

MEETING OF THE CABINET

Wednesday, 10th February, 2010 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, 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, Ms. Partridge, Mrs. Ridley and Waltho (Labour Group)

OFFICERS:-

Chief Executive, Director of Adult, Community and Housing Services, Director of Children's Services, Director of Corporate Resources, Interim Director of Finance, Assistant Director of the Urban Environment (Planning and Environmental Health), Assistant Principal Officer (Democratic Services) (Directorate of Law, Property and Human Resources) and other officers.

99

APOLOGIES FOR ABSENCE

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

100

CHANGES IN REPRESENTATION OF MINORITY GROUP MEMBERS

It was reported that Councillor Waltho was serving in place of Councillor Lowe, for this meeting of the Cabinet only.

101

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.

102

MINUTES

RESOLVED

That the minutes of the meetings of the Cabinet held on 9th December, 2009 and 13th January, 2010, be approved as correct records and signed.

103

REVENUE BUDGET STRATEGY AND SETTING THE COUNCIL TAX 2010/11

A joint report of the Chief Executive and Interim Director of Finance 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 joint authority precepts, the Council Tax to be levied for the period from the 1st April, 2010 to 31st March, 2011.

In the discussion on the report, an assurance was given by the Leader that information requested by the Labour Group regarding paragraph 8 would be provided to them in time for their coming Group Meeting.

RESOLVED

That the Council be recommended to approve:-

- (1) The budget requirement for 2010/11, and service allocations as set out in the report submitted to the meeting.
- (2) 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 2010/11 in accordance with Sections 32 to 36 of the Local Government and Finance Act 1992 as shown in Appendix 3 of the report submitted to the meeting.
- (3) That, having calculated the aggregate in each case of the amounts in Appendix 3 of the report submitted to the meeting, 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 2010/11.

Valuation Bands

A	B	C	D
£	£	£	£
750.26	875.30	1000.35	1125.39
E	F	G	H
£	£	£	£
1375.48	1625.56	1875.65	2250.78

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

- (4) 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.
- (5) 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 2010/11 budget, particularly in the context of commitments into later years and the impact that any overspending in 2010/11 will have on the availability of resources to meet future budgetary demands.
- (6) That the Medium Term Financial Strategy (MTFS) set out as Attachment A to the report submitted to the meeting be approved.
- (7) 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 50% of the applicable charge to 25% with effect from 1st April 2010.
- (8) That for properties which have been empty (i.e. unfurnished and unoccupied) for a continuous period exceeding six months, the Council Tax discount be reduced from 50% of the applicable charge to zero with effect from 1st April 2011, and the properties continue to be fully exempt for the first six months they are empty.

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

A joint report of the Director of Adult, Community and Housing Services and the Interim Director of Finance was submitted on proposals for the deployment of the Housing Revenue Account and associated matters for 2010/11 and in respect of the Housing Capital Programme for the period from 2010/11 – 2014/15.

RESOLVED

- (1) That a rent increase for Housing Revenue Account dwellings on 5th April 2010, be approved, with an average increase of £1.31 (2.0%) and a maximum increase of £1.69 in line with government rent guidance.
- (2) That the Cabinet Members for Housing and Finance, the Director of Adult, Community and Housing Services and the Interim Director of Finance be authorised to revise the rent increase if necessary and report back to Cabinet at the earliest opportunity, as outlined in paragraph 4 of the report submitted to the meeting.
- (3) That other charges be maintained at current levels, as outlined in paragraphs 7 and 9 of the report submitted to the meeting.
- (4) That an increase of 2% in heating and lighting charges for sheltered housing from an average weekly charge of £8.89 to an average weekly charge of £9.07, as outlined in paragraph 8 of the report submitted to the meeting, be approved.
- (5) That the current charge of £1.70 for laundry tokens, as outlined in paragraph 10 of the report submitted to the meeting, be maintained.
- (6) That the current charge for pitch licences at Oak Lane, as outlined in paragraph 11 of the report submitted to the meeting, be maintained.
- (7) That the leaseholders administration fee be maintained at current levels, as outlined in paragraph 12 of the report submitted to the meeting.

- (8) That an increase of £1 per month for private Telecare clients, as outlined in paragraph 13 of the report submitted to the meeting, be approved.
- (9) That garage rents be maintained at current levels for 2010/11 and that the dates proposed for future increases, as outlined in paragraph 14 of the report submitted to the meeting, be approved.
- (10) That the garage plot rent and access agreements be maintained at current levels for 2010/11 and that the dates proposed for future increases, as outlined in paragraph 14 of the report submitted to the meeting, be approved.
- (11) That the Director of Adult, Community and Housing Services be authorised to serve demolition notices on the secure tenants at the Blackthorn Road new build site, as outlined in paragraph 24 of the report submitted to the meeting.
- (12) That the Director of Adult, Community and Housing Services be authorised to pay home loss payments and disturbance allowances to the secure tenants at the Blackthorn Road new build site, as outlined in paragraph 24 of the report submitted to the meeting.
- (13) That the Director of Adult, Community and Housing Services be authorised to give the secure tenants at Blackthorn Road clearance priority for re-housing, as outlined in paragraph 24 of the report submitted to the meeting.
- (14) That the Council be recommended:-
 - (a) To approve the revised Housing Revenue Account budget for 2009/10 and the Housing Revenue Account budget for 2010/11, as outlined in Appendix 1 of the report submitted to the meeting.
 - (b) To approve the public sector housing revised capital budget for 2009/10 and capital budget for 2010/11 to 2014/15, as outlined in Appendix 2 of the report submitted to the meeting.
 - (c) To authorise the Director of Corporate Resources to undertake such appropriations as may be necessary to allow the site of the former Holly Hall estate office, Woodside Library and Directorate of the Urban Environment garages to be converted to apartments under the control

of the Housing Revenue Account, as outlined in paragraph 23 of the report submitted to the meeting.

- (d) To authorise the Director of Adult, Community and Housing Services to bid for and enter into funding arrangements for additional resources to supplement investment in the public sector housing stock, as outlined in paragraph 25 of the report submitted to the meeting.
- (e) To authorise the Director of Adult, Community and Housing Services, in consultation with the Cabinet Member for Housing, to manage and allocate resources to the capital programme, as outlined in paragraph 26 of the report submitted to the meeting.
- (f) 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) should continue to be used for the improvement of the council homes, as outlined in paragraph 26 of the report submitted to the meeting.
- (g) 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 27 of the report submitted to the meeting.
- (h) To approve the medium-term financial strategy set out in Appendix 4 of the report submitted to the meeting with the caveat that current forecasts after 2010/11 be treated with caution owing to the present uncertainty around the future of Housing Revenue Account funding and that a further report be presented to Cabinet outlining the outcome of the Housing Revenue Account subsidy review and the impact on future years' budgets, when this information is available.

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

UPDATE OF THE COUNCIL'S CAPITAL STRATEGY

A report of the Interim Director of Finance was submitted seeking consideration of an update to the Council's Capital Strategy. The Strategy had been considered by Select Committees.

RESOLVED

- (1) That the issue raised by the Select Committee on Health and Adult Social Care, as set out in paragraph 5 of the report submitted to the meeting, be noted.
- (2) That the Council be recommended to approve the draft Capital Strategy attached to the report submitted to the meeting.

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

CAPITAL PROGRAMME MONITORING

A joint report of the Chief Executive and Interim Director of Finance 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 2010/11.

RESOLVED

- (1) That current progress with the 2009/10 Capital Programme, as set out in Appendix A of 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 of the report submitted to the meeting, be noted.
- (3) That the Council be recommended:-
 - (a) 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 paragraphs 7-8 of the report submitted to the meeting.

- (b) That a further allocation of £500,000 be made for Disabled Facilities Grants, and that the Capital Programme be amended accordingly, as set out in paragraph 9 of the report submitted to the meeting.
- (c) That the expenditure of £241,000 for Innovation Funding in support of the Kickstart programme be approved and included in the Capital Programme, as set out in paragraph 10 of the report submitted to the meeting.
- (d) That the installation of one new columbarium wall at Gornal Wood and two new memorial planters at Stourbridge Crematoria be approved and included in the Capital Programme, as set out in paragraph 11 of the report submitted to the meeting.
- (e) That the erection of a modular office/mess room building at King George V Park, Wordsley be approved and included in the Capital Programme, as set out in paragraph 12 of the report submitted to the meeting.
- (f) That expenditure funded by Risk Management contributions to capital works be included in the Capital Programme, as set out in paragraph 13 of the report submitted to the meeting.
- (g) That the Urgent Amendments to the Capital Programme, as set out in paragraphs 14-17 of the report submitted to the meeting, be noted.
- (h) 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 submitted to the meeting, be agreed.
- (i) That the Minimum Revenue Provision (MRP) Policy for 2010/11, and updated Policy for 2009/10, be as set out in paragraph 22 of the report submitted to the meeting.

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

NEW DRAFT GOVERNANCE FOR DUDLEY COMMUNITY PARTNERSHIP AND REVISED PROPOSAL FOR THE SUSTAINABLE COMMUNITIES ACT 2007

A report of the Chief Executive was submitted on draft governance arrangements for the Dudley Community Partnership (DCP), including the establishment of a new Stakeholder Forum and to update Members on a revised proposal for the implementation of the Sustainable Communities Act (SCA) 2007, in line with the proposed Dudley Community Partnership governance arrangements.

In relation to the timescale proposed regarding the revised arrangements under the Sustainable Communities Act, 2007, as referred to in paragraphs 11-15 of the report, further to a request from the Labour Group, the Leader agreed to take up the issue of the timescale with the Group Leaders with a view to its being expedited.

RESOLVED

- (1) That the draft proposed governance arrangements for the Dudley Community Partnership, be noted.
- (2) That the proposal to include Elected Members as part of the Dudley Community Partnership Stakeholder Forum membership, comprised of the five Chairmen of Select Committees, be endorsed, as referred to in paragraph 8 of the report submitted to the meeting.
- (3) That the revised proposal to defer the implementation of the Sustainable Communities Act 2007 be endorsed, as referred to in paragraph 11 of the report submitted to the meeting; and that the issue be reviewed in due course in light of practical experience gained through the Dudley Community Partnership Stakeholder Forum process.

DEVELOPMENT OF DUDLEY'S NEW ALCOHOL STRATEGY

A report of the Chief Executive was submitted on the development of the new Dudley Borough Alcohol Strategy and to seek approval of the Strategy.

RESOLVED

- (1) That the progress which has been made in respect of the development of the new Alcohol Strategy, be noted.

- (2) That the Strategy be approved for implementation in April 2010.
- (3) That the review process that is proposed following the implementation of the Strategy be approved.

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

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EMPTY SHOPS GRANT

A report of the Director of the Urban Environment was submitted seeking authority to spend the Empty Shops Grant allocation to the Council by the Department of Communities and Local Government (DCLG) and to request Area Committees to match the funding and to inform the Members of the potential schemes that were being developed.

In relation to expenditure on Town Centres, the Deputy Leader confirmed that a feedback mechanism regarding the allocation of the monies would be facilitated.

RESOLVED

- (1) That the Director of the Urban Environment be authorised to accept the Empty Shops grant of £52,623 and, in consultation with the Director of Corporate Resources, enter into any grant contracts required by the Department of Communities and Local Government.
- (2) That the allocation of the grant on the basis outlined in paragraph 7 of the report submitted to the meeting, be approved.
- (3) That the Director of the Urban Environment be authorised to incur any expenditure on individual projects up to the limit of the Department of Communities and Local Government grant allocation.
- (4) That the Director of Corporate Resources be authorised to enter into any leasing of town or local centres properties as required to deliver projects, subject to planning/building control requirements.
- (5) That the Director of the Urban Environment be authorised to submit reports to Area Committees seeking allocations from these Committees' Delegated Capital budgets to support the Empty Shops Grant scheme.

- (6) That the Director of the Urban Environment be authorised to apply for any other appropriate grants to support the Empty Shops Grant scheme, and in consultation with the Director of Corporate Resources, to enter into any grant contracts required by the Department of Communities and Local Government.
- (7) That the Council be recommended to include any related expenditure in the Capital Programme.

110 QUARTERLY CORPORATE PERFORMANCE MANAGEMENT REPORT

A report of the Chief Executive was submitted on the third Quarterly Corporate Performance Management Report for 2009/10, relating to performance for the period 1st October to 30th December, 2009.

RESOLVED

- (1) That the Quarterly Corporate Performance Management Report for the period from the 1st October to the 31st December, 2009 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 specific issues within their Terms of Reference.

111 STOURBRIDGE AREA ACTION PLAN DRAFT OPTIONS REPORT

A report of the Director of the Urban Environment was submitted on the ongoing work on the Stourbridge Area Action Plan Draft Options report to be used (February 2010) as a basis for public consultation.

RESOLVED

- (1) That the work being undertaken on the Stourbridge Area Action Plan, be noted.
- (2) That the Stourbridge Area Action Plan Draft Options report (February 2010) be approved as a basis for public consultation.

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

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ISSUES ARISING FROM SELECT COMMITTEES

No issues were reported on this item.

The meeting ended at 6.35pm

LEADER OF THE COUNCIL