

# **MEETING OF THE CABINET**

**THURSDAY 5<sup>TH</sup> DECEMBER, 2013**

**AT 6.00 PM  
IN COMMITTEE ROOM 2  
AT THE COUNCIL HOUSE  
DUDLEY**

**If you (or anyone you know) is attending the meeting and requires assistance to access the venue and/or its facilities, could you please contact Democratic Services in advance and we will do our best to help you**

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[www.dudley.gov.uk/](http://www.dudley.gov.uk/)**

## **IMPORTANT NOTICE**

### **MEETINGS IN DUDLEY COUNCIL HOUSE**

Welcome to Dudley Council House

In the event of the alarm sounding, please leave the building by the nearest exit. There are Officers who will assist you in the event of this happening, please follow their instructions.

There is to be no smoking on the premises in line with national legislation. It is an offence to smoke in or on these premises.

Please turn off your mobile phones and mobile communication devices during the meeting.

Thank you for your co-operation.

Our Ref:  
RS

Your Ref:

Please Ask For:  
Richard Sanders

Telephone No:  
01384 815236

27th November, 2013

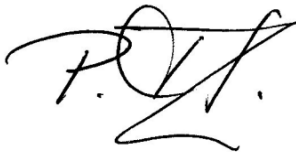
Dear Councillor

**MEETING OF THE CABINET – THURSDAY, 5<sup>TH</sup> DECEMBER, 2013**

You are requested to attend a meeting of the Cabinet to be held on Thursday, 5<sup>th</sup> December, 2013 at 6.00p.m. in Committee Room 2 at the Council House, Priory Road, Dudley to consider the business set out in the agenda below.

The agenda and reports for this meeting can be viewed on the Council's website [www.dudley.gov.uk](http://www.dudley.gov.uk).

Yours sincerely



Director of Corporate Resources

**AGENDA**

1. APOLOGIES FOR ABSENCE

To receive apologies for absence from the meeting.

2. CHANGES IN REPRESENTATION OF MINORITY GROUP MEMBERS

To report any changes in the representation of Minority Group Members at this meeting.

3. DECLARATIONS OF INTEREST

To receive declarations of interest, in accordance with the Members' Code of Conduct.

4. MINUTES

To approve as a correct record and sign the minutes of the meeting held on 30<sup>th</sup> October, 2013 (copy attached).

**BUDGET, STRATEGIC, POLICY AND PERFORMANCE ISSUES**

5. CAPITAL PROGRAMME MONITORING (KEY DECISION) (PAGES 1 – 8)

To consider the joint report of the Chief Executive and the Treasurer

6. REVIEW OF BUSINESS RATES DISCRETIONARY RATE RELIEF POLICY (PAGES 9 – 11)

To consider a report of the Director of Corporate Resources

7. CORPORATE QUARTERLY PERFORMANCE MANAGEMENT REPORT (PAGES 12 – 13)

To consider a report of the Chief Executive

**SERVICE RELATED CORPORATE ISSUES**

8. BLACK COUNTRY CITY DEAL (PAGES 14 - 17)

To consider a report of the Chief Executive

9. DUDLEY GRID FOR LEARNING 3, PROJECT MID-POINT REVIEW (PAGES 18 - 20)

To consider a report of the Director of Children's Services

10. ISSUES ARISING FROM SCRUTINY COMMITTEES (IF ANY)

The Director of Corporate Resources to report orally.

**PRIVATE SESSION**

In accordance with Part 1 of Schedule 12A to the Local Government Act, 1972, the Proper Officer has determined that there will be no advance disclosure of the following report because the public interest in disclosing the information set out in the following item is outweighed by the public interest in maintaining the exemption from disclosure.

11. RESOLUTION TO EXCLUDE THE PUBLIC

To consider the adoption of the following resolution:-

That the public be excluded from the meeting for the following item of business on the grounds that it involves 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.

The submission of the following report complies with the requirements of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations, 2012.

<u>Agenda Item Number</u>	<u>Description of Item</u>	<u>Relevant paragraph of Part 1 of Schedule 12A</u>
12.	Staffing Issues – Children’s Services	1

12. STAFFING ISSUES – CHILDREN’S SERVICES (PAGES 21 - 27)

To consider the report of the Director of Children’s Services.

**To: All Members of the Cabinet:**

Councillor Sparks (Leader - Chair)

Councillor Lowe (Deputy Leader)

Councillors K Ahmed, Branwood, Crumpton, Foster, Partridge, S Turner, Waltho and Wood.

**Opposition Group Members nominated to attend meetings of the Cabinet:**

Councillors Harley, James, Mrs Simms, K Turner, Vickers and Wright

## MEETING OF THE CABINET

Wednesday, 30<sup>th</sup> October, 2013 at 6.00 p.m.  
in Committee Room 2 at the Council House, Dudley

### PRESENT:-

Councillor Sparks (Leader of the Council) (Chair)  
Councillor Lowe (Deputy Leader)  
Councillors K Ahmed, Branwood, Crumpton, Foster, Partridge, Waltho  
and Wood

together with the following Opposition Group Members appointed to  
attend meetings of the Cabinet:-

Conservative Group - Councillors Evans, Harley, J Jones, K Turner and  
Wright

### OFFICERS:-

The Chief Executive, Director of Adult, Community and Housing  
Services, Director of Children's Services, Director of Corporate  
Resources, Director of the Urban Environment, Director of Public  
Health, Treasurer, Assistant Director of Corporate Resources (Human  
Resources and Organisational Development), the Democratic Services  
Manager and the Assistant Principal Officer (Democratic Services) –  
Richard Sanders, together with other officers

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34                    APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received on behalf of  
Councillors James, Mrs Simms and S Turner.

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35                    CHANGE IN REPRESENTATION OF MINORITY GROUP MEMBERS

It was reported that Councillors Evans and J Jones were serving in  
place of Councillors Mrs Simms and James, respectively, for this  
meeting of the Cabinet only.

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36                    DECLARATIONS OF INTEREST

No Member made a declaration of interest, in accordance with the  
Members' Code of Conduct.

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MINUTES

## RESOLVED

That the minutes of the meeting of the Cabinet held on 18<sup>th</sup> September, 2013, be approved as a correct record and signed.

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REVENUE BUDGET STRATEGY 2014/15

A joint report of the Chief Executive and Treasurer was submitted on the Revenue Budget Strategy for 2014/15 and Medium Term Financial Strategy 2015/16-2016/17 and on spending and funding options for consultation.

Arising from the presentation of the report submitted, a number of questions were asked and responded to. Particular reference was made to the issue of regeneration of town centres in the Borough and the proposal to increase parking charges.

## RESOLVED

- (1) That the Council be recommended that 2013/14 budgets be amended as set out in paragraphs 6 and 12 of the report now submitted.
- (2) That in respect of Looked After Children a report be brought back to Cabinet in February 2014 outlining the outcomes of the diagnostic exercise and presenting any proposals that arise from it, as set out in paragraph 12 of the report now submitted.
- (3) That the preliminary strategy outlined in the report be approved as a basis for consultation.
- (4) That the Chief Executive and Directors, in consultation with the Leader, Deputy Leader and relevant Cabinet Members, be authorised to examine the options set out in paragraph 36 of the report now submitted.
- (5) That the various issues and risks which will need to be taken into account in finalising budget proposals for 2014/15, and the Medium Term Financial Strategy, be noted.

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

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STAFFING ISSUES – BUDGET SAVINGS YEAR 2013/14

A report of the Director of Corporate Resources was submitted updating Cabinet with final figures relating to staff changes as a result of the budget savings process for year 3 (2013/14) and with learning that had taken place and outcomes from the learning put into place for the 2014/15 budget saving process together with proposals in relation to voluntary and compulsory redundancies.

## RESOLVED

That, subject to the necessary approval of the Council:-

- (1) That the contents of the report submitted to the meeting, be noted.
- (2) That the outline timetable for the next round of employee related budget savings be approved.
- (3) That a voluntary redundancy programme related to services where savings are identified, rather than a Council wide “expressions of interest” process, be approved.
- (4) That the Director of Corporate Resources, in consultation with the Cabinet Member for Human Resources (HR), Law and Governance, be authorised to determine all applications for voluntary redundancy including those where there are pension implications, and that the Assistant Director HR and Organisational Development, in consultation with the Cabinet Member for HR, Legal and Property be authorised to determine all applications for compulsory redundancy including those where there are pension implications, up to a total maximum of £3.0m for direct redundancy costs and £1.5m for the capitalised cost of pension strain.

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

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LOCALISED COUNCIL TAX REDUCTION SCHEME 2014/15

A report of the Director of Corporate Resources was submitted, updating Cabinet on the results of the consultation exercise approved by Cabinet on 20<sup>th</sup> June, 2013, together with information regarding Council Tax reduction scheme changes in neighbouring authorities and, following consideration of the consultation results, outcomes of member scrutiny and an equality impact assessment, on options for the Council's Council Tax reduction scheme with effect from 1<sup>st</sup> April, 2014.

## RESOLVED

That the Council be recommended:

- (1) That, further to consideration of the outcomes of the preceptor and public consultation on the Council Tax Reduction (CTR) scheme, member scrutiny, the equality impact assessment and last year's results of the Big Question budget survey in 2012, the CTR scheme be amended from 1<sup>st</sup> April 2014; the preferred scheme to be submitted for full Council approval on 2<sup>nd</sup> December, 2013 be based on the eligibility and calculation rules of the current scheme with a 20% cut in the resulting level of the reduction; and a transitional arrangement of an 8.5% cut in the calculated reduction apply at least up to 31st March 2015 with full protection from any scheme changes being given to pensioners (as defined in legislation), disabled adults, disabled children, war pensioners and lone parents with a child under 5, the definition of the protected groups to be as defined in the 2013 public consultation.
- (2) That, subject to full Council approval before 31st January, 2015 the transitional arrangements of an 8.5% cut may be extended beyond 31st March 2015 without further public consultation.
- (3) That the proposal to document the preferred CTR scheme in such a manner that any personal allowances, premiums, disregards and non-dependant deductions are automatically linked to equivalent annually up-rated values published by the central government in either Housing Benefit legislation or the prescribed Council Tax Reduction scheme for pensioners, be approved; this allowing any approved scheme to be automatically carried forward to future years, without the need for annual public consultation and re-approval, until such time that further scheme changes are considered.

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

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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 proposing certain amendments to the Programme.

In relation to paragraph 5 of the report, the importance of the heritage of the Halesowen District Office, following the departure of Children's Services from the building, was acknowledged, and possible alternatives were discussed regarding the future of the building.

#### 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 2013/14 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 urgent amendment to the Capital Programme, as set out in paragraph 5 of the report now submitted, be noted.

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

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### ANNUAL REVIEW OF EQUALITY AND DIVERSITY 2013

A report of the Director of Corporate Resources was submitted on the annual review of equality and diversity for 2013, a full copy of which was available in the Members' Room and electronically on the Council's Committee Management Information System.

#### RESOLVED

- (1) That the annual review of equality and diversity 2013 be approved.
  - (2) That the full copy of the annual review of equality and diversity for 2013 be circulated to all Members of the Council.
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ANNUAL REVIEW OF THE CONSTITUTION

A report of the Director of Corporate Resources was submitted on the annual review of the Constitution.

## RESOLVED

That the Council be recommended:

- (1) That the work undertaken and in progress to integrate public health functions within the Constitution, as referred to in paragraphs 8 and 9 of the report now submitted, be noted.
- (2) That the terms of reference of the Appointments Committee be amended, with consequential changes elsewhere in the Constitution, to provide for salary packages for new appointments and any severance packages for employees that exceed £100,000 to be recommended to full Council for approval as referred to in paragraphs 10 and 11 of the report now submitted.
- (3) That the review of the Members' Planning Code of Good Practice, as referred to in paragraph 12 of the report now submitted, be noted.
- (4) That the proposed addition to the terms of reference of the Ernest Stevens Trusts Management Committee be approved as set out in paragraphs 13 and 14 of the report now submitted.
- (5) That the Deputy Leader (Cabinet Member for Finance) be authorised to sign Decision Sheets in the absence of the Cabinet Member for Human Resources, Legal and Property, as referred to in paragraph 15 of the report now submitted.
- (6) That the approach to the recording of Council, Cabinet, Committee and other meetings, as set out in paragraphs 16 to 19 of the report now submitted, be approved and that Council Procedure Rule 24.6 be amended accordingly.

- (7) That the amended Terms of Reference for West Midlands Joint Committee, as described in paragraphs 20 to 26 and Appendix 1 to the report now submitted, be approved insofar as they relate to the executive functions of Dudley Metropolitan Borough Council and that the Director of Corporate Resources be authorised to take any necessary and consequential actions to give effect to this decision.
- (8) That the establishment of the Black Country Executive Joint Committee, as referred to in paragraphs 27 to 33 of the report now submitted, be approved and that the Constitution be amended accordingly.
- (9) That the constitution of the Black Country Executive Joint Committee, including the Terms of Reference set out in Appendix 2 to the report now submitted, be endorsed and the associated functions and powers be delegated to the Executive Joint Committee, subject to the requirement that any revenue or capital expenditure programmes or commitments are approved by the Cabinet and full Council in accordance with the existing Constitutional requirements of Dudley MBC.
- (10) That the Leader of the Council be appointed as the Cabinet's representative on the Black Country Executive Joint Committee together with a named Member to act as a substitute.
- (11) That the proposals for the City Deal and Growth Deal Advisory Board, as set out in paragraphs 31 and 32 of the report now submitted, including the provision for the appointment of the Cabinet Member for Regeneration, be approved.
- (12) That the Leader of the Council, in consultation with the Chief Executive and appropriate Directors, be authorised to make any necessary and consequential changes to the terms of reference of the Black Country Executive Joint Committee that may be required from time to time to implement the proposals in the report now submitted.
- (13) That the appointment of Walsall MBC to act as Secretary to the Black Country Executive Joint Committee and Advisory Board be noted.
- (14) That the ongoing reviews of governance arrangements, as referred to in paragraph 34 of the report now submitted, be noted.

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

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ISSUES ARISING FROM SCRUTINY COMMITTEES

No issues were reported under this item.

The meeting ended at 6.40pm

LEADER OF THE COUNCIL

**Meeting Of the Cabinet – 5<sup>th</sup> December 2013**

**Joint Report of the Chief Executive and Treasurer**

**Capital Programme Monitoring**

**Purpose of Report**

1. To report progress with implementation of the Capital Programme.

**Background**

2. The table below summarises the *current* 3 year Capital Programme updated where appropriate to reflect latest scheme spending profiles provided by Directorates. Following recommendations made by the Council's external auditors in their review of the Councils' arrangements for securing financial resilience (as reported to Audit and Standards Committee on 19<sup>th</sup> September) this also shows the planned funding of each year's programme.

	<b>2013/14</b>	<b>2014/15</b>	<b>2015/16</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Public Sector Housing	40,293	32,600	31,470
Other Adult, Community & Housing	8,989	2,647	550
Urban Environment	29,776	22,084	10,302
Children's Services	15,046	15,409	80
Corporate Resources	2,260	1,236	1,428
<b>Total spend</b>	<b>96,364</b>	<b>73,976</b>	<b>43,830</b>
Revenue	17,802	10,405	7,938
Major Repairs Reserve (Housing)	22,118	22,273	22,625
Capital receipts	6,778	12,487	7,365
Grants and contributions (inc. Lottery)	22,360	13,245	1,963
Capital Financing Requirement*	27,306	15,566	3,939
<b>Total funding</b>	<b>96,364</b>	<b>73,976</b>	<b>43,830</b>

\*This will be funded internally from the Council's cashflow resources as far as possible, rather than from external debt.

Note that the capital programme for future years is in particular subject to government grant allocations, some of which have not yet been announced.

3. In accordance with the requirements of the Council's Financial Regulations, details of progress with the 2013/14 Programme are given in Appendix A. Following the external auditors' recommendations (as referred to in paragraph 2 above), an update on progress with the Council's most significant capital schemes is shown in Appendix B.

## **Post Completion Review of Capital Projects**

4. The Post Completion Review required by Contract standing orders has now been undertaken for the following scheme, with a copy of the proforma summarising the review attached at Appendix C.

### **Children's Services**

The Brook Primary School – New Classroom and Ancillary Spaces

It is proposed that this be noted.

### **Finance**

5. This report is financial in nature and information about the individual proposals is contained within the body of the report.

### **Law**

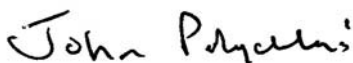
6. The Council's budgeting process is governed by the Local Government Act 1972, the Local Government Planning and Land Act 1980, the Local Government Finance Act 1988, the Local Government and Housing Act 1989, and the Local Government Act 2003.

### **Equality Impact**

7. These proposals comply with the Council's policy on Equality and Diversity.
8. With regard to Children and Young People:
  - The Capital Programme for Children's Services will be spent wholly on improving services for children and young people. Other elements of the Capital Programme will also have a significant impact on this group.
  - Consultation is undertaken with children and young people, if appropriate, when developing individual capital projects within the Programme.
  - There has been no direct involvement of children and young people in developing the proposals in this report.

### **Recommendations**

9. That current progress with the 2013/14 Capital Programme as set out in Appendices A and B be noted.
10. That the result of the Post Completion Review of capital projects, as set out in Appendix C be noted.



**John Polychronakis**  
Chief Executive



**Iain Newman**  
Treasurer

Contact Officer: John Everson

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## 2013/14 Capital Programme Progress to Date

<b>Service</b>	<b>Budget £'000</b>	<b>Spend to 31<sup>st</sup> October £'000</b>	<b>Forecast £'000</b>	<b>Variance £'000</b>	<b>Comments</b>
Public Sector Housing	40,293	15,613	40,293	-	
Other Adult, Community & Housing	8,989	4,114	8,989	-	
Urban Environment	29,776	14,109	29,776	-	
Children's Services	15,046	3,253	15,046	-	
Corporate Resources	2,260	771	2,260	-	
<b>Total</b>	<b>96,364</b>	<b>37,860</b>	<b>96,364</b>	<b>-</b>	

**Progress with Major Capital Schemes****Adult, Community and Housing**New Council Housing

The Council has been successful in securing match funding from the Homes and Communities Agency (HCA) from the Care and Specialised Support Housing Fund and work has commenced on design and planning for the 14 two bedroom apartments for people with learning disabilities and who are on the autistic spectrum at the former depots at Norfolk Road, Wollaston and The Walk, Sedgley, and 3 two bedroom 3 person houses also at The Walk. Work has also commenced on feasibility studies for other potential new build across the borough although no firm proposals have been developed yet. Spend this year is planned to be only design and planning fees with construction on site planned to commence in June 2014. Schemes are expected to be delivered within budget.

Dementia Gateways

Work is nearing completion on the dementia gateway at Brettell Lane, Brierley Hill with completion planned for November 2013. The second dementia gateway scheme at Brett Young in Halesowen is due to commence on site in February 2014 with completion in August 2014. Schemes are expected to be delivered within budget.

Archive and Local History Centre

The new borough Archive and Local History Centre is now completed. The building is operational and will be open to the public mid-November 2013 delivering adult learning. Archive materials are currently being moved into the new repository and the Archive and Local History Service will be operational from January 2014. Following completion on site, final costs of the scheme are now being established and we anticipate the work will be on budget.

Tiled House Lane Residential Home Modernisation

Refurbishment works to carry out improvements to Tiled House Lane Residential Home are planned to commence in January 2014 and are expected to be completed, within budget, in May 2014.

**Urban Environment**Street Lighting

Street lighting improvement works are in progress and the Street Lighting Central Management System (CMS) is now fully commissioned and operational. Just over 4000 of the Council's 32000 street lights can now be controlled remotely to help save energy. Spend is forecast to be within budget.

Recycling

The grant funded recycling vehicles are now operational and approximately two thirds of the boxes and bags have been deployed to households in line with Phases 1 and 2 of the rollout. Phase 3 rollout is expected to complete the recycling capital expenditure Spend is forecast to be within budget.

Wheeled Bins

Phases 1 and 2 wheeled bin deliveries have now been rolled out with Phase 3 bins expected to be delivered by February 2014. Spend is forecast to be within budget.

### Priory Park Improvements

The capital works on the Priory Park programme are close to completion; the official launch was on 20<sup>th</sup> September. The Director of the Heritage Lottery Fund programme was very impressed with the work that had been completed. Further revenue work is planned for the next few years to deliver programmes of activity, training and volunteering. Spend is forecast to be within budget.

### Mary Stevens Park

Heritage Lottery Fund were keen to see further project planning around bio-diversity and sustainability however this piece of work has now been completed and we are expecting the final go ahead from the Heritage Lottery Fund very shortly. We are in the process of recruiting the project manager and design team and are soon to recruit a ranger to the park to cover the heritage and environmental work specified in the activity plan. Spend is forecast to be within budget.

### Castle Hill

New Access Road: Phase 1a was completed during October 2012. Phase 1b (link road and roundabout) was completed April 2013.

Phase 2 onwards: This comprises the secondary route, recreational route, car parking and Visitor Hub. Planning permission was granted on 12<sup>th</sup> March 2013. The design team are currently working on detailed designs on a phased basis. Works commenced onsite for the initial phase of the secondary route on 23<sup>rd</sup> September 2013. Works is to commence on lower level car parks later in the year with completion due early in the New Year. Further works to commence early 2014, with final completion currently projected for December 2014. Spend is forecast to be within budget.

### Dudley Marketplace and Town Centre

The Dudley Marketplace project is currently underway with the advanced works phase now started. The first construction phase will be focussed on Castle Street starting in January 2014, later to be followed by the Market Place phase in the next financial year. Spend is forecast to be within budget.

## **Children's Services**

### DGfL3

Dudley Grid for Learning 3 includes a programme of ICT equipment upgrade and renewal across financial years 2013/14 & 2014/15. Consultation with schools to ascertain their priorities for the 'refresh' programme is underway and options will be presented to schools at events in December. The programme and associated expenditure is therefore on schedule to bring improvement to schools ICT as planned.

### Corbyn Road - base for joint Children's Safeguarding Unit and frontline social work teams

The project is out to tender. Planned start date is 5th Jan 2014. Expected outturn cost is within budget.

### Pens Meadow Special School – Additional Places

A costed feasibility study has been produced and the next stage is for more detailed surveys to be undertaken to ascertain more up to date costs for refurbishment. Corporate Estates have been commissioned by the Directorate of Children's Services to negotiate a lease of the building on behalf of the Council. Construction & Design have been commissioned to provide full design services for the project.

## **Corporate Resources**

### Transforming Our Workplace

The project is progressing well with offices at Regent House and 4 Ednam Road now fully refurbished with around 450 staff having been relocated. Work to offices at 3/5 St James's Road are due to complete before Christmas to be followed by the relocation of another 350 staff. Alterations to offices at Mary Stevens Park Stourbridge are now underway and will also be complete by Christmas before seeing the relocation of around 250 Children's Services staff. Work to the Council House complex and 8 Parsons Street is scheduled to commence in February 2014. The release of 12 surplus office sites has commenced with Castle Court, 5-7 The Broadway now on the market. The other 11 sites will be vacated in 2014. The whole programme of work is currently running to budget and is scheduled to complete accordingly to plan in July 2014.

<b>The Brook Primary School – New classroom &amp; ancillary spaces.</b>
<b>Date of project approval:</b> <i>July 2012 (under delegated authority)</i>
<b>Budget at Tender Stage:</b> £328,000.00 Planned Completion date: <i>26/10/2012</i>
<b>Provisional Outturn Cost:</b> £340,000.00 Actual completion date: <i>06/12/2012</i>
<b>Variation from Budget at Tender Stage:</b> £12,000.00 Delay: <i>31 working days</i>
<b>Reason for Cost Variation and / or Delay in Completion (please indicate if any variation has previously been reported to Cabinet):</b>  The budget was increased by £12,000 for a new canopy the school requested as an extra that was not included within the original contract. This cost variation was reported at PIT (Project Implementation Team). The final project was completed within the total budget available  An Extension of Time was requested and awarded due to adverse weather conditions.
<b>Original Objectives of Scheme (please indicate when and to whom these were reported):</b>  The School's Governing Body, in conjunction with the Directorate's Pupil Place Planning Team, have raised the published admission number to a 2 form entry school. This was approved by the Director of Children's Services as pupil projections for this township are set to increase year on year for the next four years. The school is set in a diverse area and with a clear evidence of preferences for this particular school from parents.  The school had, with support from the Buildings & Estates Team, plans drawn up for the provision of additional accommodation comprising a new classroom, and ancillary spaces to ensure there is adequate infrastructure in place to support a two form entry school.  The new accommodation has provided the infrastructure required to support a 2 form entry school and a school environment that is equipped for 21st century teaching and learning.
<b>Have these Objectives been met? (If "No" please provide explanation):</b> Yes.

Signed by: Jane Porter ..... (Director)

Date: 31<sup>st</sup> October 2013

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**Meeting of the Cabinet – 5<sup>th</sup> December 2013**

**Report of the Director of Corporate Resources**

**Review of Business Rates Discretionary Rate Relief Policy**

**Purpose of Report**

- 1 To update members on the outcomes of a review of the Council's Business Rates Discretionary Rate Relief policy (DRR).
- 2 Following consideration of these outcomes, to gain the Cabinet's agreement on the recommendation made.

**Background**

- 3 The Council has the power to award DRR to reduce or remove the business rates otherwise payable by charities and other organisations that are not established or conducted for profit. Appendix 1 contains further details of eligible organisations, volumes and the Council's current policy.
- 4 A review of the current policy was deemed necessary because of the significant cost of DRR awards to the Council, major budgetary pressures and the relatively generous approach that Dudley has compared to other authorities.
- 5 The great majority of the cost to the Council relates to DRR awarded to charities, who, because of an underlying entitlement to Mandatory Relief, pay no business rates as a result.
- 6 Notice of the review, and the resulting potential for changes in entitlement from 1<sup>st</sup> April 2014, was issued to over 300 affected organisations in February 2013. While there has been relatively little feedback, comments have been received from a number of elected members, MPs and community bodies expressing concern regarding the impact on affected organisations should the Council's policy change.
- 7 Although the costs involved to the Council are significant, the Council is very mindful of the financial implications for the organisations concerned if this relief is reduced or removed, bearing in mind that it is awarded to numerous charities and other good causes whose activities support the Council's aims and objectives.
- 8 The proposal is therefore as follows:
  - a) Make no changes to the eligibility criteria and amount of relief awarded via the current policy, meaning that charities will continue to pay no rates and other eligible organisations will retain their current rate reductions.
  - b) Award entitlements for one financial year at a time, rather than indefinitely as is the case at present.

This proposal recognises the potential financial difficulties any significant change in policy would cause affected organisations, while giving the Council greater flexibility should a further review of the policy become necessary in the future.

### **Finance**

- 9 Currently, the cost of DRR to the Council is £240,000 per annum, of which £215,000 relates to charities.

### **Law**

- 10 The Council is empowered to award Discretionary Rate Relief by Section 47 of the Local Government Finance Act 1988, as amended.

### **Equality Impact**

- 11 This report complies with the Council's Equality and Diversity Policy and there will be no equality impact if the Cabinet approves the recommendation set out in this report.

### **Recommendations**

- 12 That the proposal outlined in paragraph 8 is approved.



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**Appendix 1 : Discretionary Rate Relief (DRR) at Dudley – Further Details**

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## **Discretionary Rate Relief (DRR) at Dudley – Further Details**

There are two types of DRR:

### 1 'Top Up' Relief

- Awarded to organisations already in receipt of Mandatory Relief (mainly charities but also including Community Amateur Sports Clubs). Mandatory Relief already covers 80% of the rates liability in such cases, which is funded 50% by the Council and 50% by central government.
- The maximum award of 'Top Up' Relief is 20%, again funded half by the Council and half by central government.
- Current Dudley policy is to award the full 20% in all instances, meaning that qualifying organisations have no rates to pay.
- Currently, 309 properties are awarded this relief in Dudley, with a total value of £430k per annum and a cost to the Council of £215k per annum.

### 2 'Pure' Relief

- Awarded to organisations not established or conducted for profit and whose main objectives are philanthropic, religious or concerned with education, social welfare, science, literature, the fine arts or recreation – what might be termed 'good causes'.
- The maximum award is 100%, funded 50% by the Council and 50% by central government.
- Current Dudley policy is to determine a reduction of up to 100% by reference to locally agreed qualifying criteria.
- Currently, 19 properties are awarded this relief in Dudley, with a total value of £50k per annum and a cost to the Council of £25k per annum.

As can be seen above, the significant costs here relate to 'Top Up' rather than 'Pure' DRR, i.e. that relief mainly awarded to charities.



**Meeting of the Cabinet - 5<sup>th</sup> December 2013**

**Corporate Quarterly Performance Management Report**

**Report of the Chief Executive**

**Purpose of Report**

1. To present the second Corporate Quarterly Performance Management Report for 2013/14, relating to performance for the period 1<sup>st</sup> July to 30<sup>th</sup> September 2013.

**Background**

2. The overriding purpose of the Corporate Quarterly Performance Management Report is to provide the Cabinet with a regular update on the management of services and performance levels being achieved within the Council, across the seven Council Plan thematic priorities. Prior to submission to Cabinet the report is scrutinised by the Corporate Performance Management, Efficiency and Effectiveness Scrutiny Committee.

3. The report contains the following sections:

**Section 1:** a brief introduction.

**Section 2:** a performance summary of key performance indicators and actions.

**Section 3:** more detailed progress on the key performance indicators and the key actions identified to determine our delivery of the Council Plan priorities.

**Section 4:** current sickness absence information for April 1<sup>st</sup> 2013 to September 30<sup>th</sup> 2013.

**Section 5:** corporate risk status report

A full copy of the Corporate Quarterly Performance Management Report is available in the Members Room and on the Internet via the Committee Management Information System. A paper copy can be sent to any Member on request.

## **Finance**

4. There are no direct financial implications.

## **Law**

5. The Council may do anything which is incidental to or which facilitates the discharge of its functions under Section 111 of the Local Government Act, 1972.

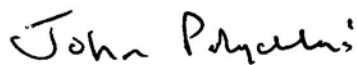
## **Equality Impact**

6. There are no special considerations to be made with regard to equality and diversity in noting and receiving this report.

The Corporate Quarterly Performance Management Report includes details of the performance of the Council Plan strategic objectives and priorities for children and young people.

## **Recommendation**

7. It is recommended that Cabinet
  - Receives the Corporate Quarterly Performance Management Report and approves its content.
  - Notes that the report was referred to the Corporate Performance Management, Efficiency and Effectiveness Scrutiny Committee for consideration on 20<sup>th</sup> November, 2013.



John Polychronakis  
Chief Executive

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**Meeting of the Cabinet – 5 December 2013**

**Report of the Chief Executive**

**Black Country City Deal**

**Purpose of Report**

1. To seek Cabinet approval for the Council to become a joint signatory to the Black Country City Deal document.
2. To agree that the Cabinet will receive a further report detailing any proposed financial commitments by the Council arising from negotiations in relation to specific elements of the City Deal process.

**Background**

3. In January 2013 a total of 20 areas, including the Black Country, were invited by Government to submit proposals to compete in a process to become “City Deal” areas. In order to secure a deal with Government, each area needed to clearly demonstrate how it would:-
  - Take greater responsibility and leadership for decisions affecting its local economy
  - Use the advice, expertise and resources of the private sector.
  - Dedicate resources into the deal,
  - Plan and use public money wisely and
  - Improve its area by following the Government’s strategy of lowering regulation, boosting private sector growth and making it easier for businesses to grow.
4. The lead partners involved in developing the Black Country City Deal proposal have been the Association of Black Country Authorities (ABCA) and the Black Country Local Enterprise Partnership (LEP). The proposal capitalises upon the existence of a mature set of partnership and governance arrangements which has developed between the four local authorities over the past decade. In order to demonstrate to Government the Black Country’s capability in delivering a City Deal the negotiation has focused principally on meeting the needs of potential investors in the high value manufacturing sector by ensuring the availability of an appropriately skilled workforce coupled with suitable sites and premises.
5. The high level governance arrangements for the City Deal proposals will be managed through a Black Country Joint Committee. Approval for Dudley to be part of this Joint Committee was received at the

Cabinet meeting in October as part of revisions to the Council's Constitution.

6. In brief, the key themes which form the basis of the City Deal Proposal are:

- Creating a pool of readily developable investment sites across the Black Country to cater for indigenous growth and the capture of mobile investment, and to ensure that short/medium term opportunities such as supply chain demand in sectors such as automotive and aerospace can be serviced. This element of the City Deal process comes with provision for a Black Country Land Development Fund, financed through a borrowing facility of up to £20m.
- Addressing the skills gap highlighted by Black Country high value manufacturing businesses through the creation of 1,400 new high level/high value manufacturing apprenticeships, and the encouragement of more young people to take up STEM (Science, Technology, Engineering and Mathematics) subjects as the basis for future careers in the high value manufacturing sector.
- The trialling of a new neighbourhood based support programme targeting some of those locations demonstrating high levels of unemployment through placement on sustainable career paths.
- The establishment of a “growth factory” to create a seamless business support and innovation service across the Black Country supporting over 700 high value manufacturing companies.

7. At present, the four Black Country Authorities are being asked to sign up to the principle of the Black Country City Deal Programme based on the approach outlined above. Clearly, as a reflection of differing needs, priorities and opportunities across the four boroughs, the degree to which Dudley becomes involved in, for instance, accessing resource through the proposed Black Country Land Development Fund or commits to resource to apprentice programmes will be the subject of on-going negotiation and will be reported to Cabinet in due course.

### **Finance**

8. This report has no direct financial implications. Individual projects under the City Deal may require capital and/or revenue funding and these will be brought to Cabinet and Council for approval in the normal way

### **Legal**

9. Under the Local Government Act 1972 and Local Government Act 2000 as amended by the Localism Act 2011 and regulations issued by the Secretary of State, the Council's Cabinet has the power to set up a Joint Committee as referred to above.

### **Equality Impact**

10. The Council's participation in the Black Country City Deal proposal aims to improve and maximise the economic and social benefits for all residents and is therefore in accordance with the Council's Policies in relation to equality and diversity.

### **Recommendations**

11. It is recommended that the Cabinet;
1. Authorises the Leader of the Council to sign the Black Country City Deal document;
  2. Agrees to receive a further report detailing any proposed financial commitments by the Council arising from negotiations in relation to specific elements of the City Deal process.

*John Polychronakis*

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Chief Executive Dudley MBC  
John Polychronakis

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### **List of Background Papers**

- Black Country City Deal negotiation document submitted 13 May 2013
- Draft City Deal Agreement from the Cabinet Office dated November 2013

- Annual Review of the Constitution (Cabinet, 30<sup>th</sup> October 2013)

**Meeting of the Cabinet – 5<sup>th</sup> December 2013**

**Report of the Director of Children’s Services**

**Dudley Grid for Learning 3, project mid-point review**

**Purpose of Report**

1. To consider the current position regarding Dudley Grid for Learning 3.

**Background**

2. The Dudley Grid for Learning 3 (DGFL3) project provides a managed ICT infrastructure to 106 schools in the borough. DGfL3 builds on the success of DGfL2 and DGfL1 which commenced in 1998. Up to this point DGfL has been a co-funded initiative drawing on PFI credits. Central government withdrew these credits in 2010. This decision was successfully challenged through a Judicial Review which required the Government to undertake consultation. The Government has now completed this consultation and confirmed its previous decision.
3. DGfL3 is delivered by RM PLC which was awarded the contract after a formal procurement process. At the point of agreeing the new DGfL3 10 year contract the risk to the PFI credits was known. Hence, this contract was amended to include an opportunity to ‘in good faith’ renegotiate elements of delivery and the value of the contract at the 5 year point – January 31st 2016.

4. **Changes at the mid point review**

The need to review the DGfL3 offer arises from two key factors:

- The cessation of the PFI credit funding requires that core provisions of DGfL3 be revisited in order to ensure the project is able to deploy appropriately the available funding over the lifetime of the contract.
- Clear feedback from schools indicates that they desire the flexibility to receive from the service, provisions which meet their individual needs in a more bespoke manner.

5. **Arising from these changes:**

- Schools need to be made aware of the PFI Judicial Review outcome and consultation needs to commence to inform the new flexible provisions to be made available for the second five years of the existing contract
- The local authority client team will work closely with RM PLC to define the new offer and ensure appropriate contract Key Performance Indicators properly support its delivery
- Maintaining oversight during this period of change the DGfL3 Executive Steering Board will be re-convened in April 2014 to ensure senior leaders within the local authority have knowledge of and opportunity to feed into these developments. The existing DGfL3 Steering Board will continue to be the vehicle through which school consultation and dialogue will be garnered.
- In response to the schools budgetary timetable the new offer will be presented to schools in Autumn 2014 in preparation for delivery from 1st Feb 2016.

**Legal**

6. The contract for a private sector partner to provide a managed ICT service for schools is being let in full compliance with the Council's Standing Orders and the relevant National and European Union regulations.
7. Section 111 of the Local Government Act 1972 empowers the Council to do anything which is calculated to facilitate, or is conducive or incidental to the discharge of its functions.

**Finance**

8. PFI credits were paid to the Council as an unringfenced specific grant and the outstanding balance is held as a reserve (£9.284m at 31st March 2013 and forecast £4.256m at 31st January 2016). This reserve is earmarked within the Council's Medium Term Financial Strategy to support the DGfL project.

**Equality Impact**

9. This report takes into account the Council's Equality and Diversity Policy.

**Recommendation**



10. The Cabinet is recommended to note the current position and approve the actions summarised in paragraph 5 above.



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