

MEETING OF THE CABINET

Wednesday, 22nd September, 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 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, Ms. Partridge, Mrs. Ridney and Sparks (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, Mr Sanders (Directorate of Law, Property and Human Resources) and other officers.

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APOLOGIES FOR ABSENCE

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

23

DECLARATIONS OF INTEREST

Declarations of a Personal Interest, in accordance with the Members' Code of Conduct, were made by the following Members in respect of the issues indicated:

Councillor Ali – in agenda item 15 as a worshipper at Dudley Central Mosque.

Councillor Ms Partridge – in agenda item 10 as a user of the Cradley and Wollescote Community Centres and a Member of the Management Committee of the Wollescote Community Centre.

Councillor Mrs Ridney – in agenda item 10 as a Member of the Management Committee of the Rainbow Community Centre.

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MINUTES

RESOLVED

That the minutes of the meeting of the Cabinet held on 30th June, 2010, be approved as a correct record and signed.

25

SPENDING PROJECTIONS 2010/11

A report of the Treasurer was submitted on the projected revenue outturn on the General Fund for 2010/11.

In the light of the Council's overall financial position, the Treasurer reiterated the need to exercise stringent budgetary control for the remainder of the current financial year.

Reference was made in the discussion to a particular issue identified as an area for development in the recent unannounced inspection of contact, referral and assessment arrangements in Children's Services, in respect of which the Cabinet Member for Integrated Children's Services confirmed that the Action Plan drawn up in consequence of the inspection was being implemented.

RESOLVED

That the Council be recommended:-

- (1) That the forecast variations to budgets set out in paragraphs 4 to 7 of the report submitted to the meeting be noted.
- (2) That the amendments to budgets to reflect the variations set out in paragraphs 4 to 7 of the report submitted to the meeting be approved.
- (3) That reserves to meet the potential overspend in the Directorate of Children's Services, if required be earmarked.
- (4) That the need to exercise stringent budgetary control for the remainder of the current financial year in accordance with the Council's Approved Financial Management Regime be reiterated to all Cabinet Members, Directors and budget holders.
- (5) That the effect on the Council's Medium Term Financial Strategy be noted.
- (6) That action be taken to replenish General Balances when the opportunity arises.

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

<p>26</p>	<p><u>QUARTERLY CORPORATE PERFORMANCE MANAGEMENT REPORT</u></p> <p>A report of the Chief Executive was submitted on the first Quarterly Corporate Performance Management Report for 2010/11, relating to performance for the period 1st April to 30th June, 2010.</p> <p>RESOLVED</p> <ol style="list-style-type: none"> (1) That the Quarterly Corporate Performance Management Report for the period from 1st April to 30th June, 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 specific issues within their Terms of Reference.
<p>27</p>	<p><u>CAPITAL PROGRAMME MONITORING</u></p> <p>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 to the Programme.</p> <p>In relation to paragraph 6 of the report, the use of Section 106 monies was discussed and explained, in the light of new guidance regarding the use of such monies.</p> <p>RESOLVED</p> <ol style="list-style-type: none"> (1) That the current progress with the 2010/11 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:- <ol style="list-style-type: none"> (a) That the Transformation of Adult Social Care projects be approved and included in the Capital Programme, as set out in paragraph 5 of the report submitted to the meeting. (b) That expenditure on Highways projects funded from Section 106 funding be included in the Capital Programme, as set out in paragraph 6 of the report submitted to the meeting.

- (c) That in respect of the development and restoration of the Priory Ruins and Park, the Director of the Urban Environment be authorised to accept grant funding from the Heritage Lottery Fund; the Director of Corporate Resources be authorised to sign the necessary funding agreements with the Heritage Lottery Fund; subject to funding being confirmed, the capital element of the scheme be included in the Capital Programme; and the 10 year management and maintenance plan for the Park be approved, as set out in paragraph 7 of the report submitted to the meeting.
- (d) That the expenditure on Leisure Centre Energy Reduction equipment be approved and included in the Capital Programme, as set out in paragraph 8 of the report submitted to the meeting.
- (e) That the reduction in Government capital grant funding for Children's Services be noted, and the Capital Programme amended accordingly, as set out in paragraph 9 of the report submitted to the meeting.
- (f) That in respect of new Special Education Needs provision, the cost incurred by schools - £50,000 at The Brook and £30,000 at Hob Green - be reimbursed from the available funding and included in the Capital Programme, and that the expenditure of £50,000 for each school at Gigmill and High Arcal be approved and included in the Capital Programme, as set out in paragraph 10 of the report submitted to the meeting.
- (g) That the urgent amendments to the Capital Programme, as set out in paragraphs 11 – 15 of the report submitted to the meeting be noted.

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

28

A PROPOSED BLACK COUNTRY LOCAL ENTERPRISE PARTNERSHIP

A report of the Director of the Urban Environment was submitted on the submission of an outline proposal to Central Government for the creation of a Local Enterprise Partnership for the Black Country.

In the likelihood of the discontinuation of Regional Development Agencies (RDAs), Members emphasised the importance to the Black Country of the monies allocated to RDAs hitherto for the purposes of regeneration to remain available to Local Enterprise Partnerships (LEPs) or local authorities for distribution in accord with local knowledge. The need for LEPs within the Black Country to work together for the benefit of the area holistically was also emphasised.

RESOLVED

That the Submission to Government to create a Black Country Local Enterprise Partnership be noted.

29

GLASS MUSEUM STUDY

A report of the Director of the Urban Environment was submitted on the findings from further work undertaken as part of the Glass Museum Feasibility Study.

RESOLVED

- (1) That the content of the report submitted to the meeting be noted.
- (2) That the officers be authorised to continue detailed feasibility and business planning work with regards to the White House Cone option.
- (3) That a further report be submitted to Cabinet on completion of the work.

30

SHAPING COMMUNITY CENTRES FOR THE FUTURE

A report of the Director of Adult, Community and Housing Services was submitted seeking approval for engagement with Community Centres through their relevant Community Associations and Management Committees to review and shape Community Centres in Dudley for the future.

RESOLVED

- (1) That approval be given to engage with Community Centres as listed in Appendix 1 of the report submitted to the meeting through relevant Community Associations and management committees together with any other parties involved.

- (2) That a review of related community centre provision in the Borough including a specific focus on facilities for older people be commissioned.
- (3) That a further report based on the engagement and review activity on the future shape, pattern and use of Community Centres in the Borough be submitted.

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

31

THE LOCAL GOVERNMENT OMBUDSMAN'S ANNUAL REVIEW 2009/10

A report of the Director of Corporate Resources was submitted on the Annual Review 2009/10 from the Local Government Ombudsman in respect of complaints received against the Council and dealt with by the Ombudsman's office over the year ending 31st March, 2010.

RESOLVED

- (1) That the information contained in the report, and Appendices to the report submitted to the meeting be noted and that the Chief Executive and Directors be requested to (i) review their internal arrangements, as appropriate, and (ii) so that response times continue to improve, they continue to ensure that requests for information on complaints received are dealt with by the date requested so that responses can be submitted to the Ombudsman's office within the time scales set.
- (2) That respective Directorates continue to impose rigorous monitoring of complaint activity to ensure ongoing good practice and a continued reduction in complaints being received.
- (3) That the Annual Review be posted on the Council's website.
- (4) That a copy of the report submitted to the meeting be forwarded to the Ombudsman, together with a copy of the decision taken, as the Council's formal response to the Annual Review.

32

FOOD SERVICE PLAN 2010/11

A report of the Director of the Urban Environment was submitted on the contents of the Directorate of the Urban Environment Food Service Plan 2010/11.

	<p>RESOLVED</p> <p>That the Council be recommended that the contents of the Food Service Plan of the Directorate of the Urban Environment for 2010/11 be approved.</p>						
33	<p><u>ISSUES ARISING FROM SELECT COMMITTEES</u></p> <p>No issues were reported under this item.</p>						
34	<p><u>EXCLUSION OF THE PUBLIC</u></p> <p>RESOLVED</p> <p>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.</p> <table border="0" data-bbox="507 1077 1348 1406"> <thead> <tr> <th data-bbox="507 1077 1013 1115"><u>Description of Item</u></th> <th data-bbox="1013 1077 1348 1149"><u>Relevant paragraph of Part I of Schedule 12A</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="507 1189 1013 1294">Proposed Dudley Mosque and Community Training and Enterprise Centre</td> <td data-bbox="1013 1189 1348 1227">3</td> </tr> <tr> <td data-bbox="507 1339 1013 1406">Staffing Issues – Directorate of Children’s Services</td> <td data-bbox="1013 1339 1348 1377">1</td> </tr> </tbody> </table>	<u>Description of Item</u>	<u>Relevant paragraph of Part I of Schedule 12A</u>	Proposed Dudley Mosque and Community Training and Enterprise Centre	3	Staffing Issues – Directorate of Children’s Services	1
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35	<p><u>PROPOSED DUDLEY MOSQUE AND COMMUNITY TRAINING AND ENTERPRISE CENTRE</u></p> <p>A report of the Chief Executive was submitted updating Members on discussions with representatives of Dudley Mosque in relation to the proposed development of land at Hall Street, Dudley for a Mosque and Community Training and Enterprise Centre, and seeking approval to take steps to pursue a “buy back” of the Hall Street site by the Council to include taking court proceedings if necessary.</p>						

In registering his disagreement with the recommendations and some of the content in the report, Councillor Ali referred to the historical background to the disposal of the land by the Council and the outcome regarding the issue of planning consent in the light of legal challenges; expressed the view that Hall Street remained the most appropriate site available in Dudley for a Mosque and Community Training and Enterprise Centre and that certain aspects of design could be resolved through negotiation; and challenged some of the actions taken. In relation to the latter, the Chief Executive read out the relevant Cabinet minute.

RESOLVED

- (1) That the Director of Corporate Resources be authorised to pursue the re-purchase of land at Hall Street under the terms of the 2005 Transfer, to include any necessary application to the High Court.
- (2) That the Chief Executive, the Director of the Urban Environment and the Director of Corporate Resources be authorised to continue to work with representatives of the Dudley Mosque in order to explore alternative sites/building options to the proposed Hall Street development, and to submit a further report to Cabinet in due course.

36

STAFFING ISSUES - DIRECTORATE OF CHILDREN'S SERVICES

A report of the Acting Director of Children's Services was submitted seeking approval to terminate the contract of employment of up to eight members of school staff on the grounds of redundancy if successful redeployment was not achieved before 31st August 2010.

RESOLVED

That the termination of the contracts of employment of the officers 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.

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MRS SANDERS AND MR BAKER

This being the last meeting of the Cabinet held prior to Mrs Sanders leaving her post as Director of Adult, Community and Housing Services to take up a post with another authority and the impending retirement of the Interim Director of Finance, Mr Baker, the Leader, on behalf of the Cabinet and the Opposition Group members, thanked both officers for their service and wished them well for the future.

The meeting ended at 8.10pm.

LEADER OF THE COUNCIL