good value for money and sustainability in terms of lettings, maintenance and major works, as set out in paragraphs 24 to 29 and Appendix 3 to the report.
- (h) To authorise the Director of Housing and Communities to procure and enter into contracts for the delivery of the capital programme, as outlined in paragraphs 24 to 29 and Appendix 3 to the report.
- (i) To receive the HRA medium term financial strategy.

Dudley Council Pay Policy 2024/25

That the Council be recommended to approve the Pay Policy Statement for 2024/2025.

Gender Pay Gap Report 2023 – Snapshot date 31st March 2023

That the Gender Pay Gap 2023 report attached at Appendix 1, for public disclosure, and thereafter the report be published and data reported to the government before the 30th March 2024 to ensure compliance with the requirements of the 2017 Regulations, be approved.

Annual Review of the Constitution

That the Council be recommended:-

- (1) To endorse the revision of Article 6 and the associated Scrutiny Procedure Rules as incorporated in Part 4 of the Constitution.

- (2) To extend the trial of the revised 'Question Time' session at Full Council meetings for the remainder of this municipal year and that, subject to the outcome of the trial, the necessary revisions to Council Procedure Rule 11 be incorporated in the Constitution for the 2024/25 municipal year.
- (3) To note the inclusion of the revised Contract Standing Orders, as approved by the Audit and Standards Committee, within Part 5 of the Constitution.
- (4) To note the provisions of Council Procedure Rule 24.6 and the associated legal provisions concerning the recording of meetings.
- (5) To endorse the provisions in Article 12 of the Constitution (Officers), including the deputising arrangements in the absence or inability to act of the Chief Executive.

Suspension of Council Plan 2022-2025

That the Council be recommended to:-

- (1) Suspend the Council Plan for the period from April 2022 to March 2025 and replace it with a focussed one-year plan for 2024/25.
- (2) Replace with a one-year Council plan for 2024-25 focussed on those priorities and projects that will prevent a higher cost, deliver cost reductions/ increased income and the delivery of the Council's improvement and sustainability programme.

Traffic Regulation Order Process Review

- (1) That the information provided in Appendix C (Technical note Dudley TRO Process Review) and the recommendations as set out in the report in relation to requests for Traffic Regulation Orders (TRO's), be noted and endorsed.
- (2) That the proposed new Traffic Regulation Order process as set out in Appendix A to the report, be adopted, and the following actions be authorised:-
 - i. All new requests for TROs be directed through a revised process which takes place three times a year, instead of annually, except for

Developmental, Temporary, Emergency/Urgent or Experimental Orders and disabled parking bays, which are dealt with by separate processes.

- ii. All new requests are acknowledged and then undergo an initial 'feasibility check' to ensure they meet key criteria. Unsuccessful requests will be discounted, and the requestor advised as soon as practical.
 - iii. Predefined scoring process is used to prioritise requests, and ward members being notified of TRO's being proposed prior to public consultation.
 - iv. That the website is updated with information on the new assessment method and expected timescales.
- (3) That the revised format of site notices as recommended in Appendix A to the report, to make them more visible and easier to access the relevant TRO information, be approved.

On-Street Disabled Parking Places

That the adoption of the On-Street Disabled Parking Places policy, replacing the previous policy approved on 21st December 2022, enabling enforceable Disabled Parking places in safe locations providing Blue Badge holders and those assisting with the mobility of blue badge holders access to appropriate spaces, be approved.

West Midlands Combined Authority - Formal ratification of the single settlement memorandum of understanding (MoU) between the West Midlands Combined Authority and His Majesty's Government

- (1) That the single settlement MoU between the West Midlands Combined Authority and Her Majesty's Government, as set out at appendix 1 of the report, be ratified.
- (2) That the high-level next steps for single settlement negotiations and implementation ahead of the first single settlement allocation which is likely to be 1st April 2025, be noted.

- Dudley MBC response to the Sandwell Local Plan consultation, Telford and Wrekin Local Plan consultation and South Staffordshire Council Duty to Cooperate letter response
- (1) That the summary of the Local Plan consultations, including the key issues arising for Dudley MBC, be noted.
 - (2) That the Officer response to the Sandwell Local Plan Consultation, as set out in Appendix 1 to the report, be noted.
 - (3) That the officer response to the Telford and Wrekin Local Plan consultation, as set out in Appendix 2 to the report, be noted.
 - (4) That the officer response to the South Staffordshire Duty to Cooperate letter, as set out in Appendix 3 to the report, be noted.

Details of the above decisions are set out in the reports considered at the Cabinet meeting. The public reports may be obtained from Democratic Services (contact 01384 815238; e-mail democratic.services@dudley.gov.uk) or on the [Council's Website](#).

Except otherwise stated, or where matters have been referred to the Full Council, the decisions will come into force and may then be implemented on the expiry of five working days from 16th February, 2024 unless a decision is called in for scrutiny.

Mohammed Farooq
Lead for Law and Governance
(Monitoring Officer)

The Council House, Priory Road, Dudley, West Midlands
Dated: 16th February, 2024
(Display until 26th February, 2024)