

MEETING OF THE CABINET

Wednesday, 16th March, 2005 at 6.00 pm
at the Council House, Dudley

PRESENT:-

Councillor Caunt (Leader of the Council) (Chairman)
Councillors Adams, Evans, Fraser-Macnamara, Jones, Mrs Martin,
Miller, Mrs Millward and J Woodall; 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); Councillor Tyler (Liberal Democrat Group).

OFFICERS:

Chief Executive, Director of Education and Lifelong Learning, Director
of Law and Property, Director of Social Services, Director of the Urban
Environment, Head of Personnel and Support Services, Assistant
Director of Housing (Building Services) and Mr Sanders (Directorate of
Law and Property).

ALSO IN ATTENDANCE

Mr J Gregory and Mr J Elsby (Audit Commission) for item 5.
Assistant Director of Law and Property (Corporate Estate Services) for
items 10 and 17.

96

MINUTES

RESOLVED

That the minutes of the meeting of the Cabinet held on 9th
February, 2005, be approved as a correct record and signed.

97

DECLARATIONS OF INTEREST

A declaration of pecuniary interest, in accordance with the Members'
Code of Conduct, was made by the Chief Executive, Mr Sparke, on
behalf of all officers present, except Mr Sanders, in respect of item
number 24 on the agenda (West Midlands Police Authority Clerkship –
Consequential Issues) in view of the fact that the report had
implications for the terms and conditions of service of the Chief
Executive and first tier officers.

98 APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received on behalf of Councillors Burt, Ms Foster and Mrs Shakespeare.

99 CHANGES IN REPRESENTATION OF MINORITY GROUP MEMBERS

It was reported that Councillor Mrs Ridney was serving in place of Councillor Ms Foster for this meeting of the Cabinet only.

100 AUDIT AND INSPECTION ANNUAL LETTER 2003/04

A joint report of the Chief Executive and Director of Finance was submitted under cover of which was set out the Audit and Inspection Annual Letter for 2003/04.

The Annual Letter had been approved at the meeting of the Audit Committee held on 10th February, 2005, and had been circulated to all members of the Council as required by law.

Mr Gregory, District Auditor and Mr Elsby, Audit Manager for Dudley, both of the Audit Commission, attended the meeting for the discussion on the Letter and answered questions.

In the discussion on the issue, reference was made to Dudley's Corporate Performance Assessment rating and to progress made since the Assessment. In this regard, the District Auditor confirmed that Dudley was continuing to improve overall but more slowly than certain authorities which had had to raise their standards from a lower strong point.

RESOLVED

That the Annual Audit and Inspection letter for 2003/04, and the views of the Auditors, be noted.

101 HOUSING OPTIONS APPRAISAL

A report of the Director of Housing was submitted seeking consideration of which option or options the Council would use to deliver the Decent Homes Standard, in the light of the Housing Options Appraisal Report now also submitted.

The issue had been considered at the meeting of the Select Committee on the Environment held on 10th March, 2005, at which the Committee had resolved to support the wishes of the majority of tenants and residents that the option of the Council retaining the direct management and maintenance of its Housing Stock be approved.

Reference was made in the discussion to the inequity of the current governmental financial arrangements both in respect of the negative Housing Revenue Account subsidy and the proportion of capital receipts from Housing Stock sales retained by local authorities.

RESOLVED

That the Council be recommended:

- (1) That the Housing Options Appraisal report, as submitted to the meeting of the Cabinet, and the recommendation in Chapter 13 that the Decent Homes Standard be met through the option of the Council retaining the direct management and maintenance of its stock, be approved.
- (2) That the Cabinet Member for Housing be authorised to agree any final amendments to the report with the Government Office for the West Midlands to enable sign off by July 2005.
- (3) That the Council press the Government to remove the claw back of rent income by way of negative housing revenue account subsidy and take action to encourage the sale of Council houses to allow the Council to invest the whole of its capital receipts derived therefrom in improving the Council's Housing Stock.

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

102

THE SUPPORTING PEOPLE PROGRAMME AND FIVE YEAR STRATEGY

A joint report of the Director of Finance, Director of Housing and Director of Social Services was submitted on current progress on the Supporting People Programme in Dudley and outlining key issues identified within the Programme's Five Year Strategy.

The main points in the Five Year Strategy were indicated in paragraphs 2.18 to 2.32 (inclusive) of the report and the Executive Summary of the Strategy was contained in paragraphs 2.33 to 2.84 (inclusive).

RESOLVED

That the progress of the Supporting People Programme be noted and that the principles and directions of the five year strategy, as set out in the text of the report to the meeting and the excerpt from the Executive Summary of the Strategy contained therein, be endorsed.

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

103

CAPITAL PROGRAMME MONITORING

A joint report of the Chief Executive and Director of Finance was submitted indicating progress on the implementation of the Capital Programme and containing proposals in relation to certain amendments to the Programme, and associated matters.

RESOLVED

- (1) That the Council be recommended:
 - (a) That, subject to the applications for grant funding for limestone mine stabilisation works being successful, the works be included in the Capital Programme as set out in paragraph 2.2.1 of the report submitted to the meeting.
 - (b) That the Cabinet Member for Transportation, in consultation with the Director of the Urban Environment be authorised to use any residual Local Safety Scheme funding to progress or implement the schemes shown on the reserve list at Appendix B, as set out in paragraph 2.2.2 of the report submitted to the meeting.
 - (c) That the project to provide Tiered Seating at Stourbridge Town Hall, and its inclusion in the capital Programme, as set out in Paragraph 2.2.3 of the report submitted to the meeting, be approved.
 - (d) That the expenditure on signage advising the public of the ban on alcohol consumption in Dudley Town Centre be included in the Capital Programme and funded from resources earmarked for urgent or emerging priorities, as set out in paragraph 2.3.1 of the report submitted to the meeting.

- (e) That the Social Services grant allocation be noted and that the associated expenditure be included in the Capital Programme as set out in paragraph 2.4.1 of the report submitted to the meeting be approved.
 - (f) That the allocation of Other Services capital resources for 2005/06, as set out in paragraph 2.5 of the report submitted to the meeting, be approved.
- (2) That the Director of the Urban Environment be authorised to make applications to English Partnerships for grant funding for Limestone Mine stabilisation works as set out in paragraph 2.2.1 of the report submitted to the meeting.
 - (3) That current progress with the Capital Programme, as set out in paragraph 2.1 and Appendix A to the report submitted to the meeting, be noted.

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

104

CORPORATE ICT STRATEGY 2005-09

A joint report of the Director of Finance and Director of Education and Lifelong Learning (as corporate e-champion) was submitted seeking approval to the latest corporate ICT strategy, covering the period from 2005 to 2009.

The full strategy document was appended to the report now submitted.

RESOLVED

That the ICT Strategy for 2005-09, as set out in Appendix A to the report submitted to the meeting, be approved.

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

105

COMMEMORATE PLAQUE SCHEME

A report of the Select Committee on Culture and Recreation was submitted containing proposals for the implementation of a commemorate plaque scheme for the Council.

The report also contained proposals for an information leaflet and application form in respect of the scheme.

RESOLVED

- (1) That the Commemorate Plaque Policy and Information Leaflet, attached as Appendices 1 and 2 to the report submitted to the meeting, be approved.
- (2) That the Lead Member for Leisure be authorised to make the necessary arrangements for the implementation of the policy.

106

PREPARATION OF THE LOCAL DEVELOPMENT SCHEME AS PART OF THE NEW DEVELOPMENT PLAN PROCESS

A report of the Director of the Urban Environment was submitted seeking approval for a Local Development Scheme for 2005/06, as part of the new Development Plan process requirements in consequence of the coming into force of the Planning and Compulsory Purchase Act, 2004.

RESOLVED

- (1) That the Local Development Scheme for the period 2005-08 be approved for submission to the Government Office for the West Midlands, in accordance with the Planning and Compulsory Purchase Act, 2004.
- (2) That the Lead Member for Economic Regeneration be authorised to approve subsequent amendments to the Scheme suggested by the Government Office for the West Midlands.

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

107

PARTNERSHIP STRATEGY

A joint report of the Chief Executive and Director of Social Services was submitted on progress made with partnership working improvement in the Local Authority.

The report contained proposals regarding the key principles of a draft partnership strategy, a protocol for members and officers in this respect and a partnership evaluation tool.

RESOLVED

- (1) That the Key Principles of the draft partnership strategy outlined in Appendix 2 to the report submitted to the meeting be approved.

- (2) That the protocol for members and officers outlined in Appendix 3 to the report submitted to the meeting be adopted.
- (3) That the partnership evaluation tool set out at Appendix 4 to the report submitted to the meeting be endorsed.
- (4) That progress against the Audit Commission Improvement Plan indicated in Appendix 1 to the report submitted to the meeting be noted.
- (5) That the commitment to elected member and officer training referred to in the strategy be approved.

108

ENHANCING STAFFING IN LEARNING DISABILITY CENTRES TO SUPPORT THE MODERNISATION OF DAY OPPORTUNITIES

A report of the Director of Social Services was submitted seeking approval to the establishment of the support and training team to enhance staffing in Day Services for people with a learning disability.

It was also proposed to cease the current pocket money payments to people with a learning disability who attended Social Education Centres to fund the proposed team.

RESOLVED

- (1) That the budget for pocket money for persons with a learning disability in Day Services be used instead to set up a small Support and Training Team in order to provide a new way of entering the service with a training dimension for new staff in the team; enhanced staffing to provide flexible cover for staff shortfalls; and provide additional capacity to extend the range of activities which can be accessed by people with a learning disability in the community.
- (2) That the monies be allocated pro-rata to each Centre for the employment of an additional Support Worker who, together with such workers in other centres, would operate as the Support and Training Team.
- (3) That the Support and Training Team be also utilised to provide a bank of staff, which may be drawn on to fill vacancies as they arise and that the organisation of the team be combined with a training scheme for new staff.
- (4) That the above proposals take effect from 1st April, 2005.

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

109 SCRUTINY PROTOCOL FOR SELECT COMMITTEES

A report of the Director of Law and Property was submitted seeking consideration of a proposed scrutiny protocol for Select Committees.

RESOLVED

That the Council be recommended that the draft scrutiny protocol for Select Committees as appended to the report submitted to the meeting, be approved and included in Part 6 of the Constitution

110 MARKETING OF CUSTOMER SERVICES (CATS)

A report of the Chief Executive was submitted indicating progress on the implementation of the CATS programme towards the start of a Corporate Customer Services organisation and seeking support for issues regarding the launch of the service to the public, including the name of the facility and the launch date.

RESOLVED

That the proposed name for Marketing of Corporate Customer Services, the marketing actions referred to in the report submitted to the meeting, and their proposed timing be approved.

111 QUARTERLY CORPORATE PERFORMANCE REPORT

A report of the Chief Executive under cover of which the third quarterly corporate performance report for 2004/05, relating to performance for the period from 1st October, 2004 to 31st December, 2004, was submitted.

Particular reference was made in the discussion to performance against targets in relation to performance indicators, KPI06, KPI08, KPI45 and KPI49. The Directors of Education and Lifelong Learning and Social Services respectively explained the reasons for the backlogs, the action taken and the current position on the four issues.

Reference was made by the Leader to the delay by the government in responding to certain aspects raised by the Council regarding the Local Public Service Agreement.

RESOLVED

That the content of the Corporate Performance Report be noted.

112 SWIMMING PROVISION IN BRIERLEY HILL

A report of the Select Committee on Culture and Recreation was submitted on a resolution by that Committee made in consequence of the decision referring to the Committee consideration of the feasibility of providing alternative leisure and swimming facilities in the Brierley Hill Area.

RESOLVED

That this matter be referred to the Council and that the Council be recommended that the proposal of the Select Committee on Culture and Recreation set out in paragraph 2.10 of the report submitted to the meeting be not approved.

113 ANNUAL REPORT OF THE SELECT COMMITTEE ON THE ENVIRONMENT

The Annual Report of this Select Committee was submitted.

RESOLVED

That the Annual Report be referred to the Council without comment.

114 ANNUAL REPORT OF THE SELECT COMMITTEE ON COMMUNITY SAFETY

The Annual Report of this Select Committee was submitted.

RESOLVED

That the Annual Report be referred to Council without comment.

115 ISSUES ARISING FROM SELECT COMMITTEES (IF ANY)

No issues were reported under this item.

116 EXCLUSION OF 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 items of business on the grounds that they involve the likely disclosure of exempt information as defined in Schedule 12A to the Act, in particular the paragraph of Part 1 of that Schedule indicated below: -

<u>Description of Item</u>	<u>Relevant Paragraph of Part 1 of Schedule 12A</u>
Resettlement of Ridge Hill Hospital	1 and 7
Requests for Voluntary Severance	1
West Midlands Police Authority Clerkship – Consequential Issues	1

117

RESETTLEMENT OF RIDGE HILL HOSPITAL

A report of the Director of Social Services was submitted on progress on the resettlement of Ridge Hill Hospital which contained proposals for the selection of organisations to provide alternative care for residents.

RESOLVED

- (1) That the selection of providers to deliver care and support for the residents of Ridge Hill, as proposed in the report submitted to the meeting, be approved and that the contracts be let to organisations A and B in the report.
- (2) That, subject to confirmation of agreement with Primary Care Trusts, the proposals for the funding of the resettlement, as set out in the report submitted to the meeting, be approved.
- (3) That the Director of Social Services, Director of Law and Property and Director of Finance be authorised to determine that a satisfactory agreement for funding is in place before contracts are actually signed with the providers.
- (4) That it be noted that approval is given to enable the Council to minimise delay in proceeding with the next stages of the resettlement of the residents.

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

118 VOLUNTARY SEVERANCE – CHIEF EXECUTIVE’S DIRECTORATE

A report of the Chief Executive was submitted on two staff in that Directorate.

RESOLVED

- (1) That the requests for voluntary severance by the staff in the Chief Executive’s Directorate indicated in the report submitted to the meeting be granted on the terms referred to in the report.
- (2) That the Cabinet place on record its thanks for, and appreciation of, the outstanding service given by the two staff concerned during their many years of employment with the Council.

119 VOLUNTARY SEVERANCE – DIRECTORATE OF FINANCE, ICT AND PROCUREMENT

A report of the Director of Finance was submitted on a request for voluntary severance and a request for retirement in the interests of efficiency, from two staff in the Directorate of Finance, ICT and Procurement.

RESOLVED

That the requests from the two members of staff in the Directorate of Finance, ICT and Procurement for voluntary severance and early retirement in the interests of the efficiency of the service respectively referred to in the report now submitted be approved, on the terms referred to in the report.

120 WEST MIDLANDS POLICE AUTHORITY CLERKSHIP – CONSEQUENTIAL ISSUES

(Having declared a prejudicial interest in accordance with the Members’ Code of Conduct on this issue on behalf of himself and the other first tier officers in attendance, the Chief Executive and all officers, except Mr Sanders, left the meeting prior to consideration of this item).

A report of the Leader of the Council on this issue was submitted.

RESOLVED

That the proposal in paragraph 5.2 of the report submitted to the meeting regarding the level of the salary of the Chief Executive be approved and that the salary be further reviewed at the end of the period referred to in paragraph 5.2 of the report.

The meeting ended at 8.25 pm.

LEADER OF THE COUNCIL