

MEETING OF THE CABINET

Wednesday, 17th June, 2009 at 6.00 p.m.
in Committee Room 2 at the Council House, Dudley

PRESENT:-

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

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

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

OFFICERS:-

Chief Executive, Director of Adult Community and Housing Services,
Director of Children's Services, Director of the Urban Environment,
Interim Director of Law and Property, Interim Director of Finance, Mr
Sanders (Directorate of Law, Property and Human Resources) and
other officers.

1 **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were received on behalf of
Councillors Simms and Sparks

2 **CHANGES IN REPRESENTATION OF MINORITY GROUP MEMBERS**

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

3 **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.

4 MINUTES

RESOLVED

That the minutes of the meeting of the Cabinet held on the 18th March, 2009, be approved as a correct record and signed.

5 REVENUE AND CAPITAL OUTTURN 2008/09

The Cabinet considered a report of the Interim Director of Finance on the provisional financial results for the year ended 31st March, 2009.

In response to questions, the Interim Director of Finance explained the manner in which the Local Authority Business Growth Incentive income had been utilised and the nature of staffing efficiencies achieved. The Interim Director also indicated that the issue of the utilisation of the additional subsidy towards the reduction of Council house rents would be submitted to a future meeting.

RESOLVED

- (1) That the draft outturn results for 2008/09, including Value for Money efficiencies, be noted.
 - (2) That the effect of the General Fund Revenue Outturn on General Balances at 31st March, 2009, be noted.
 - (3) That the position on earmarked reserves at 31st March, 2009, be noted.
 - (4) That the latest forecast General Fund Revenue position for 2009/10, be noted.
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6 COUNCIL PLAN 2010: 2009 ANNUAL REVIEW

The Cabinet considered a report of the Chief Executive on the proposed structure of the Council Plan policy framework for 2009/10, in light of the long-term priorities contained in the Community Strategy, and the relationship with the Next Generation Local Area Agreement, the Medium Term Financial Strategy and the Human Resources Strategy.

RESOLVED

That the Council be recommended:-

- (1) To endorse the policy framework of the revised Council Plan.
- (2) To note the alignment of the Council Plan and Directorate Strategic Plans to the Community Strategy.

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

7 PARKS AND GREEN SPACE STRATEGY

The Cabinet considered a report of the Director of the Urban Environment seeking member approval to formally adopt the Parks and Green Space Strategy.

In the discussion on this issue, reference was made to the need for the policy to be fully inclusive to provide for the needs of all members of the community. The Cabinet Member for Integrated Children's Services referred to the wide cross section of the public consulted on the strategy, with children and young people having been included in this.

RESOLVED

That the final version of the Council's Parks and Green Space Strategy document, be adopted.

8 HUMAN RESOURCES STRATEGY 2009/14

The Cabinet considered a report of the Interim Director of Law and Property seeking approval of the Human Resources Strategy 2009/14.

RESOLVED

That the draft Human Resources Strategy and its use to prioritise Human Resources, as indicated in Appendix 1 of the report submitted to the meeting, be approved.

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

9 'FIT FOR THE FUTURE – HOMES FOR LIFE' – DUDLEY'S HOUSING STRATEGY FOR OLDER PEOPLE

The Cabinet considered a report of the Director of Adult, Community and Housing Services seeking approval of the Strategy in relation to the provision of older people's housing. The Strategy complemented Dudley's Older Peoples' Strategy and contained supplementary information on housing needs, aspirations and actions.

RESOLVED

That Dudley's Housing Strategy for Older People 'Fit for the Future – Homes for Life', be approved.

10 NATIONAL CARERS STRATEGY 2008

The Cabinet considered a report of the Director of Adult, Community and Housing Services on the publication of the National Carers Strategy 2008 and which sought endorsement of progress on the implementation of the National Carer's Strategy implementation in Dudley and approval for a revision of the Dudley Borough Carers Strategy 2007-2012.

In the discussion, it was confirmed that the funding referred to in paragraph 15 of the report was committed for expenditure for the purpose indicated. On the issue of health checks for carers, the Cabinet Member for Adult and Community Services referred to the involvement of the Minority Group in discussions and indicated that the Controlling Group were happy that such dialogue should continue.

RESOLVED

- (1) That the content of the report submitted to the meeting, be noted.
- (2) That the progress currently being made in addressing the National Carers Strategy's five outcomes, be endorsed.
- (3) That the review of the Dudley Borough Strategy 2007 – 2012 as a consequence of the National Carers Strategy 2008, be approved.

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

NATIONAL DEMENTIA STRATEGY 2009

The Cabinet considered a report of the Director of Adult, Community and Housing Services on the publication of the National Dementia Strategy 2009 and which sought endorsement on progress on the implementation of the Strategy in Dudley.

In the discussion, reference was made to the funding of the strategy and to the bid made for Demonstration Site status. The Director of Adult, Community and Housing Services indicated that some rearrangements of service design might be necessary should the bid be successful.

Reference was also made in the discussion to the need for early intervention to investigate the effects of dementia, and to the involvement of partner agencies in meeting the needs of sufferers.

RESOLVED

- (1) That the content of the report submitted to the meeting, be noted.
- (2) That the progress currently being made in addressing the National Dementia Strategy objectives, be endorsed.

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

DELIVERING THE MASTERPLAN FOR DUDLEY TOWN CENTRE

(At this juncture, Councillor Ali declared a Personal Interest in this item, in accordance with the Members' Code of Conduct, in view of his membership of the Dudley Town Centre Partnership)

The Cabinet considered a joint report of the Director of the Urban Environment, Interim Director of Law and Property and the Interim Director of Finance seeking approval to revise the mechanism for delivery of the Dudley town centre Area Development Framework.

Reference was made in the discussion to the decision-making machinery that would be applicable in relation to the various components of the Masterplan and it was confirmed that the Council's procedures, as provided for in the Constitution, would apply.

RESOLVED

- (1) That the Director of the Urban Environment, in consultation with the Interim Director of Law and Property and the Interim Director of Finance be authorised to submit funding applications, accept funding and negotiate funding agreements with funding bodies to acquire premises within Dudley town centre and its surrounding area in support of the regeneration of Dudley town centre, and address any other funding requirements associated with delivery of the Dudley town centre regeneration programme (including site investigations and works to public realm and highways infrastructure).
 - (2) That the Director of the Urban Environment be authorised, subject to funding being available, to incur any revenue expenditure relating to programme delivery.
 - (3) That the Interim Director of Law and Property be authorised to:-
 - (a) Negotiate and complete any relevant undertaking and required development agreement(s) prior to the making of any Compulsory Purchase Order(s);
 - (b) Acquire and extinguish interests in land and new rights to support assembly of development sites in Dudley town centre and its surrounding area either by agreement or compulsorily; and
 - (c) Dispose of Council owned land and property as required to facilitate delivery of the regeneration of Dudley town centre.
 - (4) That the Council be recommended that any capital receipts generated by disposal of Council owned land and property and all other income generated through the Dudley town centre portfolio of properties are reinvested to support delivery of the regeneration of Dudley town centre.
 - (5) That the Council be recommended, subject to funding being available, that any land or property acquisitions or works to be carried out (including improvements to public realm and highways infrastructure) by the Council be included in the Capital Programme.
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13

QUARTERLY CORPORATE PERFORMANCE MANAGEMENT REPORT

The Cabinet considered the final Quarterly Corporate Performance Management Report for 2008/09, relating to performance for the period 1st January to 31st March, 2009.

RESOLVED

- (1) That the content of the Quarterly Corporate Performance Management report submitted to the meeting be approved.
- (2) That the Quarterly Corporate Performance Management Report be referred to Select Committees to consider specific issues within their terms of reference.

14

CAPITAL PROGRAMME MONITORING

The Cabinet considered a joint report of the Chief Executive and the Interim Director of Finance on progress with the implementation of the Capital Programme and which contained proposals for certain amendments to the Programme.

RESOLVED

- (1) That the current progress with the 2009/10 Capital Programme, as set out in Appendix A to the report submitted to the meeting, be noted.
- (2) That the results of the Post Completion Review of capital projects, as set out in Appendix B to the report submitted to the meeting, be noted.
- (3) That the Council be recommended:-
 - (a) To note the Disabled Facilities Grant and Regional Housing Pot allocations and that the Capital Programme for Disabled Facilities Grants and Housing Assistance Grants be amended accordingly, as set out in paragraph 5 of the report submitted to the meeting.

- (b) To note the Kickstart allocation, and that the associated expenditure be approved and included in the Capital Programme, as set out in paragraph 6 of the report submitted to the meeting.
- (c) To approve the addition of £100,000 to the Library Modernisation programme, as set out in paragraph 7 of the report submitted to the meeting.
- (d) To approve the Stourbridge Town Centre Northern Gateway project and its inclusion in the Capital Programme, as set out in paragraph 8 of the report submitted to the meeting.
- (e) To allocate Section 106 funding from Lidl development at 78 Hagley Road, as set out in paragraph 9 of the report submitted to the meeting, and that the Capital Programme be amended accordingly.
- (f) To approve the acquisition of No. 18 Foster Street East, and the demolition of Nos. 18 and 20, and their inclusion in the Capital Programme; that in the event that the Highway Improvement Line be revoked, the overall site be disposed of; and that the Interim Director of Law and Property, in consultation with the Director of the Urban Environment, be authorised to proceed accordingly, as set out in paragraph 10 of the report submitted to the meeting.
- (g) To approve the Healthy Towns project, and the inclusion of the capital elements in the Capital Programme, as set out in paragraph 11 of the report submitted to the meeting.
- (h) To note the High Arcal Specialist School grant allocation, and that the related expenditure be included in the Capital Programme, as set out in paragraph 12 of the report submitted to the meeting.
- (i) To agree a further £40,000 expenditure on the refurbishment of Children's Homes and that the sum be included in the Capital Programme, as set out in paragraph 13 of the report submitted to the meeting.

- (j) To note the Primary Care Trust contribution to the Play Pathfinder project, and that the Capital Programme be amended accordingly, as set out in paragraph 14 of the report submitted to the meeting.
- (k) To approve the Asset Management Plan and Area Committee allocations and their inclusion in the Capital Programme, as set out in paragraph 15 of the report submitted to the meeting.
- (l) To note the urgent amendments to the Capital Programme, as set out in paragraphs 16 – 18 of the report submitted to the meeting.

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

15 APPOINTMENT OF COUNCIL REPRESENTATIVES TO OUTSIDE ORGANISATIONS

The Cabinet considered a report of the Interim Director of Law and Property seeking consideration of the appointment of Council representatives to outside organisations for the 2009/10 municipal year.

RESOLVED

That the Interim Director of Law and Property, in consultation with the Leader of the Council and the Leaders of the Minority Groups, as appropriate, be authorised to determine the appointment of representatives to serve on the outside organisations indicated in the Appendix to the report submitted to the meeting.

16 MODERNISATION OF LEARNING DISABILITY DAY SERVICES

This item was withdrawn.

17 EQUALITY SCHEME

The Cabinet considered a report of the Interim Director of Law and Property seeking approval for a supplement to the Council's Equality Scheme, including a ten-year equality 'vision' for the Council.

RESOLVED

That the supplement to the Council's Equality Scheme, including a ten-year equality 'vision' for the Council, be approved.

18 ISSUES ARISING FROM SELECT COMMITTEES

No issues were raised under this item.

19 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 out-weighed by the public interest in maintaining the exemption from disclosure.

<u>Description of Item</u>	<u>Relevant paragraph of Part I of Schedule 12A</u>
Remodelling of Council Services and Structures	1
Staffing Issues – Directorate of Adult, Community and Housing Services	1
Staffing Issue – Directorate of the Urban Environment	1

20 REMODELLING OF COUNCIL SERVICES AND STRUCTURES

(At this juncture, the Interim Director of Law and Property, Mr Tart, declared a Personal and Prejudicial Interest in this item, in accordance with the Members' Code of Conduct, and left the meeting room during consideration of the item.)

The Cabinet considered a report of the Chief Executive seeking approval to create a Directorate of Corporate Resources and create and recruit a post of Director of Corporate Resources.

RESOLVED

- (1) That a Directorate of Corporate Resources be created.

- (2) That the post of Director of Corporate Resources be created and recruited following external advertisement.
- (3) That a future report, as necessary, on the transfer of appropriate services into or from the new Directorate be considered.
- (4) That the Appointments Committee be authorised to recommend the appointment to the Council of a Section 151 Officer or Monitoring Officer, as set out in paragraph 5 of the report submitted to the meeting.
- (5) That the Chief Executive be authorised to give notice to terminate the existing arrangements for providing legal advice to West Midlands Police Authority and airport advice to the West Midlands Districts, as set out in paragraph 6 of the report submitted to the meeting.

21

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 in her Directorate, as referred to in agenda item no. 21(a)..

RESOLVED

That the termination of the contract of employment of the officer referred to in the report submitted to the meeting be approved, on the grounds of voluntary severance, in accordance with the terms and conditions set out in the report.

22

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 in her Directorate, as referred to in agenda item no.21(b).

RESOLVED

That the termination of the contract of employment of the officer referred to in the report submitted to the meeting be approved, on the grounds of voluntary severance with the termination coinciding with the ending of the secondment, in accordance with the terms and conditions set out in the report.

23

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 in her Directorate, on the grounds of redundancy, as referred to in agenda item no.21(c).

RESOLVED

That the termination of the contract of employment of the officer referred to in the report submitted to the meeting be approved, on the grounds of redundancy, in accordance with the terms and conditions set out in the report.

24

STAFFING ISSUE - DIRECTORATE OF THE URBAN ENVIRONMENT

A joint report of the Director of the Urban Environment and the Assistant Director of Human Resources and Citizenship was submitted, on a request to terminate the contract of employment of an employee in the Directorate of the Urban Environment on the grounds of redundancy.

RESOLVED

That the termination of the contract of employment of the officer referred to in the report submitted to the meeting be approved, on the grounds of redundancy with effect from 30th June, 2009, in accordance with the terms and conditions set out in the report referred to at agenda item no. 22.

The meeting ended at 7.30 p.m.

LEADER OF THE COUNCIL