

## **MEETING OF THE CABINET**

Wednesday, 2<sup>nd</sup> November, 2005 at 6.00 pm  
In Committee Room 2 at the Council House, Dudley

### **PRESENT:-**

Councillor Caunt (Leader of the Council) (Chairman)  
Councillors Adams, Evans, Jones, Mrs Martin, Mrs Shakespeare, Miller  
and Mrs Millward, together with the following Minority Group Members  
nominated to attend meetings of the Cabinet:

Councillors Ali, Crumpton, G H Davies, Mrs Ridney, Sparks and C L  
Woodall (Labour Group) and Councillors Mrs Patrick and Tyler (Liberal  
Democrat Group).

### **Officers**

The Chief Executive, The Director of Adult Community and Housing  
Services, The Director of Children's Services, The Director of Finance,  
The Director of the Urban Environment; The Assistant Director of Law  
and Property (Corporate Estate Services), The Assistant Director of  
Social Services (Learning Disability), Mr Pattinson (General Manager,  
Planning, Directorate of the Urban Environment) and Mr Sanders  
(Directorate of Law and Property).

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### **MINUTES**

#### **RESOLVED**

That the minutes of the special meeting of the Cabinet held on  
13<sup>th</sup> October, 2005 be approved as a correct record and signed,  
subject to the inclusion of the name of Councillor Mrs Patrick in  
the list of apologies for absence received.

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### **DECLARATIONS OF INTEREST**

A declaration of personal interest, in accordance with the Members'  
Code of Conduct, was declared by Councillor Adams in respect of  
paragraphs 4 and 20 (in so far as the latter related to Mary Stevens  
Park) of Agenda Item Number 6 (Capital Programme Monitoring) in  
view of his Chairmanship of the Friends of Mary Stevens Park.

Councillor Tyler declared a personal interest, in accordance with the  
Members' Code of Conduct, in respect of Agenda Item Number 7  
(Update of the Council's Capital Strategy) in so far as it related to all  
matters concerning the Castle Hill Development in view of his  
Trusteeship of Dudley Zoo.

Councillor C L Woodall declared a personal interest in respect of paragraphs 9 and 20 (in so far as the latter related to Neighbourhood Learning in Deprived Communities Funding) of Agenda Item Number 6 in view of his Chairmanship of St. Thomas's Network.

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65                    APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received on behalf of Councillors Fraser-macnamara, Ms Foster and Vickers.

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66                    CHANGES IN REPRESENTATION OF MINORITY GROUP MEMBERS

It was reported that Councillor Mrs Ridney was serving in place of Councillor Ms Foster as a representative of the Labour Group nominated to attend meetings of the Cabinet for this meeting only.

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67                    REMODELLING OF COUNCIL SERVICES

A report of the Chief Executive was submitted outlining progress towards the creation of the respective new Adult, Community and Housing and Children's Services Directorates and seeking endorsement of the overall project plan.

RESOLVED

- (1) That the creation of a division for Adult Learning Libraries and Information, to be located in the Directorate of Adult, Community and Housing Services, be approved.
  - (2) That the content of the outline project plan, as appended to the report submitted to the meeting, be noted.
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68                    CAPITAL PROGRAMME MONITORING

A joint report of the Chief Executive and Director of Finance was submitted containing proposals for the amendment of the Capital Programme and matters associated therewith.

In the discussion on this issue, in relation to the King Street Footbridge, reference was made to the need for action to be taken regarding unlawful vehicular right turning at the junction of King Street with Union Street. The Cabinet Member for Transportation agreed to consider the issue.

## RESOLVED

- (1) That current progress with the 2005/06 Capital Programme, as set out in paragraph 2 and Appendix A of the report submitted to the meeting, be noted.
- (2) That the results of the Post Completion Reviews of capital projects, as set out in paragraph 14 and Appendix B of the report now submitted to the meeting be noted.
- (3) That the Council be recommended:
  - (a) That the Highways Capital Programme be amended, as set out in paragraph 3 of the report submitted to the meeting.
  - (b) That the Capital Programme be amended to include £7,500 towards the extension of the children's play area at Mary Stevens Park, as set out in paragraph 4 of the report submitted to the meeting.
  - (c) That the expenditure on Green Waste wheeled bins, and its inclusion in the Capital Programme, be approved as set out in paragraph 5 of the report submitted to the meeting.
  - (d) That the course of action set out in paragraph 6 of the report submitted to the meeting regarding Bell Street Multi Storey Car Park be approved, and that the associated expenditure be included in the Capital Programme.
  - (e) That the expenditure to complete the refurbishment of King Street Footbridge be approved and included in the Capital Programme, as set out in paragraph 7 of the report submitted to the meeting.
  - (f) That subject to the 20% funding contribution for Old Park being identified, the projects to rebuild Wrens Nest Primary School and Old Park School be approved and included in the Capital Programme, as set out in paragraph 8 of the report submitted to the meeting.

- (g) That the Neighbourhood Learning in Deprived Communities funding be noted, and the associated expenditure be included in the Capital Programme, as set out in paragraph 9 of the report submitted to the meeting.
- (h) That the Adult and Community Learning Disability Discrimination Act funding be noted, and the associated expenditure be included in the Capital Programme, as set out in paragraph 10 of the report submitted to the meeting.
- (i) That subject to the Expanding Popular Schools funding being confirmed, the project for an International Performing Arts Academy at the Hillcrest School and Community College be approved and included in the Capital Programme, as set out in paragraph 11 of the report submitted to the meeting.
- (j) That the Capital Programme be amended to include the extra costs of the Priory and Wrens Nest Children's Centre project, as set out in paragraph 12 of the report submitted to the meeting.
- (k) That the Capital Programme be amended to include the enhancements to the Benefits and Dudley Council Plus Telephony system, as set out in paragraph 13 of the report submitted to the meeting.

(This was a Key Decision with the Cabinet and Council named as Decision Taker).

#### UPDATE OF THE COUNCIL'S CAPITAL STRATEGY

A report of the Director of Finance was submitted seeking consideration of an update to the Council's Capital Strategy after consideration by Select Committees.

Items updated in the version considered by Select Committees, compared with the first draft approved by the Cabinet in June, 2005, were referred to in paragraph 4 of the report. While specific concerns and comments arising from consideration of the draft Strategy at the various Select Committees had been forwarded to the appropriate officers, no recommendations had been made by any Committee which would require the Strategy to be amended.

RESOLVED

That the Council be recommended that the updated draft Capital Strategy attached to the report submitted to the meeting be approved.

(This was a Key Decision with the Council named as Decision Taker).

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CORPORATE PROCUREMENT STRATEGY

A report of the Director of Finance was submitted on progress in implementing the Council's Corporate Procurement Strategy. The report also indicated the results of a "health check" on progress against the National Procurement Strategy.

RESOLVED

- (1) That the "health check" of progress against the National Procurement Strategy, as set out in Appendix A to the report submitted to the meeting be endorsed.
  - (2) That the good progress made in implementing and developing the Council's Corporate Procurement Strategy be noted.
  - (3) That the conclusions from the Audit Commission's Review of Procurement Activity, as referred to in the report submitted to the meeting, be noted and the recommendations of the Review accepted.
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DUDLEY BOROUGH CHALLENGE – FINAL DRAFT OF THE COMMUNITY STRATEGY

A report of the Chief Executive was submitted giving an update on the progress of the Dudley Borough Challenge and the proposed content of the Community Strategy final draft document.

The current draft was attached to the report now submitted for endorsement and submission to the meeting of the Council to be held on 5<sup>th</sup> December, 2005 for approval, subject to the views of members and partners on the final version.

RESOLVED

That the general contents of the draft Community Strategy attached to the report submitted to the meeting be endorsed for submission to the meeting of the Council to be held on 5<sup>th</sup> December, 2005, subject to the views of members and partners on the final version.

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DRAFT STATEMENT OF COMMUNITY INVOLVEMENT FOR PLANNING – APPROVAL FOR PUBLIC CONSULTATION AND PARTICIPATION

A report of the Director of the Urban Environment was submitted seeking approval for the Draft Statement of Community Involvement for public consultation and participation as part of the new Development Plan process.

RESOLVED

That the draft Statement of Community Involvement be approved for publication for a statutory public consultation period of six weeks.

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DRAFT SUPPLEMENTARY PLANNING DOCUMENT ON AFFORDABLE HOUSING – APPROVAL FOR PUBLIC CONSULTATION AND PARTICIPATION

A report of the Director of the Urban Environment was submitted seeking approval to the Council's draft Supplementary Planning Document on Affordable Housing to proceed to public consultation.

RESOLVED

That the draft Supplementary Planning Document on Affordable Housing be approved for publication for a statutory public consultation period of six weeks.

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BRIERLEY HILL REGENERATION PARTNERSHIP

A report of the Director of the Urban Environment was submitted on progress made by the Brierley Hill Corporate Action Group which sought also the observations of the Cabinet in relation to the proposed restructuring of the Brierley Hill Regeneration Partnership.

In relation to the latter issue, concerns over the proposed governance arrangements expressed by the Shadow Leader and endorsed by the Leader were incorporated into the observations approved for submission to the Brierley Hill Regeneration Partnership and are encapsulated in resolutions (3) and (4) below. The need for a member-based oversight of major projects in order to enable them to link in to wider local initiatives, e.g. the Black Country Study, was also emphasised.

## RESOLVED

- (1) That the Improvement Plan attached as Appendix A to the report submitted to the meeting be approved.
  - (2) That the views expressed in the report be passed to the Brierley Hill Regeneration Partnership, including the request for a place on the proposed Executive, together with the additional views as set out in resolutions (3) and (4) below.
  - (3) That the view be expressed that the governance arrangements for the proposed restructuring of the Brierley Hill Regeneration Partnership may mitigate against the direct involvement of the Council to too great an extent insofar as decision making is concerned; in this regard that it also be questioned whether the co-ordination arrangements proposed are too wide a responsibility for one Cabinet Member, in consultation with one officer, as proposed, given the disparity of the inclusiveness agenda to be facilitated; and that the view also be expressed that the governance arrangements appear to lack democratic accountability and that, therefore, provision should be made for input by ward members.
  - (4) That the view also be expressed that provision should be made in the governance arrangements for a machinery to co-ordinate with major regional and sub-regional initiatives.
  - (5) That the Assistant Director of the Urban Environment (Economic Regeneration) act as Brierley Hill Co-ordinator for the Council's activities and interests, in liaison with the Cabinet Member for Economic Regeneration.
  - (6) That the Assistant Director of the Urban Environment (Economic Regeneration) be nominated as the Chair of the Economic Regeneration Theme Group (subject to endorsement).
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REPORT ON CONSULTATION IN RESPECT OF THE FUTURE DEVELOPMENT OF LOCAL AUTHORITY RESIDENTIAL HOMES AND THE FURTHER DEVELOPMENT OF HOUSING WITH CARE

A report of the Director of Adult Community and Housing Services was submitted on progress associated with consultation in respect of future arrangements for residential care for older people and the further development of Housing with Care. Included in the report was a request for approval for the closure and re-provision in the near vicinity, of Arcal Lodge.

RESOLVED

- (1) That progress in relation to this matter, as indicated in the report submitted to the meeting, be noted.
- (2) That the closure and re-provision of Arcal Lodge in the near vicinity of the existing building, as far as is practicable, be approved.
- (3) That the Council be recommended that any capital receipts from the sale of Arcal Lodge buildings and land be reinvested into Housing with Care developments.
- (4) That the re-provision of Tiled House as a supported living Housing with Care scheme on the existing site, subject to planning approval, be approved.
- (5) That the creation of a strategic partnership with interested Registered Social Landlord(s) through a tendering process, be approved.
- (6) That the Director of Adult, Community and Housing Services be authorised to carry out the actions above.

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

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RE-PROVISION OF AUDNAM CENTRE

A report of the Director of Adult, Community and Housing Services was submitted seeking approval for the proposals for the re-provision of Audnam Centre.

RESOLVED

- (1) That Audnam Centre be closed by the end of 2006.



- (2) That alternative services be provided for all clients who attend the centre and require a buildings-based or community service.
- (3) That the Directorate of Adult, Community and Housing Services explore the possibility of enabling some clients to purchase their own service with funds released from the closure through the In-Control pilot.
- (4) That the Council be recommended that the capital receipt from the disposal of Audnam House be used to improve facilities in the three other adult learning centres.
- (5) That the comments of the eight members of staff at Audnam House on the re-provision of the Centre as circulated at the meeting, be noted and that the response of the Assistant Director of Adult, Community and Housing Services (Learning Disability and Mental Health) thereto, as also circulated, be endorsed.

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

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#### JOINT MENTAL HEALTH STRATEGY FOR DUDLEY

A report of the Director of Adult Community and Housing Services was submitted seeking approval for the draft Strategy for Mental Health Services in Dudley.

The report indicated that the draft Strategy had been approved by the Mental Health Partnership Board, as the local implementation team, and had been subject to formal consultation between May and August, 2005. The executive summary of the Strategy was attached to the report now submitted, and a copy of the full Strategy had been placed in the members' room.

#### RESOLVED

That the draft Strategy for Mental Health Services in Dudley be approved.

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#### ISSUES ARISING FROM SELECT COMMITTEES

No issues were reported under this item.

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RESOLUTION TO EXCLUDE THE PUBLIC

RESOLVED

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Schedule 12A to the Act, in particular that paragraph of Part 1 of the Schedule indicated below:-

<u>Description of Item</u>	<u>Relevant Paragraph of Part I of Schedule 12A</u>
Voluntary Severance Request	1

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VOLUNTARY SEVERANCE REQUEST

A report of the Director of the Urban Environment on a request for voluntary severance was submitted.

RESOLVED

That the request for voluntary severance, as set out in the report submitted to the meeting, be approved on the terms and conditions set out in the report.

The meeting ended at 8.00 pm.

CHAIRMAN