

MEETING OF THE CABINET

Wednesday, 14th March, 2012 at 6.00 p.m.
in Committee Room 2 at the Council House, Dudley

PRESENT:-

Councillor L Jones (Leader of the Council) (Chairman)
Councillor Wright (Deputy Leader)
Councillors Blood, P Harley, Stanley, A Turner, Vickers and Mrs Walker.

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

Councillors Ali, Foster, Islam, Lowe and Waltho (Labour Group)

OFFICERS:-

Chief Executive, Director of Corporate Resources, Director of the Urban Environment, Acting Director of Children's Services, Treasurer, Assistant Director of Adult, Community and Housing Services, Democratic Services Manager and other officers.

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APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received on behalf of Councillors Adams, Crumpton, Ms. Partridge and Sparks.

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CHANGES IN REPRESENTATION OF MINORITY GROUP MEMBERS

It was reported that Councillors Islam and Waltho were serving in place of Councillors Sparks and Ms. Partridge, respectively, for this meeting of the Cabinet only.

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DECLARATIONS OF INTEREST

The following members declared interests, in accordance with the Members' Code of Conduct, in respect of Agenda Item No. 13 (The Health and Adult Social Care Bill and its Implications for Dudley MBC):-

Councillor Ali – Personal and prejudicial interest in view of his employment with Sandwell Primary Care Trust.

Councillor Lowe – Personal interest in view of his employment with a Trade Union having members in the National Health Service and Public Health Services.

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MINUTES

RESOLVED

That the minutes of the meetings of the Cabinet held on 19th January, and 8th February, 2012, be approved as correct records and signed.

103

ANNUAL AUDIT LETTER 2011

A joint report of the Chief Executive and the Treasurer was submitted on the Annual Audit Letter from the external auditors, the Audit Commission.

A representative of the Audit Commission, Mr T Corcoran, was present and addressed the meeting concerning the positive findings contained in the Audit Management Letter.

Reference was made to specific points contained in the management letter, including the accuracy of the processing of housing benefit claims and the amount of past expenditure on community assets that had been written off. In relation to the latter point, Mr Corcoran explained that this was a technical adjustment and a very small proportion in terms of the Council's overall assets.

The Leader thanked Mr Corcoran for his report, presentation and responses to issues raised by members. The Cabinet Member for Finance undertook to provide written responses to members concerning the specific points referred to above.

RESOLVED

That the Annual Audit Letter, together with the views and positive comments of the Audit Commission, be noted.

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SAFER ROUTES TO SCHOOL – 20MPH SPEED LIMIT POLICY

A report of the Director of the Urban Environment was submitted on a 20mph speed limit policy outside schools to inform their implementation in accordance with the resolution approved by the Council at its meeting on 10th October, 2011.

Members referred to the flowchart diagram, as set out in the Appendix to the report, which would be amended to clarify the process for the consideration of 20mph zones. The Cabinet Member for Transportation clarified that all requests for a 20 mph zone would be considered in the same manner as requests for individual local safety schemes, including consultation with ward Councillors.

RESOLVED

That the 20mph speed limit policy outside schools be approved, subject to an amendment to the policy to clarify the process on how schools will be considered for a 20mph zone, as referred to above.

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

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CAPITAL PROGRAMME MONITORING

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.

RESOLVED

- (1) That the results of the Post Completion Review of capital projects, as set out in Appendix B to the report now submitted, be noted.
- (2) That the Council be recommended:-
 - (a) That current progress with the 2011/12 Capital Programme, as set out in Appendix A to the report now submitted, be noted and that budgets be amended to reflect the reported variances.
 - (b) That the Capital Programme be amended to include the additional costs of £15,000 for the Lister Road depot improvements, as set out in paragraph 5 of the report now submitted.
 - (c) That the Transforming our Workplace project be approved and included in the Capital Programme, as set out in paragraph 6 of the report now submitted.
 - (d) That the refurbishment of Ward House be approved and included in the Capital Programme, as set out in paragraph 7 of the report now submitted.

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

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EQUALITY SCHEME 2012-15

A report of the Director of Corporate Resources was submitted on the draft Equality Scheme 2012-15.

Members welcomed the report and the positive approach taken by the Council to equality issues generally. Members undertook a detailed discussion of specific issues referred to in the report, including community cohesion, health inequalities, the impact on specific geographical areas taking account of census data, pregnancy and maternity issues and the roles and responsibilities of key individuals within the Council in relation to equality.

The comments were noted by the Cabinet Member for Human Resources, Law and Governance and the Director of Corporate Resources. Ongoing performance data would be monitored and reported as part of future quarterly performance management arrangements. The Equality Scheme would be updated as an ongoing document.

RESOLVED

That the Equality Scheme 2012-15, including the statutory equality objectives and a revised equality policy statement for the Council, be approved.

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STOURBRIDGE AREA ACTION PLAN (AAP) (PUBLICATION STAGE)

A report of the Director of the Urban Environment was submitted concerning the Stourbridge Area Action Plan (AAP).

RESOLVED

- (1) That the Council be recommended to approve the Stourbridge Area Action Plan in order that the document can be published, subject to consultation and, along with representations received, be submitted to the Secretary of State.
- (2) That the Director of the Urban Environment, in consultation with the Leader of the Council and the Cabinet Member for Regeneration, be authorised to agree any minor changes to the document prior to its submission to the Secretary of State.

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

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PUBLIC CONSULTATION ON THE DESIGN IN BRIERLEY HILL TOWN CENTRE SUPPLEMENTARY PLANNING DOCUMENT

A report of the Director of the Urban Environment was submitted seeking approval for a six-week public consultation on the draft Design in Brierley Hill Town Centre Supplementary Planning Document (SPD).

RESOLVED

That the Design in Brierley Hill Town Centre Supplementary Planning Document be approved for a six-week consultation.

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

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PROPOSED DUDLEY LOCAL ENTERPRISE ZONE

A joint report of the Director of the Urban Environment and the Director of Corporate Resources was submitted on the proposed Local Enterprise Zone at the Waterfront and Harts Hill area of Brierley Hill.

In response to comments from a member of the opposition group concerning flexibility in terms of the target area for assistance, the Leader stated that this initiative would not detract from the promotion of business opportunities and regeneration activities in other parts of the Borough. In relation to the management board referred to in paragraph 10 of the report, the Leader stated that the details would be the subject of further work on the basis of a cross-party approach.

RESOLVED

- (1) That a Dudley Local Enterprise Zone at the Waterfront/Harts Hill area of Brierley Hill, as detailed in the report now submitted, be approved in principle.
 - (2) That the Director of the Urban Environment and the Director of Corporate Resources, in consultation with the appropriate property owners, be authorised to undertake further work in relation to this initiative and to report back to a future meeting of the Cabinet with a detailed management and operational plan.
 - (3) That the proposed Waterfront/Harts Hill Local Enterprise Zone become the Council's single target area for the use of Business Rate incentives as a mechanism to promote investment and economic growth.
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DUDLEY BUSINESS LOAN FUND

A report of the Director of the Urban Environment was submitted on proposals to create a local business loan fund to support small businesses in the Borough.

The Leader responded to comments and concerns from a member of the opposition group regarding the use of New Homes Bonus funding to support this initiative. The Council was seeking to use discretionary powers and match funding to support the initiative as part of a package to support the overall economic, social and environmental wellbeing of the area.

RESOLVED

That the Council be recommended:-

- (1) That an investment of £500,000 over a two year period (2012/13 to 2013/14), be made to Black Country Reinvestment Society (BCRS) to create a local business loan fund to support small businesses in the Dudley Borough and that the investment be matched by a further £500,000 of European Regional Development Fund (ERDF) monies to create a business loan fund of £1 million.
- (2) That the Director of the Urban Environment and the Director of Corporate Resources, or their nominated representative(s), in consultation with the Cabinet Members for Regeneration and Finance, be authorised to enter into negotiations and to sign a formal contract with BCRS.
- (3) That the capital element of the investment be included in the Capital Programme.

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

THE HEALTH AND SOCIAL CARE BILL AND ITS IMPLICATIONS FOR DUDLEY MBC

Having declared a personal and prejudicial interest, Councillor Ali left the meeting during the consideration of this item only.

A report of the Chief Executive was submitted on proposed changes to the National Health Service (NHS) and Public Health systems, as set out in the 'Equity and Excellence' White Paper, and the implications of these for Dudley MBC.

The Cabinet welcomed the reintegration of Public Health within mainstream Council services. Members of the opposition group expressed concerns regarding the proposed future ring fencing arrangements for budgets; the incorporation of Public Health within the Directorate of Adult, Community and Housing Services given the corporate nature of the functions; the implications for staff affected and the reasons for urgency at this stage.

The Leader and the Chief Executive stated that it was important to make a decision at this stage on the future direction of the Public Health Service to enable progress to be made. A transitional group would be established in the 2012/13 municipal year, with appropriate member representation, with a view to implementing the future organisational arrangements.

RESOLVED

- (1) That the report be noted.
- (2) That Public Health be located within the Directorate of Adult, Community and Housing Services and that the arrangements for ensuring that Public Health be delivered on a corporate basis, as set out in the report now submitted, be approved.
- (3) That the Chief Executive, in consultation with the Leader of the Council, the Cabinet Member for Adult and Community Services and the Leader of the Opposition Group, be authorised to determine whether there should be a joint or single appointment of the Director of Public Health and then make appropriate arrangements for the appointment through the Appointments Committee.

POLICE REFORM AND SOCIAL RESPONSIBILITY ACT 2011

A report of the Chief Executive was submitted on issues relating to the appointment of the Police and Crime Panel under the Police Reform and Social Responsibility Act 2011.

Each of the seven West Midlands District Councils would be required to appoint one member to the Panel. The appointment of the other members representing the Black Country Councils would be considered at the Association of Black Country Authorities, taking account of the necessary political proportionality requirements.

RESOLVED

- (1) That approval be given to the appointment of a Police and Crime Panel for the West Midlands comprising twelve elected members, as set out in paragraph 7 of the report now submitted, subject to the approval of the Home Secretary.
 - (2) That the operation of the Panel in shadow form from June 2012, until the election of the Police and Crime Commissioner in November 2012, be noted.
 - (3) That the Council make its appointment(s) to the Panel at the Annual Meeting of the Council in May.
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ISSUES ARISING FROM SCRUTINY COMMITTEES

No issues were reported under this item.

The meeting ended at 7.35 p.m.

LEADER OF THE COUNCIL