

Meeting of the Council

Monday, 26th February, 2024 at 6.00pm
In the Council Chamber,
The Council House, Priory Road, Dudley

You are hereby summoned to attend a meeting of the Dudley Metropolitan Borough Council for the purpose of transacting the business set out in the numbered agenda items listed below.

Agenda - Public Session **(Meeting open to the public and press)**

Prayers

1. Apologies for absence
2. To receive any declarations of interest under the Members' Code of Conduct
3. To confirm and sign the minutes of the meeting held on 4th December, 2023 as a correct record (Pages 7 to 20)
4. Mayor's Announcements
5. Statutory Recommendations from External Auditors Grant Thornton (Section 24 Schedule 7 of the Local Audit and Accountability Act 2014) (Pages 21 to 30)
6. To receive reports from meetings as follows:

Meeting of the Cabinet dated 15th February, 2024

Councillor P Harley to move:

- (a) Capital Programme Monitoring (Pages 31 to 62)

(b) Suspension of Council Plan 2022-25 (Pages 63 to 65)

(c) Annual Review of the Constitution (Pages 66 to 73)

Councillor L Taylor-Childs to move:

(d) Review of Housing Finance (Pages 74 to 89)

Councillor S Clark to move:

(e) Dudley Council Pay Policy Statement 2024/25 (Pages 90 to 110)

Meeting of the Audit and Standards Committee dated 19th February, 2024

Councillor A Lees to move:

(f) Treasury Management (Pages 111 to 130)

Meeting of the Appointments Committee dated 2nd February, 2024

Councillor P Harley to move:

(g) Appointment of Director of Environment (Pages 131 to 132)

7. The Dudley (Electoral Changes) Order 2024 (Pages 133 to 136)

8. Review of Polling Districts, Polling Places and Polling Stations (Pages 137 to 162)

9. Appointment of Returning Officer, Electoral Registration Officer and Deputy Electoral Registration Officer (Pages 163 to 165)

10. Composition and Membership of Committees (Pages 166 to 181)

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11. Notices of Motion

(a) To consider the following notice of motion received from Councillor R Priest on 8th February, 2024:

Tackling Anti-social use of Off-Road Vehicles

Anti-social use of off-road vehicles, including quadbikes, motorbikes, scramblers and mini motors is an issue that affects many parts of the borough, and is causing particular nuisance in parks and green spaces. While the use of these vehicles is permitted on private land with the land owners permission, the Road Traffic Act 1988 prohibits their use where no permission has been given.

The Council recognises that tackling the anti-social use of off-road vehicles requires a proactive multi-agency approach involving the local authority, neighbourhood police teams, the wider West Midlands Police and the West Midlands Police and Crime Commissioner.

The Council also recognises that in parts of the borough, there has been a failure to respond appropriately to the anti-social use of off-road vehicles.

The Council additionally recognises that Stevens Park, Wollescote, is one part of the borough where there has been a failure to respond appropriately to the anti-social use of off-road vehicles.

The Council expresses its dissatisfaction with the response of the Police and Crime Commissioner for failing to adequately address the issue of the use of anti-social use of off-road vehicles in the Dudley Borough, particularly in Stevens Park, Wollescote.

The Council therefore resolves to:

- Ask the relevant Officer to conduct a survey amongst the elected Members of this Council asking Members to identify areas within their ward where anti-social use of off-road vehicles occurs and use the results of this survey to improve signage discouraging the use of off-road vehicles.

- Introduce a system where elected Members can report addresses to the Council which are suspected to be involved in the anti-social use of off-road vehicles, and the Council to send letters to these addresses outlining the legality of the anti-social use of off-road vehicles and the consequences of their continued use.
- Ask the relevant Directorate to install a trip rail fence around the perimeter of Stevens Park, Wollescote, while maintaining access points for pedestrians, pushchairs, and wheelchairs.
- Instruct the Chief Executive to write to the West Midlands Police and Crime Commissioner informing them of this motion, and the Councils' dissatisfaction with the response of the Police and Crime Commissioner for failing to adequately address the issue of the anti-social use of off-road vehicles in the Dudley Borough, particularly in Stevens Park, Wollescote.
- Instruct the Chief Executive to write to the Mayor of the West Midlands Combined Authority in May, once the result of the election to the post is known, requesting an urgent meeting to develop a strategy to tackle the anti-social use of off-road vehicles. This meeting should involve appropriate Cabinet Members, Ward Councillors, and community groups.

12. Questions from Members under Council Procedure Rule 11

13. To consider any business not on the agenda which by reason of special circumstances the Mayor is of the opinion should be considered at the meeting as a matter of urgency under the provisions of the Local Government Act 1972

Distribution: All Members of the Council



Deputy Chief Executive

Dated: 16th February, 2024

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Minutes of the proceedings of the Council

**Monday, 4th December, 2023 at 6.00pm
in the Council Chamber, The Council House, Priory Road, Dudley**

Present:

Councillor A Goddard (Mayor)
Councillor P Lee (Deputy Mayor)
Councillors S Ali, A Aston, M Aston, P Atkins, C Barnett, C Bayton, D Bevan, I Bevan, H Bills, D Borley, S Bothul, P Bradley, R Buttery, K Casey, B Challenor, S Clark, J Clinton, Dr R Clinton, R Collins, D Corfield, J Cowell, T Creed, A Davies, K Denning, P Dobb, P Drake, M Dudley, C Eccles, J Elliott, M Evans, J Foster, M Hanif, D Harley, P Harley, S Henley, A Hopwood, M Howard, L Johnson, S Keasey, I Kettle, E Lawrence, A Lees, K Lewis, W Little, P Lowe, J Martin, P Miller, S Mughal, N Neale, S Phipps, R Priest, A Qayyum, K Razzaq, C Reid, S Ridney, M Rogers, D Stanley, C Sullivan, A Taylor, E Taylor, L Taylor-Childs, A Tromans, M Webb, K Westwood and M Westwood together with the Deputy Chief Executive and other Officers.

Prayers

The Mayor led the Council in prayer.

44 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors T Crumpton, A Hughes, P Sahota and Q Zada.

45 Declarations of Interest

Declarations of interests, in accordance with the Members' Code of Conduct, were made by the following Members:

Councillor A Aston – Pecuniary interest in any matters directly affecting his employment with West Midlands Ambulance Service.

Councillor M Evans and A Taylor - Any matters relating to Castle Hill development and all references to Dudley Zoo - Non-pecuniary interests as Members of Dudley and West Midlands Zoological Society Limited.

Councillors D Stanley and A Taylor - West Midlands Combined Authority – Transport Delivery Committee - Non-pecuniary interests as Members of the Committee.

Councillor P Miller - Any matters relating to adult social care – Non-pecuniary interest as his wife received care in a care home.

Councillor K Casey – Any references to West Midlands Combined Authority – Pecuniary interest in any matters directly affecting his employment with West Midlands Combined Authority.

Councillor I Bevan – Any references to Dudley Group NHS Foundation Trust/Russells Hall Hospital – Pecuniary interest in any matters directly affecting his employment.

Councillors I Kettle and W Little – Any references to West Midlands Fire and Rescue Authority - Non-pecuniary interests as Members of the Authority.

Councillor E Taylor - Non-pecuniary interest as her daughter was employed by Dudley Group NHS Foundation Trust.

Councillor N Neale – Minutes of the Health and Adult Social Care Scrutiny Committee – Pecuniary interest in any matters directly affecting her employment with the Dudley Group NHS Foundation Trust.

Councillor J Cowell – Non-pecuniary interest as a Council housing tenant.

Councillor K Westwood – Notice of Motion – Glass Industry - Non-pecuniary interest in view of her voluntary, unpaid position at Stourbridge Glass Museum.

Councillor S Ali – Minutes of the Appointments Committee – declaration for transparency purposes that he had known one of the candidates interviewed for the post of Director of Public Health and Wellbeing in a previous employment capacity. This had not affected his ability to consider the selection process impartially.

Councillor J Foster - Minutes of the Appointments Committee – Non-pecuniary interest in her capacity as a freelance investigator for West Midlands Employers (WME). She had not been involved in the commissioning of WME to deliver mandatory training to the Committee.

46 **Minutes**

Resolved

That the minutes of the meeting held on 16th October, 2023 be approved as a correct record and signed.

47 **Mayor's Announcements**

(a) **Bill Cody**

The Mayor referred in sympathetic terms to the recent death of former Councillor Bill Cody. Former Councillor Cody had served as the Mayor of the Borough in 1996/97. The Council observed a minute of silence as a mark of respect following which individual tributes were paid.

(b) **Civic Carol Concert**

The Civic Carol Concert would be on 15th December, 2023 at St John the Baptist Church, Halesowen.

(c) **Dudley Care Experienced Young Person Christmas Gift Appeal**

The Mayor referred to an email that had been circulated concerning the above appeal. All Members were requested to support and publicise this appeal.

(d) **Care Experienced Service**

The Mayor welcomed representatives of the Care Experienced Service who addressed the Council concerning the impact that having a protected characteristic had on young people they worked with. A care experienced young person also addressed the Council on how he had been supported.

48 **Capital Programme Monitoring**

A report of the Cabinet was submitted.

The recommendations of the Cabinet were moved by Councillor P Harley and seconded by Councillor P Bradley.

During the discussion, an amendment was moved by Councillor C Bayton and seconded by Councillor H Bills to the effect that the item referred to in paragraph 6 of the report (Flood Street) be removed and deferred to a further meeting.

Councillor P Harley exercised his right of reply on the amendment pursuant to Council Procedure Rule 14.9.

The amendment was put to the vote and lost.

Councillor P Harley exercised his right of reply on the original motion pursuant to Council Procedure Rule 14.9.

The original motion was put to the meeting and it was

Resolved

- (1) That the additional budget for the next allocation of UK Shared Prosperity Funding spend and grant income of £469,000 be approved and included in the Capital Programme, as set out in paragraph 4 of the report.
- (2) That the Council confirm that the property occupied by Homescene be acquired under the authority delegated in 2021 as set out in paragraph 5 of the report.
- (3) That authority be delegated to the Chief Executive, following consultation with the Leader, to consider the outcome of the viability assessment and to determine whether to proceed to the economic assessment and that authority be delegated to the Director of Finance and Legal to amend the budget if this is the case, as set out in paragraph 6 of the report.

49 **Appointment of the Director of Public Health and Wellbeing**

A report of the Appointments Committee was submitted.

It was moved by Councillor P Harley, seconded by Councillor P Bradley and

Resolved

That Dr Mayada Abu Affan be appointed to the post of Director of Public Health and Wellbeing in accordance with the salary and terms and conditions of employment applicable to the post.

50 **Notices of Motion**

(a) **Telecommunication Companies – Planning Issues**

At the Council meeting on 16th October, 2023, the following motion had been moved by Councillor R Priest and seconded by Councillor A Tromans:

“This Council believes that proper consultation with residents regarding all types of development serves only to benefit both residents and developers.

The Council recognises the aggressive practice of BRSK as it rolls out its broadband offer across the Dudley Borough.

The Council believes that while BRSK is working within the framework of the law, there have been numerous cases where telegraph poles have been erected or have been proposed inappropriately, such as blocking public footpaths or on private property.

The Council believes it is a failure of national planning law that telecommunications companies are able to bypass the planning authority.

The Council therefore resolves to:

- Urgently publish a Q&A page on the Council’s website detailing what residents’ rights are in regard to BRSK’s roll out and how residents can object and comment on BRSK’s development.

- Issue the same Q&A and advice in the next edition of Your Borough Your Home.
- Instruct the Chief Executive to write to the Secretary of State for Levelling Up, Housing and Communities calling for the Government to support the Telecommunications Infrastructure Bill to ensure that telecommunications companies must follow regular planning procedure.
- Instruct the Chief Executive to write to the Chief Executive of BRSK asking for their broadband rollout to be halted across the borough until a method of consultation can be found that is approved by Members.”

Councillor C Eccles had moved an amendment at the meeting on 16th October, 2023 to the effect that the Council note that issues concerning the activities of telecommunication companies have already been raised extensively with the Chief Executive, the Deputy Chief Executive, Government Ministers and Shadow Ministers (with Digital, Culture, Media and Sport portfolios), BT Openreach and Ofcom, in the context of the Electronic Communications Code, with a view to making sure that all providers are meeting their requirements to consult with residents prior to installing any infrastructure.

Following confirmation from Councillor C Eccles, and with the consent of the meeting, the above amendment was withdrawn.

During discussion of the original motion an amendment was moved by Councillor P Harley, and seconded by Councillor P Bradley, to the effect that the final two bullet points of the original motion be deleted.

Councillor R Priest was afforded his right of reply pursuant to Council Procedure Rule 14.9 and indicated that he was supportive of the amendment.

The amendment was put to the meeting and carried. The motion, as amended, became the substantive motion.

The substantive motion was put to the meeting and it was

Resolved

That this Council believes that proper consultation with residents regarding all types of development serves only to benefit both residents and developers.

The Council recognises the aggressive practice of BRSK as it rolls out its broadband offer across the Dudley Borough.

The Council believes that while BRSK is working within the framework of the law, there have been numerous cases where telegraph poles have been erected or have been proposed inappropriately, such as blocking public footpaths or on private property.

The Council believes it is a failure of national planning law that telecommunications companies are able to bypass the planning authority.

The Council therefore resolves to:

- Urgently publish a Q&A page on the Council's website detailing what residents' rights are in regard to BRSK's roll out and how residents can object and comment on BRSK's development.
- Issue the same Q&A and advice in the next edition of Your Borough Your Home.

(b) Bring Dudley Town Football Club Back Home

Pursuant to Council Procedure Rule 12, Councillor S Ali had given notice of the following motion on 2nd October, 2023:

“Dudley Town FC (The Robins) was established in 1888 and originally had a stadium adjacent to Dudley Cricket County ground, now known as Castle Gate Park. However, in 1985, a section of the football ground and subsequently the cricket ground experienced subsidence. Both grounds were closed. Several plans were proposed to make the old ground safe and facilitate the club's return, but unfortunately, these efforts were unsuccessful. In 1990, it was decided that the site would be redeveloped as a business and leisure park, known today as Castle Gate.

An article titled 'The day a hole closed a football sports ground forever' in the Birmingham Mail on 29th September, 2017 perfectly summarised the situation. The loss of these facilities undoubtedly had a significant impact on Dudley's presence in the world of football and cricket.

For the past 38 years, the club has been without a permanent home ground and has played at various venues, including Tividale, Halesowen, Gornal, Amblecote, and Brierley Hill. Over the last 4-5 years, the club has been playing out of Dudley Borough in Willenhall as their temporary home.

After a successful season, the club has achieved a momentous milestone by securing promotion to the Midlands Football League, Premier Division, marking the end of a 38-year wait. This achievement is a testament to the club's resilience and determination to keep going, despite the challenges of finding a permanent location they can call home.

In light of the need to house Dudley Town Football Club in Dudley Town, the Council resolves:

- (1) To acknowledge the efforts of all politicians across the political spectrum to bring Dudley Town Football Club back to their hometown of Dudley by working with the club and the Council to identify a suitable location for both their temporary and permanent home ground.
- (2) To acknowledge the significant efforts made by Dudley Town's players, its coach, and its management in achieving the Club's promotion and celebrate this momentous milestone by facilitating a walk down the market place with people lining the street so that this becomes part of the Club's history.
- (3) To regularly celebrate significant achievements of our sporting heroes and sports clubs across the borough, recognising that each accomplishment is a source of pride for our community and borough.

- (4) To acknowledge the work done on the Dudley Playing Pitch and Outdoor Sports Strategy and to progress this work that a cross-party working group, supported by Council officers, representatives of key sports clubs and sporting heroes is established to develop an ambitious overarching sports strategy that fosters the growth and promotion of sports across the borough, catering for people of all ages, genders, and abilities.”

The motion was moved by Councillor S Ali and seconded by Councillor K Denning.

An amendment was moved by Councillor D Corfield, and seconded by Councillor P Bradley, to the effect that paragraph (1) of the motion be amended to acknowledge the significant direct work that the Leader, the Cabinet Member for Highways and Environmental Services and the Dudley North MP, Marco Longhi, have done with the Club directly.

Following discussion on the amendment, Councillor S Ali was afforded and exercised his right of reply pursuant to Council Procedure Rule 14.9.

The amendment was put to the vote and carried. The motion, as amended, became the substantive motion.

Following discussion on the substantive motion, Councillor S Ali was afforded and exercised his right of reply pursuant to Council Procedure Rule 14.9.

The substantive motion was put to the vote and it was

Resolved

That Dudley Town FC (The Robins) was established in 1888 and originally had a stadium adjacent to Dudley Cricket County ground, now known as Castle Gate Park. However, in 1985, a section of the football ground and subsequently the cricket ground experienced subsidence. Both grounds were closed. Several plans were proposed to make the old ground safe and facilitate the club's return, but unfortunately, these efforts were unsuccessful. In 1990, it was decided that the site would be redeveloped as a business and leisure park, known today as Castle Gate.

An article titled 'The day a hole closed a football sports ground forever' in the Birmingham Mail on 29th September, 2017 perfectly summarised the situation. The loss of these facilities undoubtedly had a significant impact on Dudley's presence in the world of football and cricket.

For the past 38 years, the club has been without a permanent home ground and has played at various venues, including Tividale, Halesowen, Gornal, Amblecote, and Brierley Hill. Over the last 4-5 years, the club has been playing out of Dudley Borough in Willenhall as their temporary home.

After a successful season, the club has achieved a momentous milestone by securing promotion to the Midlands Football League, Premier Division, marking the end of a 38-year wait. This achievement is a testament to the club's resilience and determination to keep going, despite the challenges of finding a permanent location they can call home.

In light of the need to house Dudley Town Football Club in Dudley Town, the Council resolves:

- (1) To acknowledge the efforts of all politicians across the political spectrum, including the significant direct work that the Leader, the Cabinet Member for Highways and Environmental Services and the Dudley North MP, Marco Longhi, have done with the Club directly, to bring Dudley Town Football Club back to their hometown of Dudley by working with the club and the Council to identify a suitable location for both their temporary and permanent home ground.
- (2) To acknowledge the significant efforts made by Dudley Town's players, its coach, and its management in achieving the Club's promotion and celebrate this momentous milestone by facilitating a walk down the market place with people lining the street so that this becomes part of the Club's history.
- (3) To regularly celebrate significant achievements of our sporting heroes and sports clubs across the borough, recognising that each accomplishment is a source of pride for our community and borough.

- (4) To acknowledge the work done on the Dudley Playing Pitch and Outdoor Sports Strategy and to progress this work that a cross-party working group, supported by Council officers, representatives of key sports clubs and sporting heroes is established to develop an ambitious overarching sports strategy that fosters the growth and promotion of sports across the borough, catering for people of all ages, genders, and abilities.

(c) Glass Industry

Pursuant to Council Procedure Rule 12, Councillor K Westwood had given notice of a motion on 17th November, 2023.

The motion, as set out in the agenda, was moved by Councillor K Westwood and seconded by Councillor C Eccles.

Following a discussion, the motion was put to the meeting and it was

Resolved

That this Council recognises the significant, beneficial impact of the Glass Industry to our borough.

It has helped shape our history, places an important role in our current culture and heritage agenda, and can be an integral part of our future.

The Council notes that:

- The glass industry has dominated the area for over 400 years, a huge part of our local culture, and has been instrumental in keeping this rich part of Britain's heritage alive, a continuing source of inspiration and education for future generations.
- With 3 major tourist glass related attractions in the space of 1 mile plus other local glass attractions we are able to showcase glass manufacturing past and present helping communities to connect with the legacy of generations of family members who made Stourbridge glass recognised the world over.

This Council resolves to:

- Work with all our partners (including the Arts Council and appropriate revenue organisations) to ensure the International Festival of Glass and the Biennale remains in Stourbridge due to its historical importance, its positive economic impact and the huge footfall and cultural and historic benefits to the Borough.
- Do all it can to maintain a local Festival of Glass to our local community so it becomes a legacy for future generations.
- Issue a media release so that all local residents are aware of the importance of the festival remaining in the area.

51 **Questions under Council Procedure Rule 11**

The Mayor reported that, following consultation with the Group Leaders, it was proposed to trial a revised format for the Question Time session at this meeting. This would involve:

- A 30-minute time limit on the session.
- The first three questions to be offered to the main Opposition Group Leader.
- Other Members would then be invited to ask questions taking account of the list of Members who indicate to speak.
- If the 30-minute time limit was reached, any further questions could be submitted in writing.
- The usual process for two minutes per question (and any supplementary question) would apply.

It was moved by Councillor P Harley, seconded by Councillor P Bradley and

Resolved

That under Council Procedure Rule 22.1, the provisions of Council Procedure Rule 11 be suspended for this meeting to enable the revised Question Time session to take place as outlined above.

Written Questions

No written questions were submitted in advance.

Verbal Questions to the Leader, Cabinet Members and Chairs

The Leader of the Council (Councillor P Harley) responded to questions from Councillor P Lowe concerning the 'perilous' financial position of the Council and the need for a robust and cross-party approach to tackle the associated challenges.

The Cabinet Member for Finance, Legal and Human Resources (Councillor S Clark) responded to questions from Councillor S Ali concerning the financial position of the Council; the possibility of the Council facing a 'bankruptcy' situation or issuing a Section 114 Notice in 12 months-time and possible plans to make future cuts to services.

The Leader of the Council (Councillor P Harley) responded to questions from Councillor S Ridney concerning the need for equal representation and gender balance in the membership of the Appointments Committee.

The Leader of the Council (Councillor P Harley) responded to questions from Councillor R Priest concerning nuisance caused by off road bikes, particularly in Wollescote Park and other streets; any action the local authority was taking and the possibility of making representations to the Police and Crime Commissioner concerning the allocation of resources to tackle this issue.

The Leader of the Council (Councillor P Harley) responded to questions from Councillor S Keasey requesting an apology to non-binary people for comments made by Councillor P Harley in response to the question asked by Councillor S Ridney above.

The Cabinet Member for Housing and Safer Communities (Councillor L Taylor-Childs) responded to questions from Councillor A Tromans concerning the requirement for all social homes to have an Energy Performance Certificate (EPC) rating of C or higher by 2030 and issues concerning thermal and energy efficiency standards for Council properties.

The Cabinet Member for Highways and Environmental Services (Councillor D Corfield) responded to questions from Councillor M Westwood concerning the Council's capacity to take enforcement action and the implications of letting of a contract to a private company to deal with issues of illegal and dangerous parking.

52 **Urgent Business**

There was no urgent business for consideration at this meeting.

The Mayor wished everyone a happy Christmas and a peaceful, prosperous new year.

The meeting ended at 7.35pm

MAYOR

Meeting of the Council – 26th February, 2024

Joint Report of the Deputy Chief Executive and Director of Finance and Legal

Statutory Recommendations from External Auditors Grant Thornton

Purpose

1. To consider recommendations made by Grant Thornton under section 24 schedule 7 of the Local Audit and Accountability Act 2014.

Recommendations

2. That Council considers/accepts the recommendations made by the External Auditor within Appendix A.
3. To incorporate the recommendations into the Improvement and Sustainability Programme and set out the actions to address these recommendations.

Background

4. On 30th January 2024 Grant Thornton made recommendations under section 25 schedule 7 of the Local Audit and Accountability Act 2014. These are set out below along with the Council's response.

Recommendation 1

Maximise the opportunity for positive movement in the 2023/24 final outturn and 2024/25 budget, thereby reducing the indicative budget gap and the need to use General Fund balances in year. The final outturn for 2023/24 will be reported to Cabinet in June.

Response 1	Subject to proper accounting practice and the need to make provision for any unavoidable liabilities that arise, every effort will be made to maximise the unallocated General Fund reserve at 31 st March 2024 for the 2023/24 final outturn. Requests by directorates for earmarked reserves will be challenged robustly.
<p>Recommendation 2</p> <p>Implement the likely steps it would take if the S151 officer was to issue a S114 notice or if Commissioners were appointed by Government. This includes strictly enforcing the existing spending controls already in place without exception and taking further measures to stop all non-essential spend immediately. For example, we suggest that the Council undertakes a comprehensive review of statutory services to determine the minimum level of service legally required. This approach will assist in providing a robust business case in case the Council need to apply for exceptional financial support.</p>	
Response 2	<p>A review of spending controls is underway and will be reported to the Cabinet in March 2024 along with a revised criteria which will include lessons learnt from the initial phase.</p> <p>A review of functions, as part of the organisational re-design programme and development of the new target operating model, is being undertaken. It will include statutory functions in line with the statutory recommendation.</p>
<p>Recommendation 3</p> <p>Identify and develop additional expenditure reduction and income generation proposals to fully address the indicative budget gap in 2024/25 of £10.1m as the budget gaps in the remaining years of the current Medium Term Financial Strategy. These may be temporary short-term savings, but it is important that where possible, these should be recurrent savings to address the forecast budget gaps beyond 2024/25.</p>	

Response 3	The budget proposals approved by Cabinet on 15 th February (subject to approval by Full Council on 4 th March) identify a further £4.1m of savings for 2024/25, reducing the budget gap for that year to £6m. These are primarily one-off savings reflecting the impact of the spending controls and use of grants to replace mainstream expenditure. The Council accepts and is undertaking significant work to address ongoing deficits. This is being addressed through the delivery of the Improvement and Sustainability Plan, a key component of which is the new total operating model, maximising income from Council Tax and delivering a programme of planned savings, some of which are summarised in the report to Cabinet on 15 th February 2024 and will be taken through the Council's governance processes in the summer rather than the traditional autumn budget cycle.
<p>Recommendation 4</p> <p>Create a prudent centrally-held contingency, which the S151 officer can deploy as necessary to manage any in year pressures and fund the cost of change, by developing savings proposals that exceed the indicative budget gap.</p>	
Response 4	Actioned - The budget proposals approved by Cabinet on 15 th February (subject to approval by Full Council on 4 th March) include a central contingency budget of £3.3m per year

Finance

5. Budget proposals for 2024/25 were approved by Cabinet on 15th February, subject to approval by Full Council on 4th March.

Law

6. The Council's budget setting process is governed by the Local Government Finance Acts 1988, 1992, and 2012 and the Local Government Act 2003.

7. The Local Government Act 2003 requires the Chief Financial Officer to report on the robustness of estimates made for the purpose of final budget calculations, and the adequacy of the proposed financial reserves and this will be included in the final budget report.
8. Pursuant to Section 114(3) of the Local Government Finance Act 1988 the chief finance officer shall make a report if it appears to him that the expenditure of the authority incurred (including expenditure it proposes to incur) in a financial year is likely to exceed the resources (including sums borrowed) available to it to meet that expenditure. Following the issuing of the report all new agreements that incur expenditure are stopped for a period of up to 21 days in which time the full council must meet and respond to the report.
9. Pursuant to Schedule 7 of the Local Audit and Accountability Act 2014 the External Auditor can consider issuing a report concerning any matter that comes to the auditor's attention during the course of the audit, which they judge should be considered by the External Auditor and brought to the public attention.

Risk Management

10. The Corporate Risk Register recognises the risk that the Council may be unable to set and/or manage its budget so as to meet its statutory obligations within the resources available. This risk has been allocated the maximum rating of 25 (Extreme).

Equality Impact

11. There are no direct Equality issues arising from this report.

Human Resources / Organisational Development

12. There are no direct Human Resources / Organisational Development issues arising from this report.

Commercial / Procurement

13. There are no direct Commercial or Procurement issues arising from this report.

Environment / Climate change

14. There are no direct Environment issues arising from this report.

Council Priorities

15. The aspirations set out in the Council Plan can only be delivered if the Council is financially sustainable.



.....
Balvinder Heran
Deputy Chief Executive

.....
Iain Newman
Director of Finance and Legal

Dudley MBC

Section 24 Statutory recommendations

30 January 2024



Dudley Metropolitan Borough Council
Council House
Priory Road
Dudley
DY1 1HF

30 January 2024

Dear Sirs/Madams

Recommendations made under section 24 schedule 7 of the Local Audit and Accountability Act 2014

Our responsibilities

As well as our responsibilities to give an opinion on the financial statements and assess the arrangements for securing economy, efficiency and effectiveness in the Authority's use of resources, we have additional powers and duties under the Local Audit and Accountability Act 2014. These include powers to issue a public interest report, make written recommendations, apply to the Court for a declaration that an item of account is contrary to law, and to give electors the opportunity to raise questions about the Authority's accounts and to raise objections received in relation to the accounts.

We have concluded that it is appropriate for us to use our powers to make written recommendations under section 24 of the Act due seriousness of the Council's financial position and the plan to fully deplete general fund reserves during the 2024/25 financial year, which significantly increases the probability that the s151 officer may decide to issue a Section 114 notice in the near future. Further details are set out in the attached report.

What does the Authority need to do next?

Schedule 7 of the Local Audit and Accountability Act 2014 requires the following actions:

The Authority must consider the recommendation at a meeting held before the end of the period of one month beginning with the day on which it was sent to the Authority

At that public meeting, the Authority must decide

- whether the recommendations are to be accepted, and
- what, if any, action to take in response to these recommendations.

Schedule 7 specifies the meeting publication requirements that the Authority must comply with.

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Background to the recommendations

We have concluded that it is appropriate for us to use our powers to make written recommendations under section 24 of the Act due to inadequate financial management arrangements at the Authority exposed further by the recent report to Cabinet detailing plans for the 2024/25 budget. This report follows on from the key recommendations we raised in December 2023 in respect of significant weaknesses in the Council's arrangements to secure financial sustainability.

Financial management arrangements at Dudley MBC

We issued our Auditor's Annual Report ('AAR') for Dudley Metropolitan Borough Council for the financial years 2021/22 and 2022/23 to Audit and Standards Committee on 18 December 2023.

In our report, we identified a significant weakness in the Council's arrangements for securing value for money in relation to Financial Sustainability for both year and we raised two Key Recommendations for the Council to address as a matter of urgency.

Our first Key Recommendation was that Members should recognise the scale of the Council's financial challenge and act accordingly to support the Council's officers in developing realistic and deliverable savings plans in the short to medium term. The recommendation was accepted by the Council and it was stated that the Council will incorporate actions to address this would be incorporated into the Improvement and Sustainability Plan.

We also raised a Key Recommendation that the Council should revisit financial plans with the sustainability of reserves in mind to ensure medium-term financial plans demonstrate a realistic plan to replenish reserves where one-off use is expected to cover budget gaps. Again, this recommendation was accepted with the Council stating that actions will be incorporated into the Improvement and Sustainability Plan to address it.

Whilst the final version of the AAR has only recently been issued, we shared our concern about the level of Council's reserves with members of the Audit and Standards Committee in July 2023. Since that time, the Council has established an Independent Improvement & Assurance Board to provide external advice, scrutiny, challenge, and expertise to the Council as it develops financial improvement plans.

The Council has made some progress but more work is required to develop and deliver plans to address the indicative budget gap for the 2024/25 financial year urgently.

A joint report to Cabinet from the Deputy Chief Executive and Director of Finance and Legal on 11 January 2024 sets out that in addition to the £5.1m planned use of reserves agreed in the 2023/24 budget there is also an adverse forecast outturn of £9.1m. Based on this, the total use of unallocated General Fund reserves in 2023/24 would be £14.2m. This would leave an unallocated General Fund reserves balance of £7.6m at 31 March 2024. The report also sets out the current medium-term financial outlook for the Council up to 2026/27. In 2024/25, the current forecast net budget deficit is £10.1m after the delivery of savings totalling £7.7m. We understand that there has been an overall positive movement to the financial position that was set out in the Cabinet report. However, the outlook is still a serious concern.

If the available unallocated General Fund reserves balance is reduced to £7.6m at 31 March 2024 as expected, the Council would fully deplete this balance during 2024/25 to cover the deficit and would need to repurpose earmarked reserves. In the absence of a minimum level of unallocated general fund reserves to manage future financial risks, there is a high possibility that the Chief Finance Officer would decide to issue a Section 114 notice during the year.

Members recognise the scale of the financial challenge facing the Council. We note that the Council currently has spending controls in place and this has led to positive variances which may be realised in the 2023/24 final outturn. However, the financial outlook for the Council remains highly concerning and our statutory recommendation reflects the serious nature of this

It is the corporate responsibility of all members to ensure that the Council acts within the law and sets a balanced budget. This is a member responsibility and not an officer responsibility. Members must take account of professional officer advice in setting the budget and must be prepared to take difficult decisions to deliver the scale of financial improvement required in Dudley.

Page 4 sets out our statutory recommendation.

Recommendations made under section 24 schedule 7 of the Local Audit and Accountability Act 2014

Area	Recommendation	Management Response/ Responsible Officer/ Due Date
<p>Seriousness of the financial position of the Council, the risk of depleting General Fund reserves during 2024/25 and the risk that the Council issues a Section 114 notice</p>	<p>Members should not underestimate the seriousness of financial position the Council now faces and must support officers in identifying sufficient and viable alternative proposals in form of council tax increases, investment, income generation as well as expenditure reductions to ensure that the Council maintains a minimum level of General Fund balances during 2024/25 to give it the best possible chance of avoiding a Section 114 notice.</p> <p>To address the seriousness of the financial position of the Council and to avoid a Section 114 notice being issued during 2024/25, the Council must now take urgent action to identify and deliver all available opportunities to reduce the current budget gap and reduce the reliance on General Fund reserves.</p> <p>The Council should:</p> <ol style="list-style-type: none"> 1. Maximise the opportunity for positive movement in the 2023/24 final outturn and 2024/25 budget, thereby reducing the indicative budget gap and the need to use General Fund balances in year. 2. Implement the likely steps it would need to take if the S151 officer was to issue a S114 notice or if Commissioners were appointed by the Government. This includes strictly enforcing the existing spending controls already in place without exception and taking further measures to stop all non-essential spend immediately. For example, we suggest that the Council undertakes a comprehensive review of statutory services to determine the minimum level of service legally required. This approach will assist in providing a robust business case in case the Council need to apply for exception financial support. 3. Identify and develop additional expenditure reduction and income generation proposals to fully address the indicative budget gap in 2024/25 of £10.1m as well as the budget gaps in the remaining years of the current Medium Term Financial Strategy. These may be temporary short-term savings, but it is important that where possible, these should be recurrent savings to address the forecast budget gaps beyond 2024/25. 4. Create a prudent centrally-held contingency, which the S151 officer can deploy as necessary to manage any in-year pressures and fund the cost of change, by developing savings proposals that exceed the indicative budget gap. 	

Meeting of the Council – 26th February, 2024

Report of the Cabinet

Capital Programme Monitoring

Purpose of Report

1. To report progress with the implementation of the Capital Programme.
2. To propose amendments to the Capital Programme.
3. To propose the “Prudential Indicators” as required to be determined by the CIPFA Prudential Code for Capital Finance in Local Authorities and the Local Government Act 2003 (updated December 2021).
4. To propose the Council’s updated Capital Strategy.
5. To propose the Council’s Minimum Revenue Provision (MRP) Policy for 2024/25.

Recommendations

6. The Council is recommended:
 - That progress with the 2023/24 Capital Programme, as set out in Appendix A be noted.
 - That the additions and amendments to the Capital Programme be approved, as set out in paragraphs 10 -21,
 - That the Prudential Indicators as required to be determined by the Chartered Institute of Public Finance and Accountancy (CIPFA) Prudential Code for Capital Finance in Local Authorities and the Local Government Act 2003, as set out in Appendix B, be agreed.
 - That the updated Capital Strategy set out in Appendix C be approved.

- That the Minimum Revenue Provision (MRP) Policy for 2024/25 be approved as set out in paragraph 25.

Background

7. The table below summarises the *current* 3 year Capital Programme updated where appropriate to reflect latest scheme spending profiles.

	2023/24	2024/25	2025/26
	£'000	£'000	£'000
Public Sector Housing	65,158	50,816	44,114
Private Sector Housing	14,536	4,806	71
Environment	5,492	9,891	5,500
Transport	13,433	11,853	8,896
Regeneration and Corporate Landlord	19,814	22,688	12,709
Culture, Leisure & Bereavement	1,542	2,499	3,300
Schools and SEND	12,271	20,472	19,600
Social Care, Health and Well Being	702	1,850	0
Digital, Commercial and Customer Services	2,135	1,100	1,161
Total spend	135,083	125,975	95,351
Revenue	4,003	3,936	3,702
Major Repairs Reserve (Housing)	25,517	26,000	26,456
Capital receipts	24,193	17,344	21,610
Grants and contributions	41,081	26,580	17,448
Capital Financing Requirement	40,289	52,115	26,135
Total funding	135,083	125,975	95,351

Note that the capital programme is subject to the availability of government funding.

8. Details of progress with the 2023/24 Programme are given in Appendix A. It is proposed that the current position be noted.
9. A report was taken to the Cabinet in December, 2023 to review Housing Finance for the current and future years. This was taken to the Housing and Safer Communities Select Committee in January, 2024. The Public Sector Housing figures above have not been adjusted for these changes as these have not yet been approved at a Council meeting. The figures in the capital strategy (Appendix C) are updated for the latest forecasts to ensure the Prudential indicators are correct.

Amendments to the Capital Programme

10. Private Sector Housing

The Capital Programme currently includes a budget of £5.050m for houses built for sale (funded by capital receipts). This is split between £1.050m for Himley Road (original budget approved in March 2021 and budget revision approved in December 2021) and £4m for Brierley Hill (first taken to Cabinet in March 2021). Due to capacity issues within the Housing directorate it is proposed that these two schemes are removed from the Capital Programme. Work already completed at Himley Road will be transferred to the Public Sector Housing capital programme (and the houses built will all become Council dwellings) and this spend is included within the budget proposals taken to Cabinet in December 2023.

It is proposed that these two projects (and their associated capital receipts) are removed from the Capital Programme.

11. Regeneration – Future High Streets Fund

We have received approval from the Department for Levelling Up, Housing and Communities (DLUHC) to remove the Daniels Land redevelopment project from the Future High Streets Fund Programme. This is because of delays with delivery of the Midlands Metro that have affected the redevelopment timescale. The project was originally to be delivered by the Housing and Communities Directorate through the Housing Revenue Account. The result is DLUHC has agreed to reallocate £3.55m of grant spend from this project to a schedule of replacement projects within and adjacent to Brierley Hill High Street.

It is proposed that the additional £3.55m Future High Streets grant and associated expenditure is added to the Capital Programme. (The removal of this grant from the Public Sector Housing section of the Capital Programme has been addressed in a previous Cabinet meeting where a separate paper regarding Housing Finance was discussed).

12. Woodside Day Centre

Works to refurbish this centre were originally proposed to the Cabinet in October 2022 and a budget of £60,000 was reallocated to this project. Further capital works have been identified costing £74,000 which were originally to be funded as revenue but better suit the classification of capital. The additional work makes the site more inclusive and welcoming for people with disabilities. Note that this spend was agreed prior to the spending controls and this is just a reclassification between capital and revenue rather than additional spend.

It is proposed that £74,000 is transferred from the Adult Personal Social Services Capital budget (which currently has a budget of £391,000 brought forward from previous years) to fund this additional spend.

13. Parks Development

The Parks Development Team have been awarded £5,000 to fund chess tables and accompanying seats or benches at two local Parks, and these will be installed at Stevens Park Quarry Bank and Abbey Street Park. The facility at Abbey Street is in partnership with the friends of the Park and the local library. The funding is part of the Department for Levelling Up, Housing and Communities (DLUHC) under the Levelling up for Parks Fund and each site will receive £2,500 to provide the facility.

It is proposed that £5,000 is added to the Capital Programme for this project to be fully funded by a grant from DLUHC.

14. Basic Need Grant

In recent years the Department for Education has allocated £6.855m Basic Need Capital Funding to Dudley taking the overall allocation to £12.531m. This funding is to support local authorities to ensure sufficient school places are available within the borough for every child aged 5 to 16 needing one as set out in the 1996 Education Act. While this funding is primarily to assist local authorities to deliver new places, the funding is un-ringfenced and it is for the Local Authority to determine how best to use the funding for local priorities. We have recently received confirmation that this funding is not ringfenced and therefore the Council's contribution to Coseley free school can now be funded from this grant rather than prudential borrowing as previously approved by Council.

It is proposed that the Basic Need grant and its associated expenditure are added to the Capital Programme. It is also proposed that Dudley's contribution to the Coseley free school is now funded from this grant rather than prudential borrowing.

15. Childcare Capital Expansion Funding

In addition, in 2023/24 the Department for Education has allocated £444,000 childcare capital expansion funding to the Council. This funding is intended to support local authorities in delivering the expansion of the 30 hours early years entitlement for working families and of wraparound provision in primary schools. The funding is un-ringfenced and it is for local authorities to determine how best to use the funding to meet local priorities.

It is proposed that this grant of £444,000 and its associated expenditure are added to the Capital Programme.

16. Environment – Forestry Commission funding

We are due to receive £43,887.60 from the Forestry Commission relating to the Local Authority Treescapes Fund; which is a grant to support tree planting. There is a further revenue grant for the maintenance costs which will be paid from 2024/25 to 2026/27 for approximately £69,000 per annum.

It is proposed that the £44,000 capital grant allocation for 2023/24 and the associated spend is added to the Capital Programme.

17. Environment – Trading Standards Vehicle

The Trading Standards team requires a crew cab vehicle for safe and secure removal of goods from rogue traders. The vehicle is expected to cost £24,000 which will be procured through fleet.

It is proposed that the £24,000 is added to the Capital Programme and will be fully funded from a revenue contribution from proceeds of crime income.

18. Gornal Wood Crematorium

In March 2023 Council approved a budget of £500,000 for refurbishment works at Gornal Wood Crematorium. A further assessment at the site has led to additional works identified that need to be undertaken (namely electrical and drainage works with a value of £600,000) to ensure this site is fit for purpose and to maintain the level of income generated by this

facility. There is currently a £3.9m budget within Culture, Leisure and Bereavement for burial land and it is proposed that £600,000 is transferred from this budget across to the Gornal Wood Crematorium refurbishment budget. Officers will endeavour to identify and layout new burial land with the reduced £3.3m budget. If this cannot be achieved, priority will be given to developing new sites in priority order.

It is proposed that £600,000 is transferred between the budget headings outlined above within the Culture, Leisure and Bereavement Capital Programme.

19. Food Waste Collections

The Council has recently been notified that we will be receiving £2,679,480 transitional capital funding to fund the delivery of weekly food waste collections to commence 01/04/2026. This funding is intended for the purchase of food bins (this includes internal kitchen caddies, external kerbside caddies and communal bins) and food waste collection vehicles. This funding will be provided through Section 31 grants.

It is proposed that this grant and its associated expenditure is added to the Capital Programme.

20. Dudley Town Centre

At a Cabinet meeting in June 2023 a £250,000 capital budget was recommended (and subsequently approved by Council) for improvements to Dudley Market. This was due to be funded by Regeneration and Enterprise revenue budgets. The cost for reconfiguring the market stalls can now be funded by the UK Shared Prosperity Fund. The work is expected to cost approximately £40,000 and will commence once planning permission has been granted. The planned work is aimed at making the market more appealing to customers and traders and will include a food offer and associated seating area.

It is proposed that the change in funding and reduced budget is reflected in the Capital Programme.

21. Changing Places

Dudley was awarded £150,000 of Changing Places round 1 grant funding in summer 2022 for facilities to be installed at the Black Country Living Museum, Dudley Zoo and Cornbow shopping centre. A further £70,000 for round 2 for Stourbridge Town Hall was awarded in early 2023. Following tenders for the work at Stourbridge an additional funding request was presented to DLUHC for £51,800 and for an extension to end

June 2023 to complete the project. The additional costs are a result of the age of the building leading to a greater complexity to complete the installation works. This was agreed by DLUHC on 30th January, 2024.

It is proposed that the additional expenditure and grant is added to the Capital Programme.

The CIPFA Prudential Code for Capital Finance in Local Authorities

22. The Local Government Act 2003 introduced a system of “prudential borrowing” which allows councils to set their own borrowing limits subject to criteria of prudence, affordability, and sustainability. The CIPFA Prudential Code (updated in December 2021) sets out the indicators that authorities must use, and the factors they must consider, to demonstrate that they have fulfilled this objective.
23. Details of the various indicators required, and the proposed figures to be set in relation to each indicator are set out at Appendix B. The Code requires authorities to produce a Capital Strategy. The proposed updated Capital Strategy for the Council is set out in Appendix C.

Minimum Revenue Provision (MRP) Policy Statement

24. Before the start of each financial year each authority must agree its policy on making Minimum Revenue Provision (MRP) for repayment of non-HRA borrowing incurred to fund Capital expenditure, in respect of that financial year. (There is no requirement to make MRP in respect of HRA borrowing.)
25. It is proposed that the Council agrees the following MRP Policy for 2024/25:
 - MRP for all borrowing and credit arrangements be calculated on an annuity basis over the initial estimated life of the relevant assets. (*This is unchanged from the 2023/24 Policy. It is how a standard repayment mortgage operates, with less principal repaid in the early years so that the total of interest and principal repaid each year remains constant over the mortgage period.*)

Finance

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

Law

27. 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.

Risk Management

28. Risks, and their management, are considered prior to proposals being brought forward to include projects in the Capital Programme. This includes risks relating to the capital expenditure itself, funding of that expenditure (e.g. grant availability and conditions), and ongoing revenue costs and/or income.

Equality Impact

29. These proposals comply with the Council's policy on Equality and Diversity.
30. With regard to Children and Young People:
- The Capital Programme for Schools 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.

Human Resources/Organisational Development

31. The proposals in this report do not have any direct Human Resources / Organisational Development implications.

Commercial / Procurement

32. All procurement activity will be carried out in accordance with the Council's Contract Standing Orders, and the relevant officers will take the procurements through the Procurement Management Group to monitor compliance at the relevant Gateways.

Environment / Climate Change

33. Individual capital projects should be separately assessed for their environmental impact before they commence and major schemes with climate change impacts will include details of this in their progress reports going forward.

Council Priorities and Projects

34. Proposed capital projects are in line with the Council's capital investment priorities as set out in the approved Capital Strategy.



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Leader of the Council

2023/24 Capital Programme Progress to Date

Appendix A

Service	Budget – June 2023 £'000	Additions / Amendments £'000	Slippage £'000	Revised Budget £'000	Forecast £'000	Variance £'000	
Public Sector Housing	65,158	0	0	65,158	65,158	0	1
Private Sector Housing	18,868	-985	-3,347	14,536	14,536	0	
Environment	19,306	691	-14,505	5,492	5,565	73	2
Transport	13,216	2,258	-2,041	13,433	12,533	-900	3
Regeneration and Corporate Landlord	20,767	1,112	-2,065	19,814	19,721	-93	4
Culture, Leisure & Bereavement	5,381	60	-3,899	1,542	1,589	47	5
Schools and SEND	31,950	8,245	-27,924	12,271	12,271	0	
Social Care, Health and Well Being	907	1,645	-1,850	702	702	0	
Digital, Commercial & Customer Services	1,882	460	-207	2,135	2,135	0	
Total	177,435	13,486	-55,838	135,083	134,210	-873	

1. Public Sector Housing Capital Programme changes are being taken to the Council meeting of 26th February; for information the proposed revised budget for 2023/24 is £58m.
2. Environment - forecast overspend of £70k on the Energy From Waste project is to be funded by revenue budgets within Environment. The other overspends (Greenspaces (£2k) and Liveability (£1k)) will also be funded by revenue.
3. Transport – Primrose Bridge Underspend (£900k), the Council is working with the funding provider to determine whether we need to repay the grant or repurpose it towards other Transport projects.
4. Regeneration & Corporate Landlord – underspends on Low Carbon Place Strategy (£66k) and Blue Network (£27k) will result in reduced grant claims and a potential reduction in revenue contributions (work is in progress to check this).
5. The forecast overspend within Culture, Leisure and Bereavement of £47k relates to the Stourbridge Crematorium works and will be funded by additional revenue contributions.

CIPFA Prudential Indicators

The indicators set out below are specified in the CIPFA *Prudential Code for Capital Finance in Local Authorities* (“the Code”), which is required to be complied with as “proper practice” by Regulations issued consequent to the Local Government Act 2003. They are required to be set and revised through the process established for the setting and revising of the budget, i.e. by full Council following recommendation by the Cabinet. Indicators for the forthcoming and following years must be set before the beginning of the forthcoming year, but may be revised at any time following due process.

The first group of indicators (1-5) are essentially concerned with the prudence and affordability of the Council’s capital expenditure and borrowing plans in the light of resource constraints. The remaining indicator (6) is primarily concerned with day-to-day borrowing and treasury management activity. Indicator 5 is a new requirement in the revised Prudential Code which was published in December 2021.

The proposed figures for each indicator have been developed in the light of the Council’s overall resource position and medium term financial strategy and have regard to the following matters as required by the Code:

- Service Objectives;
- Stewardship of Assets;
- Value for Money;
- Prudence and Sustainability;
- Affordability;
- Practicality.

Affordability and prudence are specifically addressed by the indicators set out below. The other matters listed form a fundamental part of the Council’s budget setting, management, and monitoring procedures - as summarised in the Financial Management Regime (FMR) which forms part of the Constitution - and with particular relevance to capital expenditure, set out in more detail in the Council’s Capital Strategy.

Appropriate procedures have been established for proper management, monitoring, and reporting in respect of all the indicators, and the risks associated therewith.

Indicators set for 2023/24, 2024/25 and 2025/26 this time last year have been reviewed and where necessary are proposed to be updated to reflect latest forecasts.

1. Estimated and Actual Capital Expenditure

This indicator forms the background to all the other indicators, given that the overall rationale of the prudential system is to provide flexibility for borrowing to fund capital investment. Estimated capital expenditure is required to be calculated for the next 3 financial years, and actual expenditure stated for the previous financial year, with totals split between HRA and non-HRA capital expenditure.

Subject to the other proposals in this report being agreed, together with those contained in reports elsewhere on the agenda, the proposed indicators are as follows.

	2022/23 £m Actual	2023/24 £m Revised Estimate	2024/25 £m Revised Estimate	2025/26 £m Revised Estimate	2026/27 £m Estimate
Non - HRA	41.4	66.3	71.1	49.7	29.2
HRA	57.9	58.0	87.4	92.3	93.4
Total	99.3	124.3	158.5	142.0	122.6

2. Estimated and Actual Capital Financing Requirement (CFR)

The Capital Financing Requirement is a measure of the Council's underlying need to borrow to fund its capital expenditure once other sources of funding - grants, capital receipts and revenue - have been taken into account. The CFR increases when expenditure is incurred, and reduces when provision is made to repay debt.

The proposed indicators consistent with the level of capital expenditure set out above are as follows.

	2022/23 £m Actual	2023/24 £m Revised Estimate	2024/25 £m Revised Estimate	2025/26 £m Revised Estimate	2026/27 £m Estimate
Non - HRA	256.2	264.9	288.9	299.1	297.7
HRA	474.8	483.8	502.8	524.5	563.7
Total	731.0	748.7	791.6	823.6	861.4

3. Gross Debt and the Capital Financing Requirement.

In order to ensure that in the medium term, debt can be incurred only for capital purposes, this indicator requires that gross external debt does not (except in the short term) exceed the total of the CFR in the preceding year plus the estimates of any additional CFR for the current and next two financial years. Note that debt for this purpose excludes ex West Midlands County Council debt managed on behalf of other authorities.

It is anticipated that this requirement will be met for the years 2023/24 to 2026/27.

4. Estimated and Actual Ratio of Capital Financing Costs to Net Revenue Stream

This indicator is intended to demonstrate the affordability of capital investment decisions in terms of the ratio of capital financing costs to overall resources, expressed as a percentage. The proposed indicators consistent with the level of capital expenditure set out above are as follows.

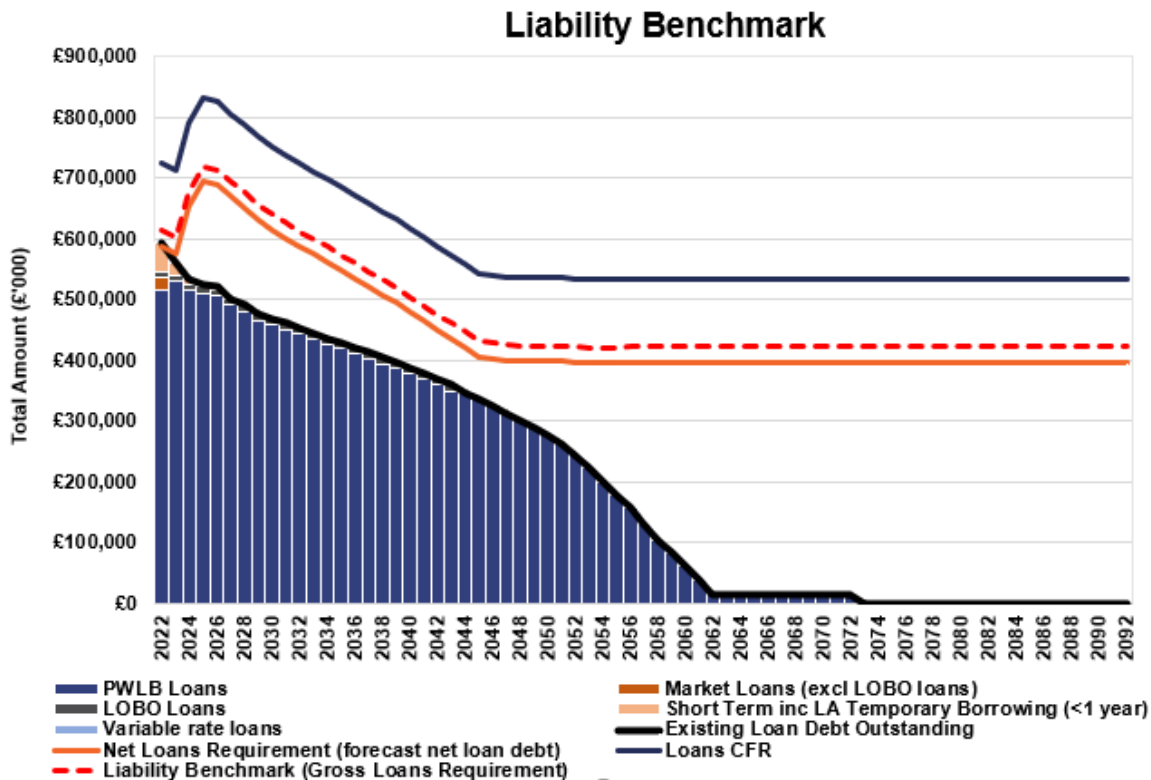
	2022/23	2023/24	2024/25	2025/26	2026/27
	%	%	%	%	%
	Actual	Revised Estimate	Revised Estimate	Revised Estimate	Estimate
Non - HRA	8.4	8.4	9.6	10.4	10.0
HRA	43.2	42.8	40.1	40.4	41.7

5. The Liability Benchmark

The revised Prudential Code introduced a new prudential indicator called the Liability Benchmark (LB). The Council is required to estimate and measure the LB for the forthcoming financial year and the following two financial years, as a minimum. There are four components to the LB:

- Existing loan debt outstanding – the Council’s existing loans that are still outstanding in future years,
- Loans capital financing requirement (CFR) – this will include only approved prudential borrowing
- Net loans requirement – this is the Council’s gross loan debt less treasury management investments at the last financial year end projected into the future
- Liability benchmark – (also known as the gross loans requirement) which is the net loans requirement plus short-term liquidity allowance.

As the chart shows there is currently a gap between the existing loan debt outstanding and liability benchmark this indicates that further borrowing is likely to be required in the next few years.



5. The Authorised Limit, Operational Boundary, and Actual External Debt

These indicators are intended to ensure that levels of external borrowing are affordable, prudent and sustainable. The Authorised Limit for external debt is a statutory limit (as per. section 3 of the Local Government Act 2003) that should not be breached under any circumstances. The proposed limits set out below have been calculated to take account of the Council's capital expenditure and financing plans and allowing for the possibility of unusual cash movements. If this limit is likely to be breached, it will be necessary for the Council to determine if it is prudent to raise the limit, or to instigate procedures to ensure that such a breach does not occur.

The Operational Boundary for external debt is a management tool for day-to-day monitoring, and has also been calculated with regard to the Council's capital expenditure and financing plans allowing for the most likely, prudent, but not worst case scenario for cash flow. Temporary breaches of the operational boundary, due to variations in cash flow, will not be regarded as significant.

Both the Authorised Limit and the Operational Boundary are split between conventional borrowing and “other long term liabilities” such as leases and other capital financing arrangements which would result in the related assets appearing on the Council’s Balance Sheet. Such arrangements would include for example finance leases for the procurement of vehicles. Provided that the total Authorised Limit and Operational Boundary are not exceeded, the Director of Finance and Legal may authorise movement between the constituent elements within each total so long as such changes are reported to the next appropriate meeting of the Cabinet and Council.

Note that debt for these purposes includes ex West Midlands County Council debt managed on behalf of other authorities.

	2022/23	2023/24	2024/25	2025/26	2026/27
	Actual	Revised	Revised	Revised	
	£m	£m	£m	£m	£m
Authorised limit for external debt:					
Borrowing	n/a	810	824	839	883
Other long term liabilities	n/a	12	11	10	9
Total	n/a	822	835	849	892
Operational boundary:					
Borrowing	n/a	738	809	809	842
other long term liabilities	n/a	12	11	10	9
Total	n/a	750	820	819	851
Actual External Debt:					
Borrowing	702.9	n/a	n/a	n/a	n/a
Other long term liabilities	11.9	n/a	n/a	n/a	n/a
Total	714.8	n/a	n/a	n/a	n/a

Dudley MBC Capital Strategy

Background - The CIPFA Prudential Code for Capital Finance in Local Authorities

1. The Local Government Act 2003 introduced a system of “Prudential Borrowing” which allows councils to set their own borrowing limits subject to criteria of prudence, affordability, and sustainability. The CIPFA Prudential Code sets out the indicators that authorities must use, and the factors they must take into account, to demonstrate that they have fulfilled this objective.
2. The recently updated Code requires that: “In order to demonstrate that the authority takes capital expenditure and investment decisions in line with service objectives and properly takes account of stewardship, value for money, prudence, sustainability and affordability, authorities should have in place a Capital Strategy that sets out the long-term context in which capital expenditure and investment decisions are made and gives due consideration to both risk and reward and impact on the achievement of priority outcomes.”
3. The Strategy will be updated and approved by Full Council at least annually, along with the indicators required by the Prudential Code.

Capital Expenditure

4. A simple definition of Capital Expenditure is that expenditure which gives a future benefit or service potential to the Council for a period of more than one year. It is accounted for separately from revenue (day-to-day) expenditure and funded from different sources from revenue expenditure.
5. More specifically, expenditure that can be capitalised includes:
 - purchase, reclamation, enhancement or laying out of land;
 - purchase, construction, preparation, enhancement or replacement of roads, buildings and other structures;
 - purchase of plant, machinery, vehicles, furniture & equipment (including ICT hardware);
 - purchase of ICT software programmes;
 - grants (and some loans) to third parties for any of the above.
6. During its life, an asset may pass through up to four basic stages:
 - a. Acquisition or construction;
 - b. Ongoing management and maintenance;
 - c. Major enhancement;
 - d. Obsolescence, decommissioning and disposal.

Phases (a) and (c) may necessitate capital expenditure.

7. Capital expenditure extends further than direct acquisition and expenditure on assets by the Council. It also includes property and equipment that is leased for a significant part of its useful life or where the lease payments amount to a significant part of its value. Entering into such leases, and other similar credit arrangements, will therefore form part of the Council's capital expenditure and must be authorised by Council and included in the Capital Programme (see process below) *before* any lease is entered into. The implementation of IFRS16 from 1st April 2024 may require a reclassification of some leases currently being accounted for as operational leases to finance leases which will mean they will be classed as capital expenditure. It is proposed that these are taken to Cabinet in early 2024/25 for inclusion in the Capital Programme. Leases in that meet the revised criteria for finance leases taken out after 1st April 2024 should be approved in the same way as other capital expenditure.

Strategic Context

8. The Council is refocussing its priorities and projects around those that will prevent a higher cost, deliver cost reductions/increased income and help to deliver the Council's improvement and sustainability programme.
9. The Council Plan is supported by Directorate plans that will provide more detailed information on the service actions we are taking to deliver our priorities.
10. The Capital Strategy is one of the means by which the priorities of the Council will be achieved. We recognise that to accomplish our goals, best possible use needs to be made of existing public sector assets, while resources available for new investment must be deployed as efficiently and effectively as possible.

Links to other Strategies and Plans

11. The Capital Strategy is consistent with the Council's other strategies and plans. Of particular relevance is the Corporate Estate Strategy which reflects the key Council Plan aims, recognising that good asset management should help the Council to
 - Empower communities and engender civic pride;
 - Improve the economic wellbeing of an area;
 - Increase co-location, partnership working and the sharing of knowledge;
 - Reduce carbon emissions and improve environmental sustainability;
 - Prioritise and align resources with the Customer Connect initiative to deliver exceptional services for citizens of and visitors to Dudley.

12. The Estate Strategy comprises 3 main parts:

- The current position of the Council's estate;
- Its desired future position;
- How we propose to deliver it.

The current strategy has been under review since April 2023. A specific element of this – the office estate strategy – is expected to be approved by April 2024.

Partnership and External Funding

13. The Strategy not only covers all aspects of Capital expenditure within the Council, but also those areas where the Council works in partnership – for example using its own resources as match funding to maximise the overall resources available for its own and its partners' priorities.

14. It also informs the bidding for additional capital resources (e.g. from Central Government and other sources of external grant funding).

Capital Priorities

15. The Council's current capital investment priorities, including those where it is working in partnership, are as follows.

Public Sector Housing

16. Priorities:

- Planned programmes of investment to improve and maintain our homes in good order through efficient investment in key building components including but not limited to roofs, electrics, kitchens, and bathrooms.
- Ensuring that Council homes are economically viable and available for occupation to a standard that meets both Decent Homes and the tenants needs.
- Tackling fuel poverty and energy efficiency for residents and contributing towards decarbonisation and the climate change emergency.
- Delivering social care programmes in residents' homes and improvements in sheltered schemes which support and where possible increase the ability for residents to live independently in their own homes.
- Delivering regeneration, environmental and community safety improvements to our estates.
- Strategic stock investment and de-investment programmes in accordance with the Housing Asset Management Strategy 2019 – 2029 and providing suitable investment at affordable levels for communal facilities across the housing portfolio.
- Providing new affordable social housing within the borough through acquisitions and development.

- Providing an efficient repair service to deliver all responsive and routine maintenance responsibilities, and undertake all statutory compliance responsibilities and cyclical maintenance programmes.

Private Sector Housing

17. Priorities:

- Continued use of loan, grant and other forms of financial solutions to assist vulnerable occupiers living in the private sector to remain independent in their homes through resourcing, supporting and potentially delivering property repair, improvements and adaptations.
- Winter Warmth / Energy Advice Service providing advice, practical support, equipment, and repairs to ensure vulnerable occupiers have access to support to keep warm, healthy and heat their homes efficiently.
- Continued strategic use of loan, grant, and other forms of financial solutions to bring long term empty private properties back into use.
- Sustaining our improved performance in delivering adaptations for disabled persons through use of mandatory Disabled Facilities Grants.
- Provision of rent deposit guarantees / loans to private sector landlords / potential tenants to facilitate access to accommodation for persons in need.
- Work with stakeholders and local and national developers to support in the development of homes for private sale.

Highways and Transport

18. The Transport Capital Programme supports maintenance and improvement works on the Council's highway infrastructure and its associated assets, including street lighting, the repair and maintenance of pavements and public rights of way, structures, bridges and retaining walls.

19. Through effective asset management, the Council will continue to maximise opportunities offered by new technology using innovative ways of maintaining and improving its highway network.

20. By working with the Department for Transport, Transport for the West Midlands and the wider Combined Authority, West Midlands partners, local partners and the community, external funds will continue to be sought for existing and new projects. We will also, using Government Grants, continue to invest and improve the Borough's transport networks to ensure their safety, efficiency and minimise their environmental impact particularly associated with traffic congestion and air quality.

21. Current priorities:

- Delivery of the Highway Maintenance Programme for roads and pavements.

- Investment in the Street Lighting Infrastructure (to generate greater energy efficiency).
- Works on highway structures, bridges and retaining walls.
- Integrated Transport (minor schemes designed to improve the safety and increase the capacity of the highway network and encourage sustainable modes of travel).
- Completion of major and minor highway schemes and other projects.

Economic Regeneration

22. External funds are maximised to support the delivery of key economic regeneration projects and initiatives. Previously this has included the Heritage Lottery Fund, European Regional Development Fund (ERDF), Growing Places, Local Growth Fund, Get Building, Future High Streets Fund and Towns Fund, and funding accessible via the West Midlands Combined Authority.
23. In 2022 the Government launched the Levelling Up White paper in March 2022, which included as a central pillar, £2.6 billion of funding via the UK Shared Prosperity Fund (UKSPF) for local investment to March 2025 with the primary aim being ‘to build pride in place and increase life chances across the UK aligning with the Levelling Up White paper missions. UKSPF is the replacement funding for European Structural Investment Funds. The West Midlands, via the Combined Authority (WMCA) has been allocated £88.4million with local authorities having funding devolved using a 70:30 methodology. UKSPF is now in its second of three years with funding being allocated to support a range of projects against the three priorities of: People and Skills, Communities and Place, and Supporting Local Business.
24. The Council will continue to seek to maximise the use of external funds through its engagement with external partners including the WMCA, as part of the Deeper Devolution Deal discussions, and Homes England, in addition to seeking to bid direct to Government for new funding streams.
25. The Transport for West Midlands (TfWM) project to deliver the Metro extension from Wednesbury to Brierley Hill is underway with works through Dudley Town Centre to Flood Street in the final year of delivery. Following the Combined Authority’s decision to pause delivery from Flood St due to budget pressures a funding package was developed summer 2023 with a view to funding the Metro to Waterfront. A further announcement of a funding allocation to the West Midlands Mayor in the autumn should support ongoing delivery of the Metro. Both funding packages are subject to WMCA and Department for Transport approval of a business case being developed by TfWM.

The Council has funded some measures to uplift the public realm alongside the Metro extension through the borough funded by prudential borrowing. Some of these have already been delivered, some are underway and others will now be paused until September 2025 following the decision on 11th January regarding the MTFS however alternative sources of funding will actively be sought.

26. TfWM is also leading on the delivery of a new Transport Interchange for Dudley Town Centre which will replace the existing Bus station and link with Metro. Temporary bus stops are now in place to support the closure of the current bus station through the development period.
27. Following applications in the previous round of the Levelling-up Fund (LUF) and ongoing lobbying alongside a good track record for delivery, Government has announced the award of two, £20m LUF awards for regeneration projects in Halesowen and Brierley Hill. Additionally, a further £20m award for Dudley Town Centre has also been announced as part of the Government's Long Term Plan for Towns. This funding is subject to further work and agreements and has not yet been drawn down.
28. These funding announcements are in addition to existing external funding which is already supporting town centre regeneration in the borough. This includes Townscape Heritage funding from Heritage Lottery Fund to improve the built historic environment in conservation areas in Dudley town centre, and a combination of Future High Streets Fund and Heritage Action Zone monies in Brierley Hill which are delivering improvements to public realm, community facilities, building restoration and culture-led activities.
29. A recurring budget funded mainly by borrowing will be used for structural maintenance of Council buildings which cannot be met from other resources. Projects arising from the Council's Estate Strategy, including those in pursuance of the "One Public Estate" strand of the Council's Transformation agenda will also be progressed subject to value for money assessment.

Environmental Services

30. Current priorities are:
 - Possible alternative sites for the Household Waste Recycling Centre.
 - Ongoing programme for replacement of vehicles used to deliver services including exploring wider use of electric vehicles.
 - Delivery of the Green Spaces Asset Management Plan.
 - Promote and develop our open spaces and nature reserves through Geopark status and accreditation.
 - Develop a new sustainable Waste Strategy that is compliant with the emerging national picture.

Cultural

31. Current priorities are:

- New burial sites to be identified across the borough.
- A new children's play area and on-site café facility at Himley.
- Refurbishment of the Red House Glass Cone.

Schools

32. The key investment priorities for the use of available capital resources (mainly funded by a number of Government grants) are:

- Maximise the efficient and effective use of resources in collaboration with partners to improve service delivery.
- Work in joint partnership with schools to target available resources in accordance with the asset management programme.
- Address the backlog of urgent repairs and maintenance identified by condition surveys for all schools using fair and transparent prioritisation processes.
- Continue to address the issues of Basic Need requirements ensuring sufficient school places across the primary and secondary schools sector (maintained and non-maintained) through effective place planning processes.
- Continue to develop the infrastructure required to improve the Special Educational Needs (SEN) provision including the issues of Basic Need requirements ensuring sufficient school places for Special Schools in line with the SEND Strategy.
- Continue to maximise bidding opportunities for external funding to replace or upgrade those school buildings with the most urgent need as identified by the principles of Asset Management Planning.
- Ensure the continuing delivery of the Directorate's asset management plan in accordance with DfE requirements especially for the collation of robust data on school places and condition.
- Ensure revisions to regulations and guidance for school buildings are adhered to and complied with.

Social Care, Health and Well Being

33. Working in partnership to support residents to continue to live independently. Investment in the infrastructure to enable telecare to convert from an analogue to digital system.

Commercial and Customer Services

34. Ongoing programme for replacement and upgrading of ICT infrastructure used to deliver services.

Capital Programme

35. The detailed Capital Programme for the Council's own expenditure on acquisition, development and maintenance of the assets required to deliver service outcomes will be updated on an ongoing basis in accordance with the Governance processes set out below. Taking into account the Council's capital grant allocations, together with affordable levels of "prudential" borrowing and locally generated capital resources in the form of capital receipts and contributions from revenue budgets, the Capital Programme currently being proposed is as follows (including proposals included within this report and the Housing Finance report being taken to February Council):

	2023/24	2024/25	2025/26	2026/27
	£'000	£'000	£'000	£'000
Public Sector Housing	58,000	87,400	92,300	93,400
Private Sector Housing	9,486	3,418	71	71
Environment	5,565	9,891	5,500	5,443
Transport	13,433	11,853	8,896	8,246
Regeneration and Corporate Landlord	23,004	20,534	13,074	3,354
Culture, Leisure & Bereavement	1,542	2,499	3,300	0
Schools and SEND	11,271	19,916	17,741	11,000
Social Care, Health and Well Being	702	1,850	0	0
Digital, Commercial and Customer Services	2,135	1,100	1,161	1,095
TOTAL	125,138	158,461	142,043	122,609

Property Investment

36. The Council will incur capital expenditure on acquisition or development of property only where the primary purpose is service delivery and/or regeneration, and in the case of the latter then only where a development would not happen without Council involvement, and the potential regeneration gain justifies any financial or other risks. It will not invest in property for the sole or primary purpose of revenue income or other financial return.

Sources of Funding

Grants & Contributions

37. These are mainly provided by Central Government Departments or other Public Sector Agencies and are usually to fund specific projects or broader categories of spend, in line with the funder's priorities. They may be received in response to specific bids, or on a formula allocation basis. They may also require match funding from the Council's other capital resources, or from other local partners or spending beneficiaries.
38. To a lesser extent, contributions may be available in the form of "Section 106" planning agreements, Community Infrastructure Levy, or otherwise from local business partners.
39. Some Government capital grant funding is scheme specific to the extent that it cannot be used for anything else ("ringfenced") but is often only notionally allocated to specific areas of spend. Thus it can be spent at the Council's discretion, the only real condition usually being that it must be spent on capital rather than revenue items. However the Council has generally followed a process where such resources are (internally) earmarked to the relevant service area.

Revenue & Reserves

40. To the extent that revenue resources and reserves are available once day-to-day spending needs have been covered, these may be used to fund capital expenditure.

Borrowing (commonly known as Prudential Borrowing)

41. The Council can borrow to fund capital expenditure so long as it has sufficient revenue resources to service the resulting debt charges – principal and interest.
42. Any proposals to fund capital expenditure from borrowing where the revenue costs can be met from existing resources (e.g. "spend to save" type initiatives) are considered by Cabinet and Council in the same way as any other capital projects.
43. Any proposals to fund capital expenditure from borrowing where the revenue costs cannot be met from existing resources must be considered along with other revenue budget pressures as part of the annual revenue budget setting and MTFS review process in the light of overall revenue resource availability.

Capital Receipts

44. Assets (usually land and buildings) no longer required for the provision of services may be declared “surplus to requirements” and sold. The detailed disposal process is set out in the Corporate Estate Strategy.
45. Proceeds from disposals of General Fund assets do not constitute available capital resources, but generate revenue savings by repaying existing borrowing or as a substitute for new borrowing (see above) that would otherwise be required. Proceeds from Right to Buy sales and other Public Sector Housing disposals are currently earmarked for Housing investment.

Budget and Medium Term Financial Strategy

46. As set out above, any proposals to fund capital expenditure from borrowing where the revenue costs cannot be met from existing resources must be considered along with other revenue budget pressures as part of the annual revenue budget setting and MTFS review process in the light of overall revenue resource availability.
47. Likewise capital projects generating net savings may be brought forward, along with other savings proposals, as part of the overall budget and MTFS review process.
48. All forecast debt charges and other revenue costs arising from approved new capital spend (together with debt charges arising from past expenditure funded from borrowing, and the revenue costs of ongoing maintenance of existing assets) will be included in the revenue budget and MTFS of the General Fund or HRA as appropriate.

Treasury Management Strategy

49. Long term borrowing requirements to fund overall capital expenditure not met from other means - the “Capital Financing Requirement” (including the extent to which this can be met internally rather than from external borrowing) and short term cashflow requirements in respect of the Capital Programme and funding, are taken into account in the Council’s Treasury Management Strategy. At 31st March 2023, long term borrowing and similar liabilities for the Council’s own purposes (i.e. excluding debt managed on behalf of other authorities), amounted to £636m. This compared with long term assets held to the value of £1,964m.

Affordability and Risk

50. The Capital Strategy sets out the framework within which individual capital projects are approved for inclusion in the Capital Programme and does not in itself authorise any capital expenditure. Affordability and risks are considered when proposals are brought forward for such inclusion. This will include risks relating to the capital expenditure itself, funding of that expenditure (e.g. grant availability and conditions), and ongoing revenue costs and/or income.
51. Risks relating to (treasury) management of borrowing to fund capital expenditure and overall revenue resource availability to fund debt charges and other revenue costs arising from capital expenditure are explicitly recognised in the Treasury Management Strategy and the overall MTFs (General Fund and HRA) as appropriate.

Governance

Inclusion of projects in the Capital Programme

52. All proposals to include projects in the Capital Programme must be approved by full Council following recommendation by Cabinet. This applies regardless of the source(s) of funding for the project.
53. The only exceptions to the requirement that all capital projects be approved by full Council are:
- i. In cases of urgency, a project may be included in the Capital Programme by Cabinet alone (if the decision cannot wait until the next meeting of Full Council).
 - ii. In cases of urgency, a project may be included in the Capital Programme by the Leader of the Council in consultation with the Chief Officer, Finance and Legal – using the Decision Sheet process (if the decision cannot wait until the next meeting of Cabinet). The Decision Sheet will need to cover the same issues as would be required for reporting to Cabinet (see below), and must also include an explanation of why the normal processes cannot be followed. If the degree of urgency is such that the normal requirements of the Constitution with regard to public notice and “call-in” would prejudice the delivery of the project, approval of the Chair of the appropriate Scrutiny Committee (to waive notice) and Mayor (to waive call-in) will also be required.

Note however that these “urgency” procedures are intended to be used only in exceptional circumstances and are not intended as a substitute for proper project planning. Use of the procedures is reported to the next available Council, or Cabinet & Council meetings as appropriate.

- iii. Other specific standing authorisations have been given to include particular categories of expenditure in the Capital Programme without individual Cabinet approval. These include:
- School projects funded wholly from delegated budgets or fundraising activities (subject to prior approval by the Director of Children’s Services & the Director of Finance and Legal).
 - Various categories of project funded by s106 monies.
 - Regeneration projects in certain areas subject to availability of external funding.
 - Parks & Open Spaces projects funded as a result of “Friends” bids.
 - ICT Strategy projects.
 - Projects funded from a number of regular Government funding allocations.
 - Community Infrastructure (CIL) funded projects approved by Cabinet.

Responsible Officers

54. Directors will identify a Responsible (Lead) Officer for each project who will take overall responsibility for coordinating all aspects of the project from initial proposal through to post completion review.
55. The Responsible Officer role is key to the efficient operation of the Council’s Capital Programme. Responsible Officer details will be held on the Council’s financial systems, and any change must be notified to the relevant accountant so that these can be amended.

Justification

56. Prior to the inclusion of *any* project in the Capital Programme, each proposal must be justified against the following criteria:
- i. Contributes towards the delivery of the Council's strategic objectives, e.g. as set out in the Council Plan.
 - ii. Contributes towards the achievement of a specific priority/objective(s) as set out in a Directorate Service Plan, and/or arises from agreed capital strategies e.g. Housing Investment Programme, Local Transport Plan, and/or assists the Council to meet its statutory objectives or respond to new legislative requirements, and/or contributes to the achievement of Best Value.
 - iii. Can be supported by a coherent funding strategy; will minimise use of the Council's own resources.

- iv. Has a clear and well thought out brief which defines the objectives of the project and specifies any issues which are time critical; is otherwise achievable within the financial year concerned.
- v. Has been fully evaluated against alternative methods of achieving the same objectives, and alternative funding sources. (See Option Appraisal section below.)

Option Appraisal

- 57. Every capital project must be evaluated against alternative methods of achieving the same objectives.
- 58. Options appraisal must be an integral part of the decision-making process and the scale and nature of a project will determine the level of options appraisal detail needed to make a decision.

Prioritisation

- 59. In order that the limited resources available for capital investment are used in the most effective way, it is essential that robust and consistent prioritisation processes are used to determine which projects proceed.
- 60. In theory, it would be possible devise a methodology for prioritising *all* potential capital projects against the resources available - to maximise the total benefit of the Council's capital Investment as a whole. In reality however, this would pose major problems, not least the difficulty in devising a prioritisation methodology which could fairly compare and score bids for schemes of all magnitudes and degrees of complexity across the whole range of Council services.
- 61. Some Government capital grant funding is scheme specific to the extent that it cannot be used for anything else ("ringfenced") but is usually only notionally allocated to specific areas of spend. Thus it can be spent at the Council's discretion, the only real condition usually being that it must be spent on capital rather than revenue items.
- 62. However the Council has generally followed a process where such resources are (internally) earmarked to the relevant service area, but with an emphasis on demonstrating appropriate prioritisation *within* service programmes, and *within* spend headings.
- 63. It is the responsibility of the relevant Directors to make sure that such prioritisation is robust and stands up to scrutiny. Prioritisation should include formal scoring mechanisms or other objective methods wherever possible and appropriate.

Where a project relies on council resources prioritisation is achieved by including the revenue costs in the budget pressures process for consideration against other pressures in light of the overall resource position.

64. It should in particular be noted that even where capital resources are earmarked to particular spend areas, there is usually still a large degree of flexibility concerning allocation to specific projects. Likewise, where resources are being bid for (see below) there will usually be discretion over which particular projects are submitted. In such circumstances it is just as important in gaining best value from available resources to ensure that robust prioritisation is undertaken before bids are submitted.
65. Note that prioritisation and option appraisal are not the same – but are two distinct elements of the overall project selection process. Option appraisal is concerned with choosing the best way of achieving an objective, e.g. how to increase safety on a particular road. Prioritisation is concerned with which projects go ahead within limited resources, e.g. which road safety projects should proceed first.

Reporting

66. At the initial stage of project development, an Asset Decision Proforma (ADP) - see Appendix 1 – is completed in conjunction with Corporate Landlord Services (CLS) to capture key project information. Note that this proforma, and the requirement for CLS input relates to all major property decisions, and is not restricted to capital programme approvals. Any issues must be resolved before proceeding to the next stage of the process.
67. Each meeting of the Cabinet receives a Capital Monitoring Report which includes the details of proposals to include projects in the Capital Programme. (Exceptionally there may be a stand-alone report where a major project / service area is involved. In such cases a Proforma should still be completed and submitted as above.)
68. If following receipt of tenders, it is clear that costs will exceed the approved budget – or if any other circumstances change that materially affect the scheme as approved by Cabinet & Council – it will be necessary to report back to Cabinet & Council, in order for the budget to be amended, or any other changes approved.

Project Management & Monitoring

69. Capital expenditure must be in compliance with all relevant Standing Orders, Financial Regulations and Codes of Practice. Directors must ensure that all Responsible Officers are aware of these requirements, and that Responsible Officers are competent in Project Management skills.
70. Expenditure on and progress of each project will be monitored regularly.

Project Review

71. A post completion review of each major capital project should be undertaken by the appropriate Director to ensure all lessons learned are documented and shared with relevant officers.

ASSET DECISION PROFORMA

Key Data

Directorate:	Division:
Lead (Responsible) Officer:	Phone:
Asset (<i>include address, accurate site plan and photos as necessary</i>):	
Brief description of project (<i>i.e. acquisition via purchase or lease; alteration; extension; major refurbishment; change of use / relocation; disposal via sale or lease</i>):	

Outcomes

Benefits to service delivery (<i>quantified hard and soft benefits to the Council anticipated from project, including benefits to customers and partners, e.g. shared use</i>):
Link to Strategic Objectives (<i>refer to specific Community / Council Plan objectives</i>):
Link to Directorate Asset Plan (<i>refer to specific action / objective</i>):
Confirmation of consideration of ensuring improved energy efficiency for the asset by planned works (<i>Yes/no - describe outcome</i>):
(<i>For alteration and refurbishment</i>) impact on Asset (<i>i.e. value, useful life, flexibility of use</i>):

Background Processes

Provide details of scoring mechanism or other process used to prioritise this project:
Provide details of option appraisal undertaken in accordance with Standing Orders (<i>including consideration of alternative sites and alternative delivery methods, together with costs/benefits of each</i>):

Results of Feasibility Study:
Results of Risk Assessment (<i>including identification of key risks</i>):
Results of Consultation:

Financial

<i>(For acquisition, alteration, refurbishment)</i> - capital cost: £'000 - to be funded from £'000
Financial year(s) of proposed spend:
<i>(For disposal)</i> - expected proceeds: £'000 - costs of disposal: £'000
<i>(For all proposals)</i> implications for revenue expenditure (<i>and if net cost, how funded</i>): - costs: £'000 - savings: £'000

Signed: _____ (Responsible Officer)	Date: _____
Signed: _____ (Accountant)	Date: _____
Signed: _____ (on behalf of Corporate Landlord Services)	Date: _____
Signed: _____ (Director)	Date: _____

Meeting of the Council – 26th February, 2024

Report of the Cabinet

Suspension of Council Plan 2022-2025

Purpose of report

1. To propose the suspension of the Council Plan 2022-2025.

Recommendations

2. It is recommended:-
 - That the Council Plan for the period from April 2022 to March 2025 be suspended and replaced with a focussed one-year plan for 2024/25.
 - That the one-year Council Plan for 2024/25 be focussed on those priorities and projects that will prevent a higher cost, deliver cost reductions/ increased income and the delivery of the Council's improvement and sustainability programme.

Background

3. The Council is facing significant budget challenges. Spending Controls were introduced in October 2023 to ensure that all spending was undertaken in line with the criteria set out by the Cabinet.
4. By suspending the Council Plan, all projects and priorities can be revisited and only those that meet the criteria within the spending controls/support the delivery of the Council's Improvement and Sustainability Programme put forward in the proposed 2024/25 Council Plan.

This will mean a revision to the current performance management arrangements and current quarterly corporate performance management reporting will cease at Quarter 2 of 2023/24 with no further performance reports presented to Overview and Scrutiny Committee or Select Committees for the remainder of this financial year.

5. Council Plan 2024/25

The Plan will be presented to the Cabinet on 20th March, 2024. Once agreed by the Council, a revised set of key performance indicators will be developed to monitor the progress of the plan.

6. The Plan will be communicated to all key audiences including the Forging a Future Executive.

Finance

7. There are no direct financial implications in receiving this report.

Law

8. A local authority has a general power of competence pursuant to Section 1 of the Localism Act 2011.

Risk Management

9. The proposals contained in this report do not create any 'material' risks.

Equality Impact

10. There are no special considerations to be made with regard to equality and diversity in noting and receiving this report. Relevant changes will be assessed for impact through normal processes.

Human Resources/Organisational Development

11. The challenging financial position facing the Council will require changes to our current ways of working and a programme to undertake an organisational review to develop the future target operating model will be a key programme in the new Council Plan and the People Strategy.



Commercial/Procurement

12. There is no direct commercial impact.

Environment/Climate Change

13. The Council Plan 2024/25 should support and contribute to the Council's commitment to become a carbon net zero authority by 2030, as part of its Climate Emergency declaration.

It should recognise the impact on the Council's future financial sustainability of failing to decarbonise its operations to act as a buffer against rising fuel prices and volatility in the energy markets, as well as the need to adapt service delivery to protect council assets and residents, particularly vulnerable people, from the worst effects of climate change, such as preventing excess deaths from overheating and extreme cold.

Council Priorities and Projects

14. The review of the Council Plan will ensure a focus on those priorities and projects that will support the overall sustainability of the Council and the services we deliver to our residents. As such revised performance indicators will also be developed to ensure clear communications with residents and partners on the changes to Council services and overall performance.



.....
Leader of the Council



Meeting of the Council – 26th February, 2024

Report of the Cabinet

Annual Review of the Constitution

Purpose

1. To consider the annual review of the Constitution. The full [Constitution](#) is available on the Council's website.

Recommendations

2. The Council is recommended:
 - To endorse the revision of Article 6 and the associated Scrutiny Procedure Rules as incorporated in Part 4 of the Constitution.
 - To extend the trial of the revised 'Question Time' session at Full Council meetings for the remainder of this municipal year and that, subject to the outcome of the trial, the necessary revisions to Council Procedure Rule 11 be incorporated in the Constitution for the 2024/25 municipal year.
 - To note the inclusion of the revised Contract Standing Orders, as approved by the Audit and Standards Committee, within Part 5 of the Constitution.
 - To note the provisions of Council Procedure Rule 24.6 and the associated legal provisions concerning the recording of meetings.
 - To endorse the provisions in Article 12 of the Constitution (Officers), including the deputising arrangements in the absence or inability to act of the Chief Executive.

Background

3. The Council introduced the Constitution in May 2002. Section 37 of the Local Government Act 2000 requires the Council to keep the Constitution up to date. This is reflected in Article 15, which requires the Monitoring Officer to monitor and review the operation of the Constitution to ensure that the aims and principles are given full effect.
4. The Full Council is responsible for adopting and changing the Constitution. An exception to this is that, under Article 4.02(a), amendments to the Scheme of Delegation in Part 3 of the Constitution are approved by the Leader of the Council by way of a Delegated Decision Sheet. This is subject to the Leader of the Opposition Group being notified of any proposed changes before a decision is made by the Leader.
5. In addition, amendments to the Constitution can be made by the Monitoring Officer, from time to time, under powers delegated by the Council. Minute No. 12 of the Annual Council meeting of the Council on 18th May, 2023 authorises the Monitoring Officer to make any necessary and consequential amendments to the Constitution arising from decisions made by the Council and to reflect any ongoing restructuring activity, changes in legislative requirements, statutory provisions or associated regulations or guidance. Any changes made during the year are reflected in the current Constitution, which is available on the Council's website.
6. The Constitution promotes the Council's democratic governance arrangements. All previously approved amendments to the Constitution have been implemented. Members are asked to consider the matters referred to below:

Scrutiny Procedure Rules

7. At the Annual Meeting of the Council on 18th May, 2023, approval was given to the establishment of the Overview and Scrutiny Committee, together with seven Select Committees, for the 2023/24 municipal year.
8. A report on the consequential revisions to Article 6 of the Constitution and the associated Scrutiny Procedure Rules was submitted to the Overview and Scrutiny Committee on 12th June, 2023. Concerns were expressed at that meeting regarding the proposed scrutiny 'call in' arrangements, in particular a proposal that all 'called-in' decisions

would be considered by the Overview and Scrutiny Committee rather than the Select Committee that had called in the decision.

9. This matter was considered further by the Overview and Scrutiny Committee on 19th October and 7th December, 2023. The Committee recommended that scrutiny 'call-ins' continue to be referred to and determined by the appropriate Select Committee. This recommendation has now been reflected in the Scrutiny Committee Procedure Rules in the Constitution.
10. The Local Government Association (LGA) Corporate Peer Challenge report stated that the Council should keep its scrutiny arrangements under close review and reassure itself that they are fit for purpose. This should ensure that the structure is sustainable and aligned with available resources. The overview and scrutiny arrangements will be kept under review for the remainder of this municipal year, in advance of the Annual meeting of the Council in May, 2024. Consideration of the future overview and scrutiny arrangements will also take account of the Scrutiny Protocol for English institutions with devolved powers, published by the Government in November, 2023. The Scrutiny Protocol is 'non-statutory guidance' and should therefore be considered to set best practice in scrutiny.

Questions from Members at Full Council Meetings (Council Procedure Rule 11)

11. At the meeting of the Council on 4th December, 2023, a revised format for the 'Question Time' session was introduced on a trial basis.

The revised format involves:

- A 30-minute time limit for the Question Time session.
- The first three questions to be offered to the Leader of the main Opposition Group (on the basis that the Group Leader may ask the questions or nominate other Member(s) to ask one or more of the questions to the Leader, Cabinet Members or Committee Chairs).
- The Mayor to then select, from the list of those indicating to speak, Members to ask questions to the Leader, Cabinet Members or Chairs with a view to achieving a fair distribution of questions from political groups and other Members.
- If the 30 minutes time limit is reached, questions can be sent to the Leader, Cabinet Members or Chairs in writing or by email.

- A time limit of two minutes per question, any supplementary question and any responses will apply during the Question Time Session.
12. It is recommended that this trial be extended for the remaining ordinary Full Council meetings in this municipal year. Subject to the outcome of the trial, the necessary revisions to Council Procedure Rule 11 will be incorporated in the Constitution for the 2024/25 municipal year.

Contract Standing Orders

13. On 25th September, 2023, the Audit and Standards Committee considered an update to the Council's Contract Standing Orders. The report was dealt with by the Committee pursuant to its delegated powers.
14. The revised Contract Standing Orders were approved with effect from 26th September, 2023 and have been incorporated into the Constitution.

Recording of Meetings

15. Following the recent introduction of updated technology in the Council Chamber and Committee Rooms, it is felt appropriate to remind Members of the legal position and existing provisions of the Constitution concerning the recording of meetings.
16. Council Procedure Rule 24.6 provides that:

“The public proceedings of full Council meetings shall be recorded and broadcast on the Council’s internet site. This is, however, subject to the Mayor (or the person presiding) having the discretion to terminate or suspend the web cast if he/she is of the opinion that continuing to web cast would, in any way, prejudice the conduct of the Council’s business. Recordings of the full Council meeting will be made by using the fixed audio/visual equipment in the Council Chamber as authorised by the Council.”

The Council has no objection to recording, filming, photography, use of social media, blogging or any similar electronic facilities during any meetings to which the public have access provided that the use of any equipment does not disrupt the meeting or the lawful transaction of business.”

17. The public agenda documents for all formal Council, Cabinet and Committee meetings includes a statement that:

“The use of mobile devices or electronic facilities is permitted for the purposes of recording/reporting during the public session of the meeting. The use of any such devices must not disrupt the meeting – Please turn off any ringtones or set your devices to silent.”

18. The above reflects the legal position, in particular compliance with the Openness of Local Government Bodies Regulations 2014. These Regulations provide that the filming, photographing and making of an audio recording of all public meetings is permitted. In line with this, Democratic Services Officers routinely use the facilities in the Council Chamber and Committee Rooms to record meetings held in public session to assist with the production of minutes.
19. These rights do not, however, apply to informal meetings or any meetings held in private session.

Chief Executive - Deputising Arrangements

20. On 30th April, 2019, the Council approved the appointment of Kevin O’Keefe, Chief Executive as the statutory Head of Paid Service. This is reflected in the Constitution under Article 12 (Officers). The Council also approved the appointment of Kevin O’Keefe as the Electoral Registration Officer and Returning Officer.
21. Article 12 also sets out the responsibility of the Deputy Chief Executive to discharge any functions that are required to be undertaken in line with the Constitution or pursuant to any necessary legal requirements due to the absence or inability to act of the Chief Executive. Also, in the absence of Kevin O’Keefe, the Council is required to designate a named officer to undertake the duties of the Electoral Registration Officer and Returning Officer. A recommendation is being submitted to this meeting of the Council in a separate report.
22. The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 provide that functions relating to elections should not be the responsibility of a local authority’s Executive (Cabinet).

Ongoing Review of the Constitution

23. Maintaining and updating the Constitution is an ongoing duty of the Monitoring Officer. Work will continue to identify any required updates, consolidate various provisions, remove duplication or any content that is no longer relevant. A report on the Constitution is submitted to the Annual Council Meeting in May, where any amendments made to the document are confirmed.
24. The ongoing review of the Constitution will take account of recommendations arising from the Local Government Association Corporate Peer Challenge and the External Auditor's Annual Report.

Finance

25. Any costs arising from compliance with the Constitution are met from existing budgets. The commissioning of any external support will require additional resources to be identified.

Law

26. Section 37 of the Local Government Act 2000 requires the Council to keep its Constitution up to date.

Risk Management

27. This report deals with the Council's Constitution and governance arrangements, which will ensure that the Council considers any ongoing material risks as part of the Council's Risk Management Framework.

Equality Impact

28. The Constitution makes provision for the discharge of the Council's powers and duties relating to equality and diversity including the consideration of any specific implications of proposals affecting children and young people.

Human Resources/Organisational Development

29. The ongoing review of the Constitution is undertaken within existing resources by the Monitoring Officer, supported by the Democratic Services Team. Regular monitoring and updating is necessary to ensure that the Constitution remains fit for purpose and underpins the

efficient and effective operation of the Council’s governance arrangements.

Commercial/Procurement

- 30. The Constitution includes governance documents that set a framework in which the Council’s commercial/procurement activity is properly undertaken. This includes the Council’s Standing Orders relating to Contracts.

Environment/Climate Change

- 31. Within our governance arrangements, the Council requires that all reports should include an assessment of the impact on the environment. The Council has declared a Climate Emergency and reports on individual proposals should address the impact on the Council’s work to address Climate Change and achieve the Net Zero target by 2041. In addition, individual reports should consider how the proposals support the [United Nations sustainable development goals](#).
- 32. To reinforce the Council’s commitment, the Leader has established a specific Cabinet portfolio for Climate Change. The Council has also established the Climate Change Select Committee for the 2023/24 municipal year.

Council Priorities

- 33. This report deals with the Council’s Constitution, which underpins the delivery of key Council priorities including the Borough Vision, Council Plan and Future Council Programme.



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Leader of the Council

Links to Background Documents

Report and Minutes of the Annual Council meeting - [18th May, 2023](#)

Reports and Minutes of the Overview and Scrutiny Committee - [12th June, 19th October and 7th December, 2023](#)

Local Government Association (LGA) Corporate Peer Challenge – Report to the Cabinet – [13th December, 2023](#)

External Auditor’s Annual Report – Report to the Audit and Standards Committee – [18th December, 2023](#)

Government [Scrutiny Protocol](#) for English institutions with devolved powers

Report and Minutes of the Audit and Standards Committee - [25th September, 2023](#)

[Openness of Local Government Bodies Regulations 2014](#)

[Local Authorities \(Functions and Responsibilities\) \(England\) Regulations 2000](#)

[The Council’s Constitution](#) - Full copy on the Council’s Website

Meeting of the Council – 26th February, 2024

Report of the Cabinet

Review of Housing Finance

Purpose

1. This report deals with the following issues:
 - a. The latest Housing Revenue Account (HRA) financial forecasts for 2023/24.
 - b. The setting of rents for Council homes for 2024/25.
 - c. The setting of the HRA budget for 2024/25.
 - d. To update the capital expenditure budget for strategic investment and necessary programmed maintenance of the Council's housing stock for 2023/24 to 2026/27.
 - e. Approval of the Medium-Term Financial Strategy

Recommendations

2. That the Council:
 - Note the latest HRA outturn forecast for 2023/24 (paragraphs 8 - 14 and Appendix 1)
 - Note the increase in rents for HRA dwellings by 7.7% from 1st April 2024 (paragraphs 15 - 17)
 - Note the introduction of service charges at full cost recovery (paragraph 18)
 - Approve the HRA revenue budget for 2024/25 (paragraphs 19 - 21 and Appendix 2)

- Approve the public sector housing revised capital budgets for 2024/25 to 2026/27 attached as Appendix 3, noting consultation arrangements outlined in paragraphs 4 - 7.
- Authorise the Director of Housing and Communities and the Director of Finance and Legal to bid for and enter into funding arrangements for additional resources to supplement investment in the public sector housing stock as outlined in paragraphs 24 to 29 and Appendix 3 and that expenditure funded from such resources be added to the Capital Programme.
- Authorise the Director of Housing and Communities, following consultation with the Cabinet Member for Housing and Safer Communities, to manage and allocate resources to the capital programme as outlined in paragraphs 24 to 29 and Appendix 3.
- Authorise the Director of Housing and Communities, following consultation with the Cabinet Member for Housing and Safer Communities, to develop and implement service charges as outlined in paragraph 18.
- Confirm that all capital receipts arising from the sale of HRA assets (other than any receipts that may be specifically committed to support private sector housing) should continue to be used for the improvement of Council homes (paragraphs 24 to 29 and Appendix 3).
- Authorise the Director of Housing and Communities to continue to buy back former right to buy properties, to buy other properties, and to buy land where required to assemble a viable site for housing development, subject to a robust assessment of good value for money and sustainability in terms of lettings, maintenance and major works (paragraphs 24 to 29 and Appendix 3).
- authorise the Director of Housing and Communities to procure and enter into contracts for the delivery of the capital programme, as outlined in paragraphs 24 to 29 and Appendix 3.
- Endorse the HRA medium term financial strategy.

Background

3. The HRA is a ring-fenced revenue account and deals with landlord functions associated with public sector housing. The costs of improvement and programmed maintenance of the Council's housing stock are treated as capital expenditure and are accounted for separately.

Budget Consultation

4. Officers have met with the Board of the Dudley Federation of Tenants' and Residents' Associations (DFTRA) and the Housing Board in January 2024 to discuss proposals for rent levels and sundry charges in 2024/25 onwards and the priorities in the HRA budget, including the capital programme.
5. These proposals were also detailed in the Review of Housing Finance report, which was presented to Cabinet in December 2023 and formed the basis of a report to the Housing and Safer Communities Select Committee in January 2024. The minutes of the Select Committee record the comments made at the meeting and are available on the [Council's website](#). There were no formal resolutions to make recommendations to Cabinet.
6. The proposals were also discussed at the Housing Assurance Board in February 2024, and the Board formally recorded its support for the proposals.
7. Throughout the consultation and discussions outlined in paragraphs 4 to 6 above the main theme of conversation has focused upon affordability for customers and the need to ensure appropriate advice and support for customers who may be financially impacted by the proposals. Proposals to introduce a discretionary transitional fund were welcomed by all involved in the discussion.

HRA Outturn Forecast 2023/24

8. The 2023/24 budget approved by the Council on 28th February 2023 forecast a surplus on the HRA of £0.8m at 31st March 2024. This included a 7% rent increase. There are now a number of variations expected to the income and expenditure as shown below and further details are shown in Appendix 1.

9. The balance brought forward from 2022/23 was £5.1m, compared to the £2.2m originally budgeted. This was reported to Cabinet on 6th July 2023.
10. The original 2023/24 budget and the latest forecast for 2023/24 are shown in the following table. The latest forecast shows a deficit of £3.6m leaving a reserves balance of £2.3m at 31st March 2024 as outlined in paragraph 12.

	Budget 23/24 £m	Forecast 23/24 £m	Variance 23/24 £m
Total income	(98.4)	(98.3)	0.1
Expenditure			
Finance	2.6	2.4	(0.2)
Community Safety	1.4	1.3	(0.1)
Strategy	2.0	1.6	(0.4)
Management & Admin	9.0	8.9	(0.1)
Community Housing	11.2	10.8	(0.4)
Technical adjustments	0.0	0.0	0.0
Responsive and cyclical repairs (Maintenance)	18.3	20.8	2.5
Programmed Investment Works (Development)	8.0	10.4	2.4
Depreciation and impairments of fixed assets	25.7	25.2	(0.5)
Interest Payable	17.7	18.3	0.6
Revenue Contribution	0.0	0.0	0.0
Capital Expenditure			
Other Expenditure	1.7	1.4	(0.3)
Total expenditure	97.6	101.1	3.5
Total: (surplus) or deficit for the year	(0.8)	2.8	3.6

11. The latest forecast for 2023/24 includes the following key variations to the budget:

- Reduced income due to voids being higher than budgeted, stock sales and profiling £0.5m,
- Increased interest on balances (£0.8m)
- Non delivery of tenant recharges £0.2m
- Other income variances £0.2m
- Stock condition survey £3.3m
- Management capacity and expertise £0.3m
- Net recovery revenue works £1.6m
- Increased reactive works £0.6m
- Depreciation adjustment (£0.5m)
- Total net savings from vacancies (£2.6m) after avoiding a cost pressure of up to £0.8m due to the latest employee offer being higher than the 4% budgeted.
- General inflation costs £0.2m
- Increased borrowing costs due to rising interest rates £0.6m.
- Refund from triannual pension settlement (£0.3m)
- Other variances £0.3m

12. The impact on HRA balances is shown below:

	Budget £m	Latest Forecast £m
Forecast Balance at 31 March 2023	2.2	2.2
Favourable 2022/23 outturn		2.9
Balance at 31st March 2023	2.2	5.1
Planned addition to balances	(0.8)	(0.8)
Forecast variance against budget 2023/24		3.6
Balance at 31 March 2024	3.0	2.3

13. In addition there are forecast earmarked balances at 31st March 2024, mainly resulting from externally funded grants £2.6m.

14. Forecast reserve balances are less than budgeted figures for March 2024, and are forecast to stand at 2.4% of income. Across England HRA's with similar income profiles hold an average reserve of 34% of income. Local comparators hold on average a reserve equalling 11% of income.

Rent Increase

15. The self-financing system introduced in April 2012 for Housing assumed that rent increases would be in line with government guidance at the time relating to social housing rents: that is, a maximum increase of September CPI plus 1%. September CPI as announced on 18th October 2023 was 6.7% which would allow weekly rents to be increased by 7.7% compared to 2023/24 levels.
16. It is proposed that the full rent increase of 7.7% is implemented to partly mitigate the impact of inflationary increases on pay, utilities and the cost of borrowing along with the outcomes of the Stock condition Survey. Paragraph 17 illustrates the impact of a 7.7% rent increases.
17. The current average rent for 2023/24 is £89.33, the proposed increase of 7.7% for 2024/25 will move average rents to £96.21 an average increase of £6.88 per week.

Year	Rent increase %	Average weekly rent	Weekly Increase on 23/24
2024/25	+7.7%	£96.21	£6.88

Service Charges

18. In February 2023, the Council approved the introduction of service charges at a nominal rate of £5.20 a week. It is now proposed service charges are introduced at full cost recovery, on average this will be £11.54 per week for tenants in homes with communal areas. £0.2m has been set aside to support tenants unable to pay and a policy is being written.

Medium Term Financial Strategy 2024/2025 to 2026/2027

19. Inflationary pressures are expected to continue into 2024/25, with assumed pay awards of 4% for 2024/25 and 2% thereafter. Borrowing costs are expected to remain high in the short term and utility prices are assumed to increase in line with inflationary increases.
20. The proposed draft HRA budget for 2024/25 to 2026/27 is shown below. This budget is based on implementing the maximum 7.7% rent increase, and service charges at full cost recovery, which would take effect from 1st April 2024, and building in additional resources to meet inflationary pressures. It is anticipated inflation will reduce and rent increases are assumed at 3% in 25/26 and 2% in 26/27.

	2024/25 £m	2025/26 £m	2026/27 £m
<u>Income</u>			
Dwelling rents	(101.9)	(102.8)	(102.9)
Non-dwelling rents	(0.8)	(0.8)	(0.8)
Charges for services and facilities	(4.5)	(4.6)	(4.7)
Contributions towards expenditure	(0.9)	(1.1)	(1.1)
Interest on balances	(1.2)	(1.6)	(1.8)
Total income	(109.3)	(110.9)	(111.3)
<u>Expenditure</u>			
Finance	2.8	2.8	2.9
Community Safety	1.6	1.6	1.7
Strategy	2.4	2.1	2.2
Management & Admin	11.0	11.2	11.4
Community Housing	13.5	13.8	14.0
Responsive and cyclical repairs (Maintenance)	17.3	15.8	15.9
Programmed Investment Works (Development)	9.8	10.0	10.1
Depreciation and impairments of fixed assets	26.5	27.0	27.6
Interest Payable	19.0	20.5	21.7
Revenue Contribution Capital Expenditure	0.0	0.0	0.0
Other Expenditure	1.7	1.8	1.8

Total expenditure	105.6	106.6	109.3
Surplus (-) / Deficit (+) in year	(3.7)	(4.3)	(2.0)
Surplus brought forward	(2.3)	(6.0)	(10.3)
Surplus carried forward	(6.0)	(10.3)	(12.3)

21. The movements from the proposals presented to the Cabinet in December 2023 are detailed in Appendix 2.

Estimates, Assumptions & Risk Analysis

22. The proposals in this report are based on a number of estimates, assumptions and professional judgements, which are subject to continuous review:
- i. Outcome of the Stock Condition Survey
 - ii. that the savings proposals and implementation of service charges will be delivered as planned;
 - iii. that pay inflation does not vary materially from current forecasts;
 - iv. that cash limited non-pay budgets will be managed so as to absorb any price inflation not specifically provided for in 2024/25 and any inflationary pressures in 2025/26 and 2026/27 will be no more than the amount provided for;
 - v. that borrowing costs remain within existing forecasts;
 - vi. that employer contributions to the Local Government Pension Scheme (LGPS) from 2026/27 onwards are in line with contributions in the current triennial review period;
 - vii. that there will be no other unplanned expenditure (including any resulting from demographic, legislative or case law pressures) or shortfalls in income, which cannot be met from reserves.

23. The assumptions set out above are subject to uncertainty. In the event that outcomes are more negative than the assumptions in this report, then action (to reduce levels of expenditure or increase income) may become urgent.

Public Sector Housing Capital Programme

24. In February 2023, a three-year housing public sector capital programme was agreed, which reflected enhanced investment using the HRA's new borrowing flexibility. The three-year capital programme was developed based upon the themes set out within the Council's ten year Housing Asset Management Strategy (HAMS) approved by Cabinet in October 2019. The HAMS details the Council's strategic approach to managing and maintaining our properties, whilst also delivering and providing new homes and housing solutions to help meet the projected levels of social housing need.
25. In light of the changing economic climate and the impact of the 7% rent cap announced in the 2022 Autumn Statement the five year capital programme was reviewed and the amended approach and options were approved by Cabinet on 28th February 2023. The revised capital programme focused on:
- Ensuring regulatory compliance and building safety
 - Ensuring adequate investment in void properties to reduce void loss and meet an acceptable void standard.
26. During 2023/24 the Council commissioned stock condition surveys on 100% of homes to gain a robust and up to date position on property condition and compliance. The stock condition surveys will be completed by March 2024 and the data gathered will be used to inform a new capital investment programme and asset management strategy, ensuring that appropriate planned investment works are delivered in occupied properties to maintain and improve the decent homes position.

27. The 100% Stock Condition Survey is also delivering a fully revised EPC certificate for every property we gain access to. This will allow the resetting of the energy performance for all properties and add previously unavailable data to the viability modelling and potential future investment for all properties which will not benefit our tenants or the authority as a long-term asset.
28. While we retain our aspirations to build new homes, remodel existing stock and invest in community improvements, we cannot do this at the detriment of our priorities set out above so while we will continue to plan for investment in new homes and remodelling, we do so recognising that these plans will be put on hold until investment in our priorities is complete and until we have realigned our asset management strategy with the themes and priorities identified through surveying all of our homes.
29. The proposed capital programme at Appendix 3 sets out current anticipated spend for 2024/25, 2025/26 and 2026/27 based on what is currently known about investment needs. However, the five year capital programme will need to be further reviewed following the completion of the stock condition surveys, which may inform a change in programme spend in the first three years. At this stage the programme spend has not been profiled for 2027/28 and 2028/29 as this will need to be informed by longer term investment needs and the robust and up to date property information that the surveys will provide.

Finance

30. This report is financial in nature and relevant information is contained within the body of the report.

Law

31. HRA finances are governed by Section 74-78B and 85-88 in Part IV of the Local Government and Housing Act 1989. Sections 167-175 in Part VII of the Localism Act 2011 abolish the HRA Subsidy system (Sections 79-84 in Part IV of the Local Government and Housing Act 1989) and introduce self-financing. The HRA also has to be mindful of the Department of Levelling Up, Housing and Communities guidance on the operation of the HRA ring-fence published in November 2020.

Risk Management

32. The Corporate Risk Register recognises the risk that the Council may be unable to set and/or manage its budget so as to meet its statutory obligations within the resources available. Uncertainty around inflation, interest rates, uncertainty around the outcomes of the stock condition survey and Decent Homes 2 could have a significant impact on the Council's ability to provide landlord services. In view of the outlook, this risk has been elevated to the maximum rating of 25 (Extreme). The forecasts and proposals in this report improve the outlook. However, significant risks and uncertainties remain. The risk rating will be reviewed in due course once the budget proposals have been finalised. Although the MTFs shows an increased level of reserves these provide some contingency to address any unforeseen cost pressures mainly arising from the stock condition survey and Decent Homes 2.

Equality Impact

33. The proposals take into account the Council's Policy on Equality and Diversity and Equality Impact Assessments will be completed as required where changes to service provision are proposed.
34. This is a financial report concerned with forecasting of income and application of resources. Some areas of proposed expenditure are intended to promote independence and improve quality of life for protected groups.

Human Resources / Organisational Development

35. The spending controls include controls over recruitment.

Commercial / Procurement

36. This report relates to our statutory functions as a social housing landlord and there are no direct commercial implications.
37. The spending controls include controls over letting of contracts.

Environment / Climate Change

38. Individual projects and major schemes are assessed for their environmental impact before they commence. The Council declared a Climate Emergency in July 2020 and has a goal to become carbon net zero by 2030. It is also committed to addressing United Nations Sustainable Development Goals, including those relating to poverty, health and wellbeing and reducing inequalities.

Council Priorities and Projects

39. This report relates to our statutory functions as a social housing landlord and will contribute to the health, wellbeing, and safety of our tenants. Through the destination of choice priority of the 2022-25 council plan, housing which is affordable and accessible is a key outcome. This will be achieved through investment and maintenance of the council's housing stock. This report also reflects the importance of financial sustainability which will be a key council priority for the coming year.



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Leader of the Council

Appendix 1

HRA Budget and Forecast 2023/24

	Budget 2023/24 £m	Latest Forecast 2023/24 £m	Forecast Variance 2023/24 £m	Comment
Income				
Dwelling rents	(96.2)	(95.7)	0.5	Higher void losses budgeted 2%, actual 2.5% £0.5m
Non-dwelling rents	(0.8)	(0.8)	0.0	No material variance, includes Garage and Shop rents
Charges for services and facilities	(0.2)	(0.2)	0.0	No material variance, includes heating and lighting charges
Contributions towards expenditure	(1.1)	(0.7)	0.4	Tenant recharges £0.2m, Other variances £0.2m
Interest on balances	(0.1)	(0.9)	(0.8)	Increased interest rates 1.5% budgeted, 4.5% actual, increased capital receipts pooling reserves.
Total income	(98.4)	(98.3)	0.1	
Expenditure				
Finance	2.5	2.4	(0.1)	Vacancies (£0.2m) offsetting pay award impact £0.1m
Community Safety	1.4	1.3	(0.1)	Vacancies (£0.2m) offsetting pay award impact £0.1m
Strategy	2.0	1.6	(0.4)	Vacancies (£0.4m)
Management & Admin	9.0	8.9	(0.1)	Release contingency (£0.1m)

	Budget 2023/24 £m	Latest Forecast 2023/24 £m	Forecast Variance 2023/24 £m	Comment
Community Housing	11.2	10.8	(0.4)	Vacancies (£0.8m) offsetting pay award impact £0.2m, Utilities inflation £0.2m
Responsive and cyclical repairs (Maintenance)	18.4	20.8	2.4	Net vacancies (£1.4m), Stock condition survey £3.3m, Management capacity and expertise £0.3m, Revenue works £0.2m
Programmed Investment Works (Development)	8.0	10.4	2.4	£1.6m recovery works, £0.6m Section 11 disrepair costs, £0.2m other variances
Depreciation and impairments of fixed assets	25.7	25.2	(0.5)	Rebased calculation with adjusted asset lives
Interest Payable	17.7	18.3	0.6	Increasing interest rates on loans 4% budgeted, 6% actual
Other Expenditure	1.7	1.4	(0.3)	Refund from triannual pension settlement
Total expenditure	97.6	101.1	3.5	
(Surplus) / Deficit in year	(0.8)	2.8	3.6	

Appendix 2

HRA Proposed Budgets for 2024/25 to 2026/27

	2024/25 £m	2025/26 £m	2026/27 £m
Previously reported Surplus (-) in year	(4.4)	(4.7)	(1.8)
Service charges – reduced based on detailed calculation	0.4	0.5	0.5
Service charge void rate included	0.1	0.1	0.1
Rent – increased stock due to reduced disposals in 23/24	(0.3)	(0.4)	(0.4)
Interest on balances due to higher interest rate assumptions	(0.1)	(0.7)	(0.8)
Interest payable due to increased borrowing	0.4	0.8	0.4
Temporary accommodation growth removed, to be funded by grants	(0.7)	(0.7)	(0.7)
Include support fund for service charges	0.2		
Increased capacity within community housing service	0.3	0.3	0.3
Increased programmed investment works (Development)	0.4	0.5	0.4
Surplus (-) in year	(3.7)	(4.3)	(2.0)
Surplus brought forward	(2.3)	(6.0)	(10.3)
Surplus carried forward	(6.0)	(10.3)	(12.3)

Appendix 3

Proposed capital programme 2023/24 to 2026/27

	2023/24 latest £m	2024/25 £m	2025/26 £m	2026/27 £m
Responsive and cyclical repairs (Maintenance)	17.9	17.5	18.2	18.9
Programmed Investment Works (Development)	41.0	69.9	74.1	74.5
Total	58.9	87.4	92.3	93.4

Resources

	2023/24 latest £m	2024/25 £m	2025/26 £m	2026/27 £m
Borrowing	9.2	19.2	21.7	39.2
Major repairs reserve	25.1	26.4	26.9	27.5
Usable capital receipts	22.7	40.8	43.7	26.7
Other (grants)	1.9	1.0	0.0	0.0
Grand Total	58.9	87.4	92.3	93.4

Meeting of the Council – 26th February 2024

Report of the Cabinet

Dudley Council Pay Policy 2024/25

Purpose of report

1. Dudley Council is required to produce an annual Pay Policy Statement in order to comply with Sections 38 and 39 of the Localism Act 2011. The Statement must articulate the Council's policies towards a range of issues relating to the pay of the workforce, particularly the most senior staff (or "chief officers") and the relationship of their pay to the lowest paid employees.

Recommendation

2. That the Pay Policy Statement for 2024/2025 be approved and adopted.

Background

3. Under provisions contained in the Localism Act 2011, the Council is required to prepare an annual Pay Policy Statement setting out its policies towards a range of issues relating to the pay of its workforce including:
 - the remuneration of "chief officers";
 - the remuneration of the lowest paid employees;
 - the relationship between the remuneration of chief officers and that of other employees.
4. The Council has clearly established policies and processes for the determination of the pay and grading of its employees and these are summarised in the Pay Policy Statement, which has to be approved by a resolution of Full Council no later than 31st March 2024.

5. The pay negotiations for 2023/24, effective from 1 April 2023, went through the appropriate collective bargaining mechanisms.
6. Following approval of the pay policy by the Council, data on all senior salaries in 2024/2025 will be published prior to 31st March 2024 alongside data required by the Local Government Transparency Code 2015, which will also be available by 31st March 2024.

Finance

7. Financial implications of the Pay Policy will be fully reflected in the Council's Medium- Term Financial Strategy, which is to be presented to the Council in March 2024.

Law

8. It is a requirement of Section 38 of the Localism Act 2011 that an annual Pay Policy Statement be prepared and approved by Local Authorities. The Act prescribes information to be included in the statement, its manner of publication and the requirement for the Council to act in accordance with its approved Policy Statement.

Risk Management

9. No material risks have been identified.

Equality Impact

10. The Pay Policy highlights the relationship between the highest and the lowest salary levels and confirms that the Council has a pay ratio that is within the Hutton report. The Council is committed to publishing equal pay information on an annual basis.

Human Resources/Organisational Development

11. As well as meeting the Council's legal obligations, the annual Pay Policy Statement supports effective employee relations through the provision of clarity and transparency in its arrangements for the payment of its employees.

Commercial/Procurement

12. There are no direct commercial or procurement implications associated with this report.

Environment/Climate Change

13. There are no direct environment/climate change implications associated with this report.

Council Priorities and Projects

14. Dudley Council's ability to deliver its priorities is dependent on its workforce and the pay policy summarises the policies and processes for the determination of the pay and grading of employees.

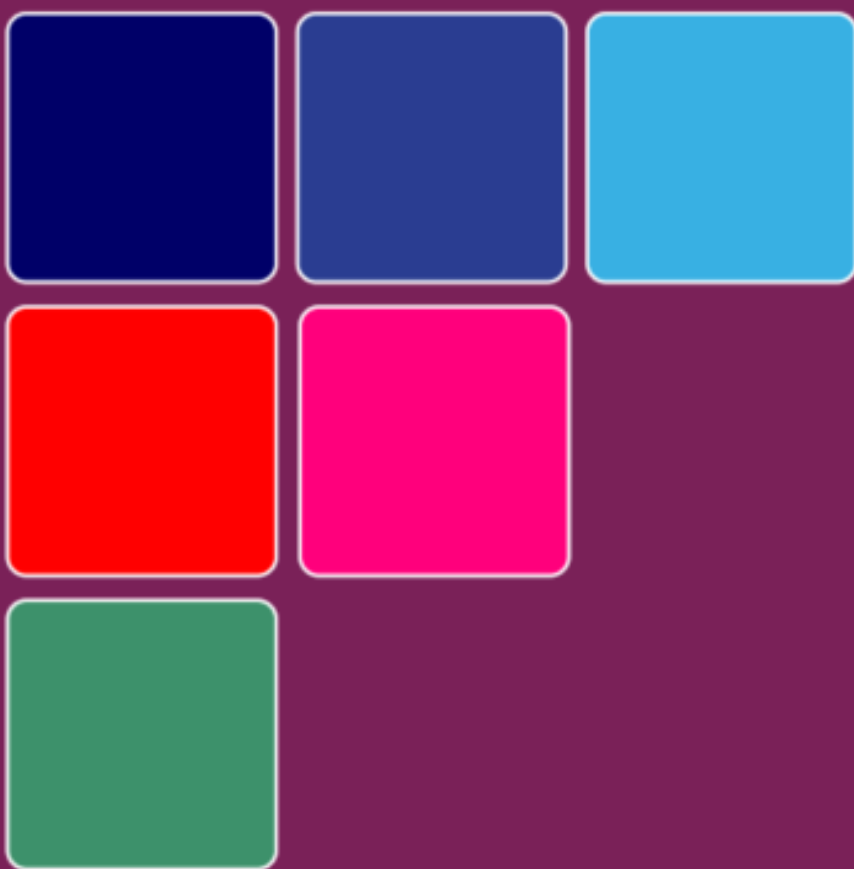


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Leader of the Council

Dudley Council

Pay Policy Statement

2024-25



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- Annex 3 – Employee distribution across DNJC grades (including employees of the Council and community and voluntary controlled schools)

1.0 Introduction and Purpose

- 1.1 The purpose of this Policy Statement is to clarify the Council's strategic stance on pay in order to provide direction for members and officers making detailed decisions and to provide the citizens of Dudley with a clear statement of the principles underpinning decisions on the use of public funds.
- 1.2 Under Section 112 of the Local Government Act 1972, the Council has the "power to appoint officers on such reasonable terms and conditions as the authority thinks fit".
- 1.3 This Pay Policy Statement (the "Statement") sets out the Council's approach to pay policy in accordance with the requirements of Sections 38 to 43 of the Localism Act 2011 and associated guidance. This excludes staff employed on teachers' terms and conditions of employment which are set nationally and support staff working in schools where the Council is not the employer. Workers engaged on a casual basis are also excluded.
- 1.4 The Statement provides transparency with regard to the Council's approach to setting the pay of its employees by identifying:
- the methods by which salaries of employees are determined;
 - the detail and level of remuneration of its most senior staff i.e. 'chief officers', as defined by the relevant legislation;
 - the remuneration of the lowest-paid employees;
 - the relationship between the remuneration of 'chief officers' and that of other employees;
 - the persons or bodies responsible for ensuring the provisions set out in this Statement are applied consistently throughout the Council and recommending any amendments to the Full Council.
- 1.5 The Statement sits alongside the Pay Arrangements Policy 2019, which sets out the Council's approach to pay and reward, including temporary payments for additional responsibilities and temporary market forces supplement payments.
- 1.6 An annual Pay Policy Statement is produced for each financial year, in accordance with the relevant legislation prevailing at that time, for approval

by a resolution of Full Council. This Statement covers the period 1st April 2023 to 31st March 2024.

- 1.7 Once approved by the full Council, the statement will come into immediate effect and will be published by no later than 1 April each year, subject to review on a minimum of an annual basis in accordance with the relevant legislation prevailing at that time.

2.0 Legislative Framework

- 2.1 In determining the pay and remuneration of its employees, the Council will comply with all relevant employment legislation. This includes the Equality Act 2010, Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000, The Agency Workers Regulations 2010 and where relevant, the Transfer of Undertakings (Protection of Employment) Regulations. With regard to the equal pay requirements contained within the Equality Act, the Council ensures there is no pay discrimination within its pay structures for employees covered by the National Joint Council for Local Government Services and that all pay differentials can be objectively justified through the use of equality proofed Job Evaluation mechanisms which directly relate salaries to the requirements, demands and responsibilities of the role.

3.0 Pay Structure

- 3.1 The salary information reported in this Statement are as at 1 April 2023 and are subject to any cost of living increase as negotiated by the appropriate national bodies.
- 3.2 The pay negotiations for 2023/24, effective from 1 April 2023, went through the appropriate collective bargaining mechanisms.
- 3.3 Most of the workforce (other than teachers) are employed on the National Joint Council (NJC) for Local Government Services terms and conditions of employment. Based on the application of the Local Government Single Status and LGE Job Evaluation Schemes, the Council uses the NJC nationally negotiated pay spine (grades 1 to 12) and a local pay spine (grades 13-18) as the basis for its local grading structure. Annex 3 shows the distribution of staff across the grading structure.

- 3.4 Chief Officer posts are evaluated taking into account advice from the regional employers' organisation. At a national level, basic pay increases are negotiated through the Joint National Committee (JNC) on a collective bargaining basis and normally chief officer pay awards reflect those of the NJC for Local Government Services.
- 3.5 The remaining employees are employed on other nationally defined rates. This includes those subject to:
- National agreements reached by the Soulbury Committee for certain education-related jobs (43 employees).
 - Joint Negotiating Committee (JNC) Craft for Local Authority Craft and Associated Employees (233 employees).
 - JNC Youth and Community Workers (15 employees).
- 3.6 In addition, where services have transferred into the Council from other organisations, including Public Health staff in 2013, employees have remained on their existing terms and conditions of employment, in accordance with employment legislation, unless they have subsequently transferred to NJC terms and conditions of employment as part of a review and restructure of their service area.
- 3.7 All other pay related allowances are the subject of either nationally or locally negotiated rates, having been determined from time to time in accordance with collective bargaining mechanisms and/or as determined by Council Policy. In determining its grading structure and setting remuneration levels for all posts, the Council takes account of the need to ensure value for money in respect of the use of public expenditure, balanced against the need to recruit and retain employees who can meet the requirements of providing high quality services to the community, delivered effectively and efficiently and at times at which those services are required.
- 3.8 New appointments will normally be made at the minimum of the relevant grade, although this can be varied where necessary to secure the best candidate. From time to time, it may be necessary to take account of the external pay market in order to attract and retain employees with particular experience, skills and capacity. Any additional payments will be made in accordance with the Council's Policy and Procedure for Market Forces Supplements (Appendix 2 of the Pay Arrangements Policy 2019). The Policy and Procedure outlines

the criteria, which must be met for payment of a market forces supplement, including the approval process by senior management and the Cabinet Member for Finance, Legal and HR. The Council will ensure the requirement for such is objectively justified by reference to clear and transparent evidence of relevant market comparators, using appropriate data sources available from within and outside the local government sector. Market forces supplements when used will be time limited and subject to review. All posts receiving a market forces supplement will be reported in this annual Statement.

3.9 The Council has agreed to pay the Foundation Living Wage, from 1 April each year, where the NJC pay rates are lower than the Foundation Living Wage. From 1 April 2023 the minimum NJC hourly rate will be £10.60 and the Foundation Living wage is £10.90 per hour. The Council will pay a supplement on the two NJC points which are lower than £10.90 whilst the NJC 2023 pay award is negotiated and implemented.”

3.10 The following chief officer posts are in receipt of a Market Forces Supplement:

- Director of Children’s Services
- Director of Adult Social Care

4.0 Senior Management Remuneration

4.1 For the purposes of this statement, senior management means ‘chief officers’ as defined within S43 of the Localism Act and section 4(1) of the Local Government and Housing Act 1989 which defines designated, statutory and non-statutory positions. The posts falling within the statutory definition are set out below, in Table 1, with details of their basic salary as at 1st April 2023¹

4.2 Table 1 lists the 15 chief officer posts and 3 officers who report directly to the head of paid service as defined within S43 of the Localism Act that make up 0.34 % of the 4438 people employed by the Council (excluding schools).

¹ Data to populate this was run on 11 December 2023 based on Chief Officers in post and expected to be in post with effect from 1st April 2024 and the latest pay table as at 1 April 2023.

Title	Grade/point	Pay Range Minimum (£)	Pay Range Maximum (£)
Chief Executive	Chief Officer	191,017	191,017
Deputy Chief Executive	Chief Officer	160,789	160,789
Director of Children's Services (includes a market supplement of £32,055 and a payment for statutory duties of £10,903)	Chief Officer	148,949	148,949
Director of Adult Social Care (includes a market supplement of £26,829 and a payment for statutory duties of £10,903)	Chief Officer	143,723	143,723
Director of Public Health & Wellbeing	Chief Officer	116,894	116,894
Director of Finance & Legal (including a payment for statutory duties of £10,903)	Chief Officer	116,894	116,894
Director of Environment	Chief Officer	105,991	105,991
Director of Digital, Customer & Commercial Services	Chief Officer	105,991	105,991
Director of Regeneration & Enterprise	Chief Officer	105,991	105,991
Service Director – Neighbourhood Delivery	Chief Officer	105,991	105,991
Director of Housing & Communities	Chief Officer	105,991	105,991
Service Director of Education, SEND & Family Solutions	Chief Officer	105,991	105,991
Service Director for Children's Social Care	Chief Officer	105,991	105,991
Lead for Law & Governance (including a payment for statutory duties of £10,903)	Grade 17	90,036	93,590

Officers who report direct to Head of paid Service			
Assistant Director – People & Inclusion	Grade 18	86,638	92,350
Head of Communications and Public Affairs	Grade 16	72,412	76,924
Head of Chief Executives Office	Grade 13	52,430	56,168

An organisation structure chart showing the current senior management structure for the Council can be found in Annex 1 of this Policy Statement.

- 4.3 The Lead for Law and Governance is the designated statutory Monitoring Officer role defined under section 5(1) of the Act and the post reports to the Director of Finance and Legal.
- 4.4 The Chief Executive is employed under the terms and conditions of the Joint Negotiating Committee for Chief Executives, the Deputy Chief Executive, Directors and Service Directors are employed under the terms and conditions of the Joint Negotiating Committee for Chief Officers.

5.0 Recruitment to Senior Management Positions

- 5.1 The Council's Policy and Procedures with regard to recruitment of 'Chief Officer' posts is set out within the Officer Employment Procedure Rules as contained in Part 4 of the Council's Constitution. When recruiting to all posts the Council will take full and proper account of its own Equality and Diversity, Recruitment and Redeployment Policies, including any particular requirements for those who have transferred into the Council, e.g. Public Health. The determination of the remuneration to be offered to any newly appointed Chief Officer will be in accordance with the pay structure and relevant policies in place at the time of recruitment. Where the Council is unable to recruit to a post at the designated grade, it may consider the use of temporary market forces supplements in accordance with its relevant policies.
- 5.2 The terms of reference of the Council's Appointments Committee, contained within the Council's Constitution, include:

- Recommending to the Full Council on the appointment of the Chief Executive;
- Recommending to the Full Council any new appointments or severance packages that exceed a threshold of £100,000 (excluding pension payments);
- The appointment of the Deputy Chief Executive, and Directors.

5.3 Where the Council remains unable to recruit to a Chief Officer post under a contract of employment, or there is a need for interim support to provide cover for a vacant substantive post, the Council may, where necessary, consider and utilise engaging individuals under 'contracts for services'. These will be sourced through a relevant procurement process, and in accordance with HMRC rules, ensuring the Council is able to demonstrate the maximum value for money benefits from competition in securing the relevant service.

5.4 Market forces supplements/recruitment allowances are paid where it is justified in order to recruit and fulfil a role or to retain an officer within a role.

6.0 Additions to Salary of Chief Officers

6.1 The Council does not apply any bonuses or performance related pay to any of its Chief Officer posts.

6.2 In addition to basic salary, set out below are details of other elements of 'additional pay', which are chargeable to UK Income Tax and do not solely constitute reimbursement of expenses incurred in the fulfilment of duties:

- Fees are paid for deputy returning officer duties in accordance with the rates approved by the Council and increased in line with national pay awards. Employees who act as deputy returning officers at local elections are currently paid a fee of £78 per ward.
- A mileage allowance is paid to all employees using their own vehicle for work purposes. The rate is 45p per mile (or, where applicable, the NHS mileage rate is 67p per mile). Mileage rates are taxable above an approved amount (known as MAP) and this is set by HMRC.

- The Council may consider granting an honorarium (of an amount dependent upon the circumstances of each case) to Chief Officers who perform duties outside the scope of their role over an extended period. Any requirement for an honorarium will be dealt with through evaluation of the additional duties. Such a temporary arrangement would need to be approved by the relevant Cabinet Member in consultation with the Chief Executive and formalised in a Decision Sheet and would be in the interests of efficient administration of a service(s).
- By law, all staff are entitled to 5.6 weeks holiday (28 days for a full-time employee; this is inclusive of bank holidays). The statutory provision was designed to give employees paid time away from the work environment and there are sound health and wellbeing reasons for them to have that time. For those reasons contracting out of the minimum holiday entitlement by paying them instead is not allowed. The Local Government Association specifies that holidays should be taken within the year to which they relate therefore the Council encourages employees to use their annual leave throughout the year. Untaken annual leave is reimbursed through payment only where an employee has not taken a proportionate amount of leave when exiting the Council's employment.

7.0 Payments on Termination

- 7.1 The Council's approach to statutory and discretionary payments on termination of employment of staff, prior to reaching normal retirement age, is set out within policies on managing employees at risk of redundancy, the discretionary severance payments scheme and any policies adopted in accordance with Regulations 5 and 6 of the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006 or as amended, and Regulations 12 and 13 of the Local Government Pension Scheme (Benefits, Membership and Contribution) Regulations 2007 or as amended. For employees who transferred from the NHS, the NHS Agenda for Change Staff Handbook and NHS Pension Regulations apply.
- 7.2 Any other payments falling outside the provisions, or the relevant periods of contractual notice shall be subject to a formal decision made by the Full Council or relevant elected members, committee or panel of elected members with delegated authority to approve such payments.

7.3 The Constitution states that any severance packages for employees leaving the Council that exceed £100,000 (excluding pension payments) should be the subject of a recommendation by the Appointments Committee to full Council.

8.0 Publication

8.1 Upon approval by the Full Council, this Statement will be published on the Council's website. Reference is made to the Council's Constitution, which is also available on the Council's website. In addition, for posts where the full-time equivalent salary is at least £50,000, the Council's Annual Statement of Accounts will include a note setting out the total amount of:

- salary, fees or allowances paid to or receivable by the person in the current and previous year;
- any bonuses so paid or receivable by the person in the current and previous year;
- any sums payable by way of expenses allowances that are chargeable to UK income tax;
- any compensation for loss of employment and any other payments connected with termination;
- any benefits received that do not fall within the above.

9.0 Lowest Paid Employees

9.1 As referred to above, there are a number of national pay scales covering different groups of employees.

9.2 The lowest paid persons employed under a contract of employment with the Council are employed on full time (37 hours) equivalent salaries in accordance with the minimum spinal column point currently in use within the Council's NJC grading structure which is £22,366 per annum.

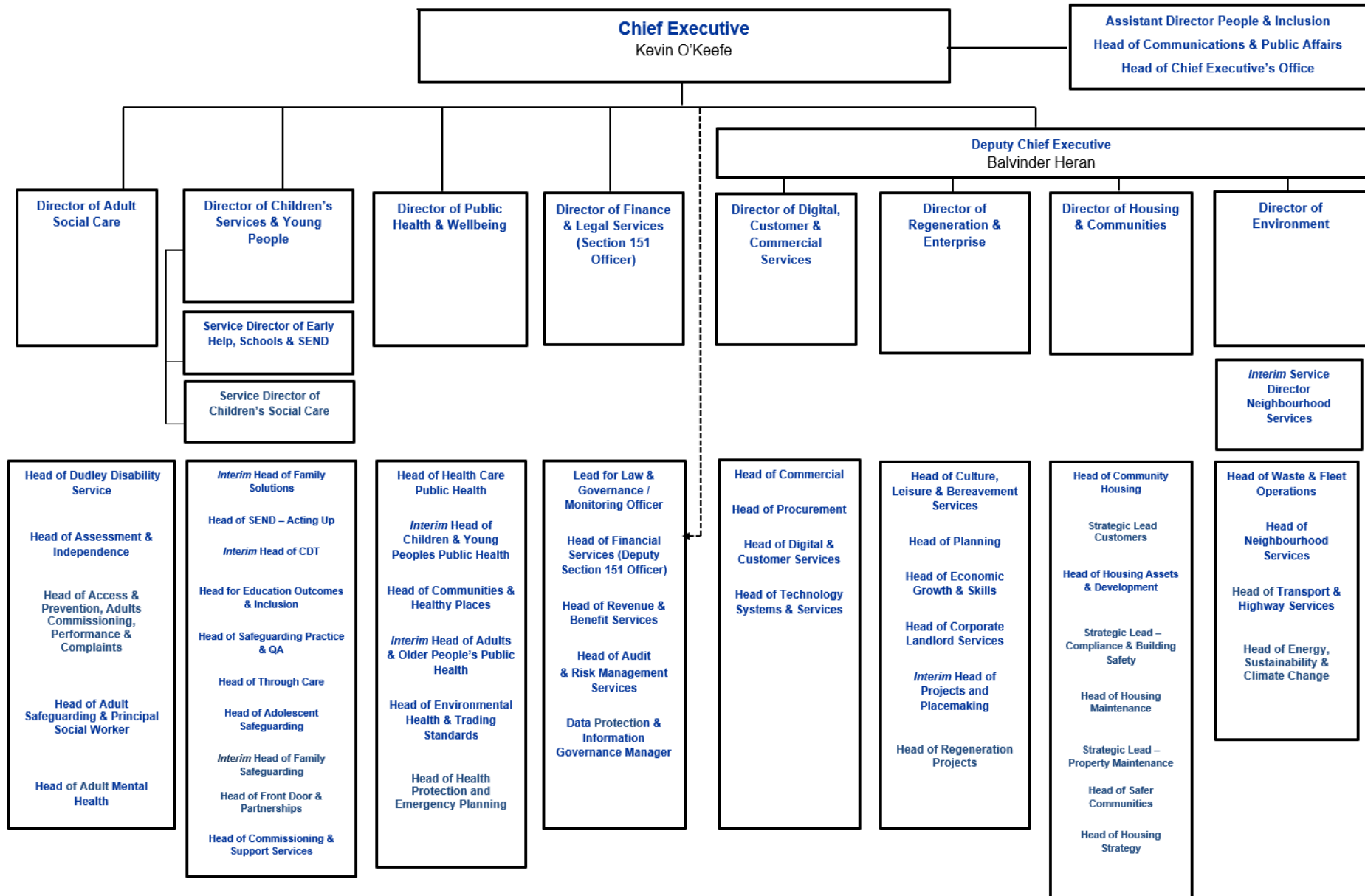
- 9.3 The Council employs Apprentices who are not included within the definition of 'lowest paid employees' as they are employed under the terms, conditions and pay rates applicable to the relevant apprenticeship scheme. Apprentices are paid in accordance with the National Minimum Wage, according to age. The relationship between the rate of pay for the lowest paid and Directors/'Chief Officers' is determined by the processes used for determining pay and grading structures as set out earlier in this Policy Statement.
- 9.4 The statutory guidance under the Localism Act 2011 recommends the use of pay multiples as a means of measuring the relationship between pay rates across the workforce and that of senior managers, as included within the Hutton 'Review of Fair Pay in the Public Sector' (2010). The Hutton review was asked by the Government to explore the case for a fixed limit on dispersion of pay through a requirement that no public sector manager can earn more than 20 times the lowest paid person in the organisation. The report concluded that the relationship to median earnings was a more relevant measure, and the Local Government Transparency Code 2015 requires the publication of the ratio between highest paid salary and the median average salary of the whole of the authority's workforce.
- 9.5 The current pay levels within the Council defined the multiple (rounded to the nearest whole number):
- between the lowest paid full time equivalent employee and the Chief Executive as 1:9
 - between the lowest paid employee and average Deputy Chief Executive/Director as 1:5
 - between the median (average) full time equivalent earnings and the Chief Executive as 1:7
 - between the median (average) full time equivalent earnings and average Deputy Chief Executive/Director as 1:5
- 9.6 As part of its overall and ongoing monitoring of alignment with external pay markets, both within and outside the sector, the Council will use available benchmarking information as appropriate. The Council participates in the

Local Government Earnings Survey, which provides pay bill and average pay rate information for all local government employees (excluding Teachers) in England and Wales.

10.0 Accountability and Decision Making

- 10.1 In accordance with the Council's Constitution, the Full Council, the relevant Committee and elected members or officers with delegated authority are responsible for decision making in relation to the recruitment, pay, terms and conditions and severance arrangements for employees of the Council. These are contained in Part 4, Officer Employment Procedure Rules, of the Constitution. The full terms of reference of the Appointments Committee are set out in Part 3.

Annex 1 – Dudley Council Organisation Structure



Annex 2 – National Joint Council Pay Spine

The Dudley Council pay spine is based on nationally negotiated rates through the National Joint Council.

The table below sets out the Main Salary Grades effect from 1st April 2023.

<u>Grade</u>	<u>National Joint Council value</u>	<u>National Joint Council value</u>	<u>National Pay Spinal</u>
	Pay range minimum	Pay range maximum	
Grade 1	£22,366	£22,366	2
Grade 2	£22,737	£22,737	3
Grade 3	£22,737	£23,114	3-4
Grade 4	£23,500	£23,893	5-6
Grade 5	£24,294	£25,979	7-11
Grade 6	£26,421	£28,770	12-17
Grade 7	£29,269	£32,076	18-23
Grade 8	£33,024	£35,745	24-27
Grade 9	£36,648	£39,186	28-31
Grade 10	£40,221	£43,421	32-35
Grade 11	£44,428	£47,420	36-39
Grade 12	£48,474	£51,515	40-43

<u>Locally Agreed Senior Grades**</u>					
Grade 13		£52,430		£56,168	50-53
Grade 14		£57,584		£61,325	54-57
Grade 15		£63,532		£70,204	58-61
Grade 16		£72,412		£76,924	62-65
Grade 17		£79,133		£82,687	66-69
Grade 18		£86,638		£92,350	70 - 73

Footnotes

* Where applicable, a supplement will be paid to bring employees in line with the Real Living Wage

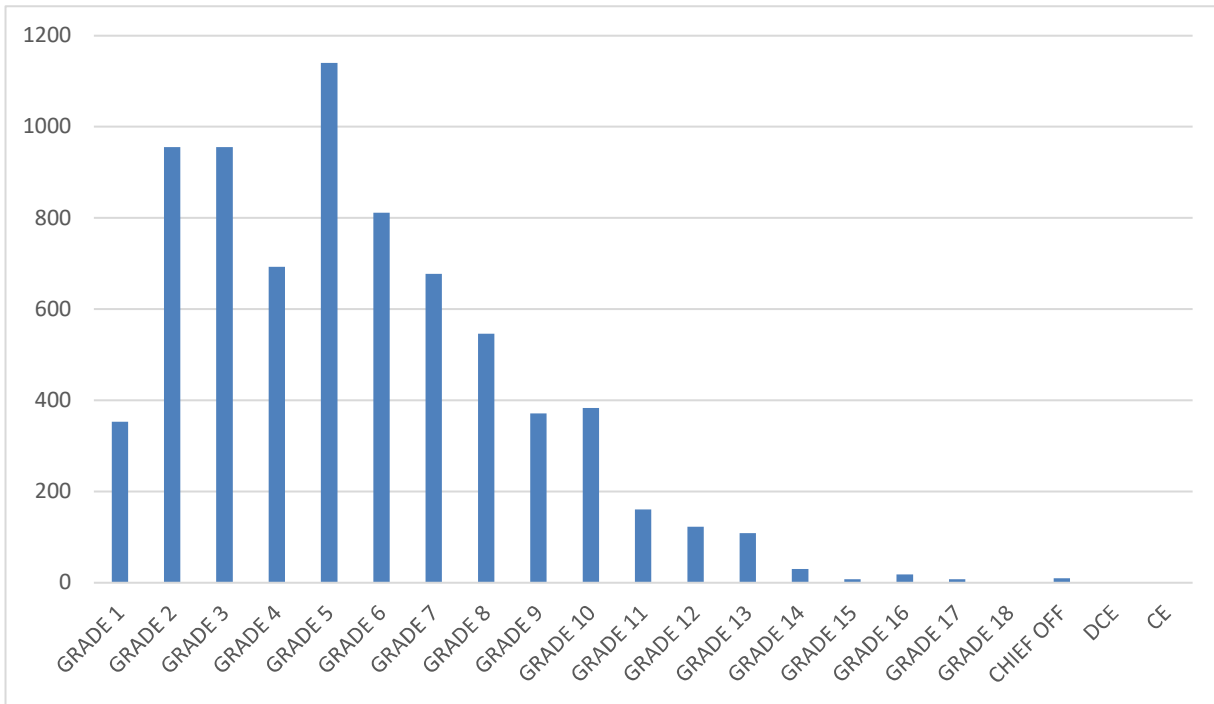
** Senior grades 13 – 18 are locally agreed as part of the Collective Agreement implemented in 2012.

The above rates are subject to any pay award agreed for April 2024.

Annex 3

Employee distribution across DNJC grades

(including employees of the Council and community and voluntary controlled schools)



Payment Table	Grade	Number of Contracts
DNJC 2021	GRADE 1	353
DNJC 2021	GRADE 2	955
DNJC 2021	GRADE 3	955
DNJC 2021	GRADE 4	693
DNJC 2021	GRADE 5	1140
DNJC 2021	GRADE 6	811
DNJC 2021	GRADE 7	677
DNJC 2021	GRADE 8	546
DNJC 2021	GRADE 9	371
DNJC 2021	GRADE 10	383
DNJC 2021	GRADE 11	161
DNJC 2021	GRADE 12	123
DNJC 2021	GRADE 13	109
DNJC 2021	GRADE 14	30
DNJC 2021	GRADE 15	8
DNJC 2021	GRADE 16	18
DNJC 2021	GRADE 17	8
DNJC 2021	GRADE 18	1
CHIEFS	CHIEF OFF	10
CHIEFS	DCE	1
CHIEF EXECUTIVE	CE	1

Contact Officer:

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Note:

It is important to note that the Treasury Strategy Statement is adopted by the Council, based upon advice from its external treasury advisors, and accordingly the Strategy is tailored to meet the specific and unique needs of the Council. All financial information contained within this Report and Statement should not be used by any individual or organisation as a basis for making investment or borrowing decisions. The Council and its treasury advisors will not accept any liability on behalf of any individual or organisation that seeks to act on the financial information contained within this Report and Statement.

Meeting of the Council - 26th February, 2024

Report of the Audit and Standards Committee

Treasury Management

Purpose

1. The purpose of this report is:
 - To outline treasury activity in the year 2023/24 up to the end of December 2023.
 - To seek approval of the Treasury Strategy Statement 2024/25.

Recommendations

2. It is recommended:
 - That the treasury activities in 2023/24 outlined in this report be noted.
 - That the Treasury Strategy 2024/25 attached as Appendix 2 be approved.

- That the Director of Finance and Legal be authorised to affect such borrowings, repayments and investments as are appropriate and consistent with the approved Treasury Strategy and relevant guidance.
- That the delegation to enable the Director of Finance and Legal to update the prudential indicators detailed in Section 3 of Appendix 2 be noted.

Background

3. At the time of writing this report, work was on-going to finalise the three-year capital programme for the Housing Revenue Account (HRA) which impacts the determination of the prudential indicators detailed in section 3 of the Treasury Strategy i.e. the Operational Boundary and Authorised Limit for external borrowing. The HRA capital programme was submitted to the Cabinet for approval on 15th February 2024. As the indicators may change as a result of the HRA capital programme being finalised, the Director of Finance and Legal has delegated powers to amend the indicators before the Treasury Strategy is approved by Full Council on 26th February.
4. Treasury Management entails the management of the Council's cash flows, its borrowings and investments, the management of the associated risks and the pursuit of the optimum performance or return consistent with those risks.
5. The Council undertakes treasury management activity on its own behalf and as administering authority for the West Midlands Debt Administration Fund (WMDAF). We are responsible for administering capital funding of £731m on our own account and another £61m on behalf of other West Midlands councils in respect of the WMDAF. The treasury function is governed by the Council's Treasury Policy Statement and Treasury Management Practices.
6. The Bank of England Base Rate has remained at 5.25% since the previous Treasury Management report was submitted (see Appendix 2 for more information).
7. Appendix 2 contains some detailed economic commentary but in summary the Monetary Policy Committee is expected to decrease interest rates slowly through 2024 and 2025.
8. In November 2020 HM Treasury prohibited access to Public Works Loans Board loans for the purpose of funding investments purely for commercial income, and the revised code prohibits local authorities any new commercial investments altogether with immediate effect. The revised code requirements on commercial investments do not impact on Dudley MBC as we already have a long-standing policy to

refrain from investing in assets purely for revenue income or other financial return (see Section 7 of the Treasury Management Strategy).

Treasury Activity 2023/24 - Dudley Fund

9. Treasury activities in the current year have been undertaken in the context of the Treasury Strategy Statement 2023/24 approved by Audit Committee and Full Council in February 2023. In that document we anticipated that long term borrowing would be required in the next 12 months due to cashflow need.
10. Our investments up to 31st December 2023 have averaged £34.9m. The average return on these investments since the start of the year was 3.87% (however the weighted average interest rate of investments held at 31st December 2023 was 5.14%). All investments were placed with institutions that satisfied the criteria for credit-worthiness set out in the Treasury Strategy Statement 2023/24. The performance of our investments is largely dependent on movements in short-term (up to one year) rates. Our investment activity for 2023/24 (to 31st December 2023) is set out in more detail in Appendix 1.
11. The returns outlined above have been achieved without compromising on the security of the Council's investments. We have maintained and continue to maintain an approved investment list that sets the highest rating standards. We have an account with the Government's Debt Management Office (DMO) which provides maximum security and reasonable returns. We use this account extensively due the fact that we have strict credit criteria in our Investment Strategy for non-government counterparties.
12. The average value of long-term borrowings up to the 31st December 2023 was £618.9 million. The average rate of interest on these borrowings was 3.92% and they were due to mature on dates ranging from the current year to 2072. To date only one new loan with a duration greater than one year has been taken out in 2023/24. This loan was with PWLB and was for £10m with a maturity date of March 2026.
13. The Council has also taken 2 short-term loans in the year to date to manage daily cash flow; these both had a duration of 14 days. One was for £2m at a rate of 5.60% and the other was for £1m at a rate of 5.70%. These were both with other local authorities and have now been repaid.
14. We are monitoring cash flows and interest rates closely and anticipate that, due to the Council's capital programme, planned use

of reserves and loan maturities, further borrowing is likely to be taken by the end of the 2023/24 financial year; the current estimate is a further £40m before the end of the year which is driven by cashflow needs. This borrowing is driven by current capital spending, it will be replacement of internal borrowing by external loans.

Treasury activity 2023/24 - WMDAF

15. At the start of 2023/24 WMDAF held a LOBO of £10m with a maturity date of 26th February 2026 at a rate of 4.6%. In August 2023 the Council was approached by the lender who wished to increase the interest rate to 7.37% and therefore the Council decided to repay the loan in full to avoid the increased rate. To replace this loan a new PWLB loan with the same principal value and maturity date was taken out at a rate of 5.68%.
16. The Council has also taken 4 short term loans in the year to date to manage daily cash flow (and to cover a short-term shortfall of funds prior to receiving the new PWLB loan) for the WMDAF. The average value of the borrowing has been £8.5m at an average rate of 5.5% for an average duration of 62 days. The latest estimate of interest payable by members of the WMDAF in 2023/24 is 5.6%.
17. The Council has made five short term investments with the DMO in the year to manage daily cash flow for the WMDAF. The average value of the investments have been £3.1m at an average rate of 5.17% for an average duration of 63 days.

Treasury Strategy Statement 2024/25

18. The Treasury Strategy Statement covers our latest capital funding requirements, our view of interest rate movements and our strategy for borrowing and investment in the light of that view. As such, it needs to be reviewed annually. The proposed Treasury Strategy Statement for 2024/25 is attached as Appendix 2.
19. Our expectations for interest rates advised by our treasury advisors Link Group, which will be subject to continuous review with our treasury advisors, are as follows:
 - **Short-term rates.** The Bank Rate is expected to remain at 5.25% during early 2024 but drop down to 4.75% around September 2024 and expected to drop further by March 2025 to 3.75%.
 - **Medium-term rates.** 5-year PWLB certainty rate is expected to be 4.50% in March 2024 and drop slightly to 4.10% by March 2025.

- **Long-term rates.** 50-year PWLB certainty rate is expected to be 5.00% in March 2024 and drop to 4.40% by March 2025.
20. The Local Government Act 2003 introduced a system of “prudential borrowing” allowing councils to set their own borrowing limits subject to criteria of prudence and affordability. These criteria are set out in more detail in the Chartered Institute of Public Finance & Accountancy (CIPFA) Prudential Code which specifically requires us to set a number of prudential indicators. The proposed indicators that relate to treasury management are set out in the Treasury Strategy Statement.
 21. In order to protect the Council’s position if an individual or organisation were to act upon the views expressed in this report, we have deemed it necessary to produce a disclaimer which is shown as a note at the head of the report and Appendix 2.
 22. This report is being considered by the Audit and Standards Committee on 19th February, 2024 and any updates will be reported at the Council meeting.

Finance

23. Forecasts of performance against budget for treasury management activities are sensitive to movements in cash flow and interest rates. The revenue impact of any variances are reported regularly to Cabinet as part of the wider Financial Monitoring Regime (FMR).

Law

24. The Council has adopted CIPFA’s Treasury Management in the Public Services: Code of Practice 2021 which requires the Council to approve a treasury management strategy before the start of the financial year and provide a mid-year update on treasury management activity. In addition, the Department for Levelling Up, Housing and Communities (DLUHC) issued revised Guidance on Local Authority Investments in 2010 that required the Council to approve an investment strategy before the start of each financial year. This report fulfils the legal obligation under the Local Government Act 2003 to have regard to both the CIPFA code and the DLUHC guidance.

Risk Management

25. Treasury Management, by its nature entails the management of financial risks, specifically credit risk for investments which is mitigated by limiting acceptable counterparties to those of the highest credit quality and imposing counterparty limits for non-government

institutions; and interest rate risk which is mitigated by prudential indicators detailed in Appendix 2.

Equality Impact

26. The treasury management activities considered in this report have no direct impact on issues of equality.

Human Resources / Organisational Development

27. There are no Human Resources / Organisational Development implications associated with this report.

Commercial / Procurement

28. The over-riding purpose of the Council's Treasury Strategy is day to day cash management and not income generation. The strategy prioritises security and liquidity of cash investments over yield. Once those are met, we aim to secure the maximum yield from our investments held with the small number of counterparties that meet the strict criteria laid out in our Annual Investment Strategy.

Environment / Climate Change

29. The Council is required to consider environmental, social and governance considerations when making investments. It will not invest in fossil fuel companies.

Council Priorities

30. Treasury Management supports the Council's capital investment priorities as set out in the approved Capital Strategy.



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Chair of the Audit and Standards Committee

Investment Activity 2023/24 to 31st December 2023

Counterparties	Number of investments	Average value £ million	Average rate %	Average duration (days)
Debt Management Office	177	27.30	4.90	9
Other Local Authorities	1	8.00	4.95	19
Lloyds Call Account	n/a	3.81	5.09	Call
Santander Call Account	n/a	2.44	3.14	Call
Santander Notice Account	n/a	0.02	4.46	35 day notice
HSBC Call Account	n/a	0.71	0.50	Call
Barclays Call Account	n/a	0.08	2.72	Call

Note:

It is important to note that the Treasury Strategy Statement is adopted by the Council, based on advice from its external Treasury advisors, and accordingly the Strategy is tailored to meet the specific and unique needs of the Council. All financial information contained within this Report and Statement should not be used by any individual or organisation as a basis for making investment or borrowing decisions. The Council and its Treasury advisors will not accept any liability on behalf of any individual or organisation that seeks to act on the financial information contained within this Report and Statement.

DUDLEY METROPOLITAN BOROUGH COUNCIL TREASURY STRATEGY STATEMENT 2024/25

1.0 Introduction

1.1 This Treasury Strategy Statement details the expected activities of the treasury function in the financial year 2024/25. The suggested strategy is based upon officers' views of interest rates as advised by external advisors, supplemented with leading market forecasts. It should be noted that the use of expert external advisors does not remove the responsibility of members and officers for treasury management functions and that those functions cannot be delegated to any outside organisation. The strategy covers:

- the current portfolio position
- prudential and treasury indicators
- prospects for interest rates
- temporary investment strategy
- requirements and strategy for long-term borrowing
- debt rescheduling and premature repayment opportunities
- treasury implications for the Housing Revenue Account (HRA)

2.0 Current Portfolio Position

2.1 The Council's estimated debt position as at 1st April 2024 is as follows:

	£m
Long-term debt:	
- PWLB fixed rate	620.7
- PWLB variable rate	0.0
- Market fixed rate	13.0
- Market LOBO*	10.0
Short-term debt	16.5
Total debt	660.2

*Lenders Option Borrowers Option (LOBO). This loan was at a fixed rate of 4.6% until February 2009 after which the rate may be varied at the lender's option. If the lender exercises this option to vary the rate then we, as the borrower, have the option to repay the loan.

2.2 The average rate of interest on the above debt is expected to be 4.02%.

2.3 The average level of investments held by the Council during 2023/24 to December 2023 was £34.9m. Cashflow monitoring indicates that long term borrowing is likely to be required in the next 12 months.

2.4 The Council also administers the debt of the former West Midlands County Council on behalf of the West Midlands districts. The estimated debt position at 1st April 2024 is as follows:

	£m
Long-term debt:	
- PWLB fixed rate	47.5
Short-term debt	0.0
Total debt	47.5

2.5 The average rate of interest charged to the West Midlands fund is expected to be 5.61%.

3.0 Prudential & Treasury Indicators

3.1 Under the Local Government Act 2003 and the Prudential Code for Capital Finance in Local Authorities, local authority capital spending and its borrowing to fund that spending is limited by what is affordable, prudent and sustainable. The Prudential Code sets out a number of indicators that enable the authority to assess affordability and prudence. The following indicators are relevant for the purposes of setting an integrated treasury management strategy.

3.2 Treasury Indicators in the Prudential Code

The Prudential Code requires that the total external debt does not exceed the Authorised Limit for external debt and only exceeds the Operational Boundary for external debt temporarily on occasions due to variation in cash flow.

These external debt indicators are intended to ensure that levels of external borrowing are affordable, prudent and sustainable. The authorised limit for external debt is a statutory limit (section 3 of the Local Government Act 2003) that should not be breached under any circumstances. It has been calculated to take account of the Council's capital expenditure and financing plans and allowing for the possibility of unusual cash movements. The operational boundary for external debt has also been calculated with regard to the Council's capital

expenditure and financing plans allowing for the most likely, prudent, but not worst-case scenario for cash flow. Temporary breaches of the operational boundary, due to variations in cash flow, will not be regarded as significant. Actual external debt represents the closing balance for borrowing and other long-term liabilities.

	2022/23	2023/24	2024/25	2025/26	2026/27
	£m	Revised £m	Revised £m	Revised £m	Revised £m
Authorised limit for external debt *:					
Borrowing	n/a	810	824	839	883
Other long term liabilities	n/a	12	11	10	9
Total	n/a	822	835	849	892
Operational Boundary*					
Borrowing	n/a	738	809	809	842
other long term liabilities	n/a	12	11	10	9
Total	n/a	750	820	819	851
Actual External Debt:					
Borrowing	702.9	n/a	n/a	n/a	n/a
Other long term liabilities	11.9	n/a	n/a	n/a	n/a
Total	714.8	n/a	n/a	n/a	n/a

*Subject to finalisation of the Capital Programme report to Cabinet.

3.3 Gross Debt and the Capital Financing Requirement

This is a key indicator of prudence. In order to ensure that over the medium-term debt will only be for a capital purpose, the local authority should ensure that debt does not, except in the short term, exceed the total of capital financing requirement in the preceding year plus the estimates of any additional capital financing requirement for the current and next two financial years.

The Council has met this requirement so far in 2023/24 and expects to do so in future years. This view takes into account current commitments, existing plans and the proposals in the approved budget.

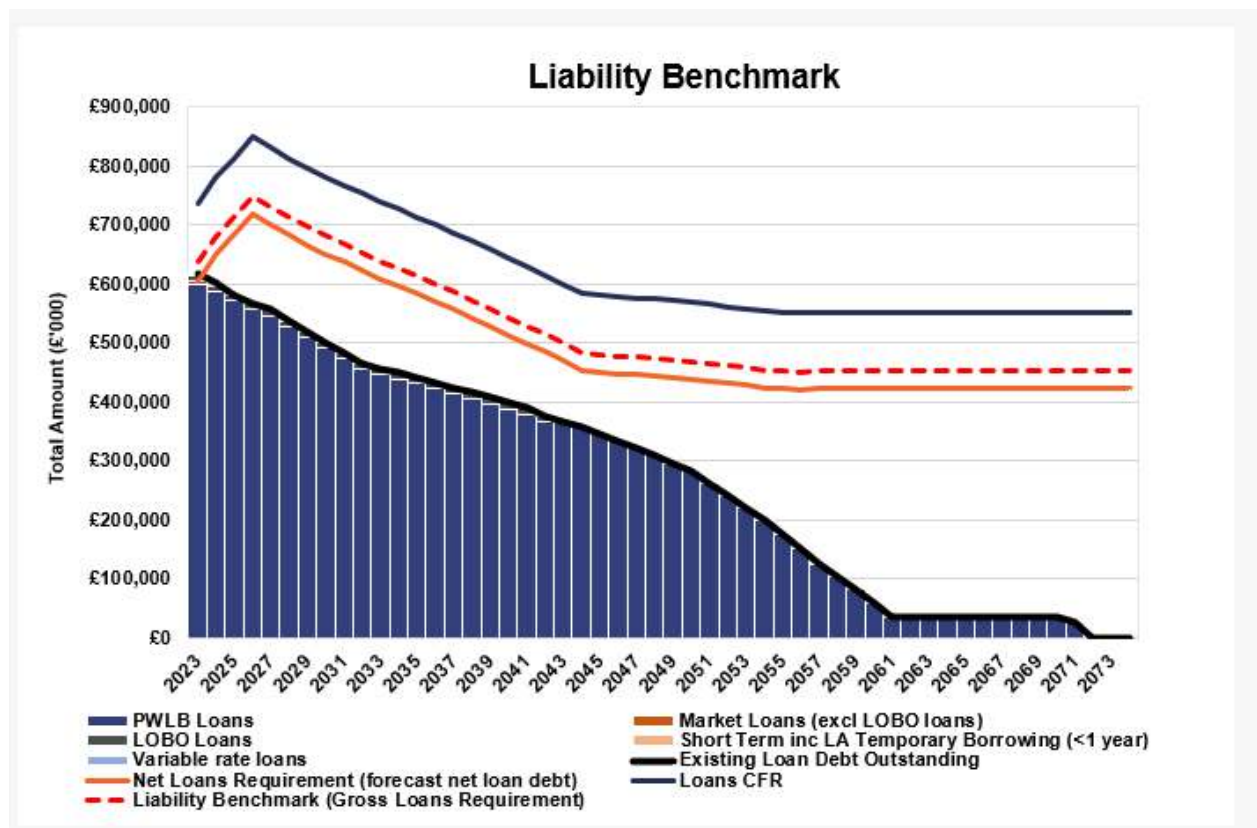
3.4 Liability Benchmark

The revised Prudential Code introduced a new prudential indicator called the Liability Benchmark (LB). The Council is required to estimate and measure the LB for the forthcoming financial year and the following two financial years, as a minimum. There are four components to the LB:-

- Existing loan debt outstanding – the Council’s existing loans that

- are still outstanding in future years,
- Loans capital financing requirement (CFR) – this will include only approved prudential borrowing
- Net loans requirement – this is the Council’s gross loan debt less treasury management investments at the last financial year end projected into the future
- Liability benchmark – (also known as the gross loans requirement) which is the net loans requirement plus short-term liquidity allowance.

As the chart shows there is currently a gap between the existing loan debt outstanding and liability benchmark this indicates that further borrowing is likely to be required in the next few years.



3.5 Interest rate exposures

These indicators allow the Council to manage the extent to which it is exposed to changes in interest rates. The upper limit for fixed interest reflects the fact that it is possible to construct a prudent treasury strategy on the basis of using only fixed rate debt and investments, so long as the maturity dates of these debts and investments are reasonably spread. The same does not apply to variable rates where a 100% exposure could lead to significant year on year fluctuations in the cost of debt. The upper limit for variable rate exposure allows for the use of variable rate debt to offset our exposure to changes in short-term rates on our portfolio of investments. This limit reduces over time as our strategy is to gradually reduce our level of investments.

	2023/24	2024/25	2025/26	2026/27
Upper limit for fixed interest rate exposure	100	100	100	100
Upper limit for variable rate exposure	10	10	10	10

3.6 Maturity structure of borrowing and investments

The maturity structure of fixed rate borrowing is designed to protect against excessive exposures to interest rate changes in any one period, in particular over the course of the next ten years.

Dudley MBC Maturity Indicator	Upper Limit %	Lower Limit %
Under 12 months	15	0
12 months and within 24 months	15	0
24 months and within 5 years	20	0
5 years and within 10 years	25	0
10 years and above	100	50

The WMADF will close in March 2026 so no new long term loans will be required. With that in mind no new indicators for upper and lower limits have been proposed for this debt as all debt will be maturing within 12 months by the end of 2024/25.

3.7 Upper Limit for total principal sums invested over 364 days

The purpose of the limits for principal sums invested for periods longer than 364 days is to contain the Council's exposure to the possibility of loss that might arise as a result of having to seek early repayment of principal sums invested. On the basis of prudent treasury management the proposed upper limit on principal maturing in any one year for sums invested for over 364 days is £10m.

4.0 Economic Background

4.1 The Monetary Policy Committee (MPC) has kept the Bank Rate the same since the last time a change in rate was reported to this Committee (the increase to 5.25% as agreed in August 2023). The market expects the rate to fall gradually later in 2024.

4.2 The CPI inflation figure has fallen since the last report and the rate in November 2023 was the lowest since January 2022 and the Bank of England believes that the rate is now on a downward path.

4.3 Link forecast that the recent downward trends in CPI and core inflation will stall for a short time before declining more decisively again later in the this first quarter of 2024. This leads them to believe that the Bank of England won't feel comfortable cutting interest rates until the second half of 2024.

5.0 Prospects for Interest Rates

5.1 The Council's Treasury Advisor, Link Asset Services, has provided the following forecast (with the PWLB rates reflecting the certainty rates available to the Council at 0.2% below the published rates):

	December 2023 (Actuals)	December 2024 (Forecasts)	December 2025 (Forecasts)	December 2026 (Forecasts)
Bank Rate	5.25%	4.25%	3.00%	3.00%
5yr PWLB rate	5.00%	4.20%	3.70%	3.50%
10yr PWLB rate	5.10%	4.30%	3.90%	3.70%
25yr PWLB rate	5.50%	4.80%	4.20%	4.10%
50yr PWLB rate	5.30%	4.60%	4.00%	3.90%

5.2 As per 4.1 the Bank rate has remained the same as August 2023 (5.25%), Link are expecting the rate to start coming down in the second half of 2024.

5.3 Link Asset Services will continue to monitor economic data releases and information released by the Monetary Policy Committee (MPC) who set the Bank Rate.

5.4 Our overall strategy will be based on the projections above. However, we will maintain flexibility to take account of unexpected variations from our forecast.

6.0 Annual Investment Strategy

6.1 Our investment activities are subject to government guidance issued under Section 15(1) (a) of the Local Government Act 2003. This section of the Treasury Strategy Statement constitutes an "Annual Investment Strategy" produced in accordance with the guidance.

6.2 The Council holds invested funds, representing income received in advance of expenditure plus balances and reserves held. We have a policy of keeping cash balances at minimum levels by maximising the use of internal borrowing to finance capital expenditure.

6.3 Both the CIPFA Code and the Department for Levelling Up, Housing and Communities (DLUHC) require the Council to invest its funds prudently, and to have regard to the security and liquidity of its investments before seeking the highest rate of return or yield. The Council's primary objective in relation to the investment of public funds remains the security of capital. The liquidity or accessibility of the Council's investments followed by the yields earned on investments is important but are secondary considerations.

6.4 *Strategy for "specified investments"*

6.4.1 The Council will make use of specified investments (as defined within the terms of the government guidance). These are investments that satisfy the following conditions:

- a) The investment is denominated in sterling and any payments or repayments in respect of the investment are payable only in sterling.
- b) The Council may require that the investment be repaid or redeemed within 12 months of the date on which the investment was made.
- c) The making of the investment is not defined as capital expenditure by legislation.
- d) The investment satisfies either of the following conditions:
 - I. The investment is made with the UK government, a local authority, a parish council or a community council, or
 - II. The investment is made with a body or in an investment scheme of high credit quality.

6.4.2 The Council will be prepared to lend to the West Midlands Combined Authority. Such lending will be as part of arrangements agreed with the Combined Authority and other constituent authorities.

6.4.3 For the purpose of this strategy a body or investment scheme is deemed to be of high credit quality if it has minimum short-term ratings of F1 (Fitch), P1 (Moody's), and A1 (Standard and Poors).

6.4.4 The Council will also limit risks by applying lending limits and criteria for "high credit quality" as shown below:

Specified Investments Counterparty	Minimum Short-term Credit Rating*	Maximum % Investment per Counterparty***	Time Limit
Banks	F1+/P1/A1+	50%	12 months
	F1/P2/A1	25%	6 months
UK Local Authorities	n/a	No maximum	12 months
UK Government	n/a	No maximum	none
Money Market Funds (MMF)	AAA**	50%	3 months

*Fitch / Moody's / S&P rating agencies respectively. Institutions must have the requisite rating at 2 of the 3 agencies.

** MMFs only have long term credit ratings so AAA would be the minimum long-term credit rating for these funds.

***N.B. If a number of banks are part of one banking group all banks within that group would fall into one counterparty.

6.4.5 Since the financial crisis of 2008, the Council has not allowed investments in non-UK institutions. This strategy has been based on the implicit assumption that the UK Government would support a failing UK bank. This factor has been less relevant since the Financial Services (Banking Reform) Act 2013 and proposed regulations. The table above now expands the list of banks to include non UK banks. In practice our strategy will still be limited by our low level of investments and cashflow, but the changes should marginally improve return.

6.4.6 The Council understands that credit ratings are good, but not perfect, predictors of investment default. Full regard will therefore be given to other available information on the credit quality of the organisations in which it invests, including credit default swap prices, financial statements, information on potential government support and reports in the quality financial press. No investments will be made with an organisation if there are substantive doubts about its credit quality, even though it may meet the credit rating criteria.

6.4.7 When deteriorating financial market conditions affect the creditworthiness of all organisations, this is not generally reflected in credit ratings, but can be seen in other market measures. In these circumstances, the Authority will restrict its investments to those organisations of higher credit quality and reduce the maximum duration of its investments to maintain the required level of security. The extent of these restrictions will be in line with prevailing financial market conditions. If these restrictions mean that insufficient commercial organisations of high credit quality are available to invest

the Authority's cash balances, then the surplus will be deposited with the UK Government, via the Debt Management Office for example, or with other local authorities. This will cause a reduction in the level of investment income earned, but will protect the principal sum invested.

6.4.8 The only indicators with prescriptive values remain to be credit ratings. Other indicators of creditworthiness are considered in relative rather than absolute terms.

6.4.9 If conditions in the financial markets worsen during 2024/25 or other factors indicate that increased security of Council funds is required, the Director of Finance and Legal Services may impose tighter restrictions on the type of investments and institutions used by the Council, than those detailed in this strategy.

6.4.10 The Council currently banks with Lloyds Plc. At the present time Lloyds Plc meets the minimum credit criteria. Even if the credit rating of the Council's main bank falls below the Council's minimum criteria the main bank will continue to be used for short term liquidity requirements (overnight and weekend investments) and business continuity arrangements.

6.5 *Strategy for "non-specified investments"*

6.5.1 Non-specified investments are those that do not meet the criteria for a specified investment detailed in 6.4.1 above. The Council does not intend to make any investments denominated in foreign currencies, or any that are defined as capital expenditure by legislation such as company shares. Neither is there an intention to make new long term investments, especially in the light of maximising the length of any non-government investment to 3 months irrespective of its credit quality. Therefore the Council will not place its funds with non-specified investments.

6.6 *Liquidity of investments*

6.6.1 In determining the maximum period for which investments may be held, we will have regard to our most recent cash-flow forecast. We will not enter into an investment where our cash-flow forecast indicates that, as a result of that investment, we would be forced to borrow money at a later date that we would not otherwise have had to borrow.

6.7 *Environmental, Social & Governance (ESG) Considerations*

6.7.1 The Council is required to consider environmental, social and governance considerations when making investments. It will not invest in fossil fuel companies.

7.0 Policy on Non-Financial Investments

- 7.1 Investment in non-financial assets including property is not part of the Council's Treasury Management Strategy. The Council will incur capital expenditure on acquisition or development of property only where the primary purpose is regeneration and/or service delivery, and then only where a development would not happen without Council involvement, and the potential regeneration gain justifies any financial or other risks. It will not invest in property for the sole or primary purpose of revenue income or other financial return.
- 7.2 The only non-treasury investments currently held by the Council are shares held with Birmingham Airport which were valued at £32.3m at 31st March 2023. These are held as a service type investment as they were not purchased in order to generate a financial return; rather they are for regeneration purposes only. There are no current plans to make any further non-treasury investments.

8.0 Policy on the Use of Financial Derivatives

- 8.1 A financial derivative is a contract whose value is based on, or "derived" from, an underlying financial instrument such as a loan. Local authorities have previously been able to make use of financial derivatives embedded into loans and investments, both to reduce interest rate risk (e.g. forward deals) and to reduce costs or increase income at the expense of greater risk (e.g. LOBO loans).
- 8.2 The general power of competence in Section 1 of the Localism Act 2011 removes much of the uncertainty over local authorities' use of standalone financial derivatives (i.e. those that are not embedded into a loan or investment). The CIPFA Code requires authorities to clearly detail their policy on the use of derivatives in the annual strategy.
- 8.3 The Council does not intend to use standalone financial derivatives (such as swaps, forwards, futures and options). Should this position change, the Council may seek to develop a detailed and robust risk management framework governing the use of derivatives, but no change in strategy will be made without full Council approval.

9.0 Requirements and Strategy for Long-Term Borrowing

- 9.1 The primary factor in determining whether we undertake new long-term borrowing will be cash flow need. We will seek to minimise the time between borrowing and anticipated cash flow need, subject to the need to maintain day to day liquidity.

- 9.2 The underlying need to borrow for capital purposes is measured by the Capital Financing Requirement (CFR), while usable reserves and working capital are the underlying resources available for investment. The Council's strategy is to maintain borrowing and investments at a minimum (well below their underlying levels) thereby maximising the use of internal borrowing. This keeps borrowing costs lower than they would otherwise be and keeping cash balances low reduces credit risk.
- 9.3 The balance sheet forecast indicates a requirement to increase the level of external borrowing in the medium and long term. Our interest rate expectations (outlined in 5.1) provide a variety of options on the type of borrowing we will undertake:
- That short-term variable rates will be good value compared to long-term rates and are likely to remain so for potentially at least the next couple of years. Best value will therefore be achieved by borrowing short term at variable rates in order to minimise borrowing costs in the short term.
 - That the risks intrinsic in the shorter term variable rates are such, when compared to historically relatively low long term fixed funding, which may be achievable in 2024/25, that the Council will maintain a stable, longer term portfolio by drawing longer term fixed rate funding at a marginally higher rate than short term rates.
- 9.4 Against this background caution will be adopted with the 2024/25 treasury operations. The Director of Finance and Legal Services will monitor the interest rate market and adopt a pragmatic approach to changing circumstances.

Sensitivity of the forecast - The main sensitivities of the forecast are likely to be the two scenarios below. In conjunction with the treasury advisers, we will continually monitor both the prevailing interest rates and the market forecasts, adopting the following responses to a change of sentiment:

- If it were felt that there was a significant risk of a sharp rise in long and short term rates, perhaps arising from a greater than expected increase in world economic activity, then the portfolio position will be re-appraised with the likely action that fixed rate funding will be drawn whilst interest rates are still relatively cheap.
- If it were felt that there was a significant risk of a sharp fall in long and short term rates, due to growth rates remaining low or weakening, then long term borrowings will be postponed.

9.5 With respect to the West Midlands Debt, variances due to timing differences between the maturity profile of the debt and repayments from authorities can be managed by short term borrowing in 2024/25.

9.6 The approved sources of long-term and short-term borrowing are:

- Public Works Loans Board
- Any institution approved for investments (above)
- Any other bank or building society authorised to operate in the UK
- UK public and private sector pension funds (except the West Midlands Pension Fund)

In addition, capital finance may be raised by finance leases and similar arrangements which may be classed as debt liabilities.

10.0 Debt Rescheduling and Premature Repayment Opportunities

10.1 We may consider rescheduling or premature repayment with the following aims:

- the generation of cash savings at minimum risk
- in order to help fulfil the strategy outlined in 9 above
- in order to enhance the balance of the long-term portfolio (by amending the maturity profile and/or the balance of volatility)

10.2 Any rescheduling or premature repayment will be reported to an appropriate committee at the meeting following its implementation.

11.0 HRA Self Financing

11.1 On 1st April 2012, the Council notionally split each of its existing long-term loans into General Fund and HRA pools. In the future, new long-term loans borrowed will be assigned in their entirety to one pool or the other. Interest payable and other costs/income arising from long-term loans (e.g. premiums and discounts on early redemption) will be charged/ credited to the respective revenue account.

11.2 Differences between the value of the HRA loans pool and the HRA's underlying need to borrow (adjusted for HRA balance sheet resources available for investment) will result in a notional cash balance which may be positive or negative. An average of this notional balance will be calculated annually and interest transferred between the General Fund and HRA at an internally determined rate of interest, adjusted for risk.

12.0 Training

- 12.1 CIPFA's Code of Practice requires the Director of Finance and Legal Services to ensure that all members tasked with treasury management responsibilities, including scrutiny of the treasury management function, receive appropriate training relevant to their needs and understand fully their roles and responsibilities. Relevant training is provided by Link Asset Services to the members of the Audit & Standards Committee and other members of the Council.
- 12.2 The Council recognises the importance of ensuring that all staff involved in the treasury management function are fully equipped to undertake the duties and responsibilities allocated to them. It will therefore seek to appoint individuals who are both capable and experienced and will provide training for staff to enable them to acquire and maintain an appropriate level of expertise, knowledge and skills. The Director of Finance and Legal Services will recommend and implement the necessary arrangements.

13.0 Treasury Management Advisors

- 13.1 The Council uses Link Asset Services as its external treasury management advisers. The Council recognises that responsibility for treasury management decisions remains with the organisation at all times and will ensure that undue reliance is not placed upon our external service providers.
- 13.2 It also recognises that there is value in employing external providers of treasury management services in order to acquire access to specialist skills and resources. The Council maintains the quality of the service with its advisors by holding regular meetings and tendering periodically for the provision of treasury management advice.
- 13.3 The Council receives the following services from Link Asset Services:
- a. Credit advice
 - b. Investment advice
 - c. Technical advice
 - d. Economic & interest rate forecasts
 - e. Workshops and training events for officers and members

Meeting of the Council – 26th February, 2024

Report of the Appointments Committee

Appointment of Director of Environment

Purpose

1. To consider a recommendation from the Appointments Committee concerning the appointment of the Director of Environment.

Recommendation

2. That Nicholas McGurk be appointed to the post of Director of Environment, in accordance with the salary and terms and conditions of employment applicable to the post.

Background

3. On 2nd February, 2024, the Appointments Committee undertook interviews and made a recommendation to appoint Nicholas McGurk to the post of Director of Environment. Nicholas McGurk is currently the Acting Service Director – Neighbourhood Delivery at Dudley MBC.
4. The Terms of Reference of the Appointments Committee require that recommendations must be made to the full Council on any new appointments that exceed a threshold of £100,000.

Finance

5. The salary for the Director of Environment is £105,991. The cost is included in existing budgetary provisions.

Law

6. The Council's Constitution was adopted under the provisions of the Local Government Act 2000. Under Article 4.02 of the Constitution, any new appointments that exceed a threshold of £100,000 must be by way of a recommendation from the Appointments Committee to the Full Council.

Risk Management

7. The Director plays a key role in identifying, monitoring and managing key corporate risks, and ongoing material risks, as part of the Council's Risk Management Framework.

Equality Impact

8. The Director is required to ensure that service provision reflects the diversity of communities and undertake duties will full regard to the Council's policies on equality and diversity.

Human Resources/Organisational Development

9. The appointment of the Director is in accordance with the requirements of the Council's Constitution and the Council's human resources policies.

Commercial/Procurement

10. The Director is required to implement the Council's corporate strategic policies, including those relating to financial management, the responsible use of resources and best value in all areas of service delivery.

Council Priorities

11. The Director plays a key role in the delivery of key Council priorities including the Borough Vision, Council Plan and Future Council Programme.



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Leader of the Council

Meeting of the Council – 26th February, 2024

Report of the Lead for Law and Governance (Monitoring Officer)

The Dudley (Electoral Changes) Order 2024

Purpose of report

1. To report on the provisions of The Dudley (Electoral Changes) Order 2024. It is envisaged that the Order will be made by Parliament on or around 19th February, 2024.

Recommendation

2. That the report be noted.

Background

3. The Local Boundary Commission for England's (LGBCE) has conducted a review of the electoral arrangements for Dudley Metropolitan Borough Council. This review was undertaken as the last review was completed in 2003. The review started in April 2023 and was completed on 28th November 2023. On completion of the review, the final recommendations were laid in Parliament on 19th December 2023.
4. The Statutory Instrument laid in Parliament, states that the existing wards of the borough of Dudley are abolished and that the Borough be divided into the 24 wards listed below:
 1. Amblecote
 2. Belle Vale
 3. Brierley Hill & Wordsley South
 4. Brockmoor & Pensnett
 5. Castle & Priory

6. Coseley
7. Cradley North & Wollescote
8. Gornal
9. Halesowen North
10. Halesowen South
11. Hayley Green & Cradley South
12. Kingswinford North & Wall Heath
13. Kingswinford South
14. Lye & Stourbridge North
15. Netherton & Holly Hall
16. Norton
17. Pedmore & Stourbridge East
18. Quarry Bank & Dudley Wood
19. Sedgley
20. St. James's
21. St. Thomas's
22. Upper Gornal & Woodsetton
23. Wollaston & Stourbridge Town
24. Wordsley North

5. In accordance with the statutory provisions, elections for the Borough of Dudley will be as follows:

- (a) All 72 seats will be up for election in May, 2024 (3 seats per ward).
- (b) Of the Councillors elected in 2024:
 - one will retire on the fourth day after the ordinary day of election of Councillors in England in 2026; this will be the Councillor elected with the third highest number of votes in 2024.
 - one will retire on the fourth day after the ordinary day of election of Councillors in England in 2027, this will be the Councillor elected with the second highest number of votes in 2024.

- one will retire on the fourth day after the ordinary day of election of Councillors in England in 2028, this will be the Councillor elected with the highest number of votes in 2024.

6. More details on the changes to ward boundaries and the movement of any properties and roads into adjacent wards can be found in the Local Government Boundary Commission for England's New Electoral Arrangements for Dudley Metropolitan Borough Council Final Recommendations Report. This can be found on the LGBCE website. Background information is available at the links below:

<https://www.lgbce.org.uk/all-reviews/dudley#45266>

https://www.lgbce.org.uk/sites/default/files/2023-11/dudley_final_recommendations_long_report_0.pdf

<https://statutoryinstruments.parliament.uk/instrument/OThZO HAR>

<https://www.legislation.gov.uk/ukdsi/2024/9780348255706>

Finance

7. The financial implications will be met from existing resources.

Law

8. The Council has a responsibility to implement these statutory provisions.

Risk Management

9. There are no implications for the Council's Risk Management Framework.

Equality Impact

10. There are no implications relating to the Council's commitment to equality and diversity.

Human Resources/Organisational Development

11. There are no additional human resources or organisational development implications.

Commercial/Procurement


12. There are no procurement or commercial implications.

Environment/Climate Change

13. There are no environmental implications affecting the Council's decision to declare a Climate Emergency or in relation to the impact on the Council's work to address Climate Change and achieve the Net Zero target.

Council Priorities and Projects

14. There are no implications affecting the Council's key priorities including the Borough Vision, Council Plan and Future Council Programme.



Mohammed Farooq
Lead for Law and Governance
(Monitoring Officer)

Meeting of the Council – 26th February, 2024

Report of the Lead for Law and Governance (Monitoring Officer)

Review of Polling Districts, Polling Places and Polling Stations

Purpose of report

1. Local authorities have a statutory responsibility for reviewing UK Parliamentary polling districts, polling places and polling stations every five years in accordance with the Representation of the People Act 1983 (RPA 1983) and the Electoral Registration and Administration Act 2013 (ERA 2013).

This has fallen at the same time as a review of polling places and districts needing to be completed due to our Local Government Boundary Review completion.

The Ward Boundary Review was laid in Parliament on 19th December, 2023 and will become law on or around 19th February, 2024 as The Dudley (Electoral Changes) Order 2024, which will come into effect for the elections on 2nd May, 2024.

Recommendations

2. That the proposal document published on the Polling Place and Polling Station Review, available on the Dudley website, <https://www.dudley.gov.uk/council-community/elections/polling-review/> with the alterations mentioned in this report be approved and adopted for elections in Dudley (A final list of proposed polling stations can be found in Appendix A).

3. That the proposed changes on the changes document published for the following wards be approved:

Brockmoor & Pensnett, Castle & Priory, Coseley, Cradley North & Wollescote, Halesowen North, Halesowen South, Kingswinford North & Wall Heath, Kingswinford South, Netherton & Holly Hall, Norton, Pedmore & Stourbridge East, Sedgley, St. James's, St. Thomas's, Upper Gornal & Woodsetton, Wollaston & Stourbridge Town and Wordsley North.
4. That the changes proposed on the changes document for the Amblecote Ward, with the alteration of S04 polling district remaining at Amblecote Primary School, be approved.
5. That the changes proposed on the changes document for the Belle Vale Ward, with the amendments suggested in this report, be approved.
6. That the changes proposed on the changes document for the Brierley Hill and Wordsley South Ward, with the amendments suggested in this report, be approved.
7. That the changes proposed on the changes document for the Gornal Ward, with the amendments in the Alterations to original proposals due to availability section of this report, be approved.
8. That the changes proposed on the changes document for the Hayley Green & Cradley South Ward, with the amendments suggested as per this report, be approved.
9. That the changes proposed on the changes document for the Lye & Stourbridge North Ward, with the amendment to use the Elton Centre for polling District U04, be approved.
10. That the changes proposed on the changes document for the Netherton & Holly Hall Ward, with the amendment of M03 to vote at the alternative venue of Ebenezer Baptist Church, 17 St Andrews Street, be approved.
11. That the changes proposed on the changes document for the Norton Ward, with the amendment of V06 electors remaining at the Sons of Rest building at Mary Stevens Park, be approved.
12. That the changes proposed on the changes document for the Quarry Bank & Dudley Wood Ward, with the alteration for X07 polling district to remain at the Scout Hut, be approved.

Background

13. Local authorities must comply with the following legislative requirements regarding the designation of polling districts, polling places and polling stations:
 - (a) Each parish in England is to be a separate polling district, unless special circumstances apply.
 - (b) The council must designate a polling place for each polling district, the size or other circumstances of a polling district are such that the situation of the polling station does not materially affect the convenience of the electors.
 - (c) The polling place must be an area in the district, unless special circumstances make it desirable to designate an area wholly or partly outside the district (for example, if no accessible polling place can be identified in the district).
 - (d) The polling place must be small enough to indicate to electors in different parts of the polling district how they will be able to reach the polling station.Local authorities must also comply with the following access requirements. As part of the review, they must:
 - (a) Seek to ensure that all electors in a constituency in the local authority area have such reasonable facilities for voting as are practicable in the circumstances.
 - (b) Seek to ensure that so far as is reasonable and practicable, every polling place, for which area it is responsible is accessible to electors who are disabled.
14. All wards were looked at in order to meet the twin aims of improving access for all electors within the community and minimising school disruption. In particular we looked at those which had schools, temporary mobile units/caravans as polling places.
15. This detailed work considered many aspects concerning venues, looking at:

New venues and existing venues

 - Accessibility
 - Availability
 - Facilities at venues
 - Geography and topography of the local area
 - Distances travelled under current and proposed arrangements
 - Presiding officers' views of existing venues
 - Information and views of Electoral Services
 - Future and current housing developments

- Electoral Commission's guidelines on location and staffing

Where possible we have tried to reduce the number of schools used as polling stations to minimise the disruption to pupils.

16. **The Review Process**

The review process is split into 4 stages.

Stage 1 – Notification of the Review

Stage 2 – Consultation

Stage 3 – Concluding the Review

Stage 4 – Publishing the Conclusions of the Review and report taken to Full Council.

17. **Responses from Public Consultation with Officers response**

The response to the public consultation can be found on the Dudley website using the following link: <https://www.dudley.gov.uk/council-community/elections/polling-review/>

No responses were received for the wards of Cradley North & Wollescote, Gornal, Halesowen North, Kingswinford South, Netherton & Holly Hall, Norton, Wollaston & Stourbridge Town and Wordsley North. Therefore, the proposed changes on the Changes Document published for these wards are recommended to Council for approval.

The Proposals Document referred to throughout the report is available on our website at the following link <https://www.dudley.gov.uk/council-community/elections/polling-review/>

Amblecote

One response was received for the Amblecote ward, which supported the current proposals. Therefore, the proposal document for this ward is recommended to Council.

Belle Vale

One response was received for the Belle Vale ward from Cllr Simon Phipps who suggested several minor alterations. In whole we agree with these suggestions and recommend them, apart from the movement of the properties in the southeastern side of Belle Vale (the street) from O02 to O01. Cllr Phipps' proposal was not to move Crimmond Rise but move Belle Vale. Our opinion was that as Crimmond Rise is accessible from Belle Vale, this would need to be included. However, on reviewing the comments from Cllr Phipps we have decided not to endorse this one change as this would mean electors would have further to go to vote than the current polling station.

Brierley Hill & Wordsley South

One response was received from Cllr Adam Davies for the Brierley Hill and Wordsley South ward. Cllr Davies has concerns over H01 and H02 parking and access due to the new school street scheme at Brook Primary School. The School Street Scheme is a new initiative designed to prevent traffic outside of designated schools at key school times. Our Electoral Officers have discussed this issue with officers from the Highway section, who have advised that these measures can be suspended on polling day. We will also approach the school whilst booking the location to request parking is made available on polling day.

The Red House Glass Cone is currently undergoing major renovation work and there are serious doubts about the accessibility and safety of the site to be used as a polling station.

Amblecote Methodist Church is located outside of the ward and is already used as a polling station for S05. Locating a further polling station at the Amblecote Methodist Church would significantly increase the number of electors voting there. Currently S05 has 640 electors, if we were to combine this station with H01 and H02 which currently has 3000 electors, the elector count would rise to 3640. As a consequence, the church would not be suitable for such a high number of voters. Additionally, this will cause parking issues due to the increased number of electors coming out on to a very busy junction and road. Therefore, we see no strong reason to move away from the school which is located centrally to the polling areas of H01 and H02 and has the capacity to deal with large numbers of electors.

Cllr Davies also disagreed with our proposals to move electors from the south west section of H08 to H06, and for these electors to remain at St Marys RC School or move to Wesley Methodist Church. We take these comments on board and recommend that the properties in the south west corner become their own polling district and vote at the Wesley Methodist Church. Therefore, the remainder of H08 would vote at the Store House on Albion Street as per our original proposal. This would prevent a further polling district boundary being drawn along Level Street as per Cllr Davies' comments.

Brockmoor & Pensnett

A single response was received for the Brockmoor & Pensnett ward from Cllr Judy Foster, requesting a more central polling station for J05 and the possible use of a mobile unit.

Unfortunately, we are moving away from using mobile units/caravans, due to the lack of accessibility for electors and for delivering the new Voter ID checks. Therefore, we will only use mobile units as a last resort and in emergency situations. The current polling station is at Unit 1, Fens Pool Avenue, which lies within the polling district, and is just off the main

Stourbridge Road. It is easily accessible and is within 0.4 miles of the furthest property in the polling district. We feel that a mobile unit would cause issues with delivering the poll within the new Election Act changes relating to Voter ID and accessibility access. We therefore propose to keep the polling station at Unit 1, Fens Pool Avenue.

Castle & Priory

A single response was received for the Castle & Priory ward from Cllr Karl Denning. Cllr Denning highlighted the use of the Polling Station at Priory Community Centre, Priory Road, which had previously been a caravan sited on Forest Road (A02). As already mentioned, caravans no longer meet the requirements of the Elections Act for accessibility and Voter ID, and this is why the station was moved to Priory Community Centre which is already used as a Polling Station for the adjoining polling district. We feel that there are no other suitable alternative buildings in the area apart from the Castle and Priory Neighbourhood Learning Centre based at Priory Primary School. This is currently used as a polling station and is unable to facilitate a second polling station due to the size of the electorate already attending the site. We feel that Priory Community Centre does meet the requirements of a polling station. We propose to keep both stations for A10 and A02 polling districts at the Priory Community Centre for the elections in May 2024. Cllr Denning's concerns regarding lighting at Priory Community Centre are being explored.

Coseley

We received two responses for the Coseley Ward - one from an elector and one from Cllr Peter Drake.

The comments from Cllr Drake state that Darkhouse Baptist Church on Darkhouse Lane is quite a distance for electors to travel from the B01 polling district, however this is as a result of the Rainbow Community Centre on Rainbow Street no longer being available. Officers have been unable to locate any other suitable venue within B01. We have been made aware that the Rainbow Community Centre is in the process of being sold. We are happy to consider moving the polling station back to the Rainbow Community Centre should the new owners be amenable to the idea of hosting a polling station.

Upper Etingshall Methodist Church is the suggested site for polling district B09's polling station, due to the closure of Hurst Hill Community Centre. Whilst this is slightly further for some electors to travel to vote, there is no other feasible alternative apart from Hurst Hill Primary School, which is currently not used as a polling station. The school is located on the same street as Upper Etingshall Methodist Church, therefore moving the station to the school would not only affect the children attending school, but also affect B08's polling station location. Additionally, the school has previously

requested not to be used as a polling station as there is a suitable venue close by.

Where a change of station for an election has occurred, signs are put up on the previous polling station, directing electors to where their new polling station is located. The information is also highlighted on the elector's poll card with the wording *Your polling station has changed*.

The other response asked about the feasibility of a mobile unit being located within the polling district of B01 for elderly electors. As previously mentioned, mobile units are not as accessible as buildings and would cause issue to the very people that are being mentioned in this instance. Therefore, the proposal of moving to the Darkhouse Baptist Church is currently the best option whilst the Rainbow Community Centre is unavailable. Also, a new polling district will be created that will vote at Foxyards. This is due to the movement of A01 to G10 and the new Parliamentary boundary line which now runs through this polling district. This is so the electors in the new B10 Polling district can be allocated to the correct Parliamentary constituency at a general election.

Halesowen South

One response received from an elector stated concerns regarding safety issues at the entrance of Lapal Scout Hut for polling district Q09. Our proposal of using Quinton Methodist Church was acceptable to this elector. Currently we have yet been able to make contact with the Church but will endeavour to do so, therefore we propose to keep the Polling Station at Lapal Scout Hut until we can speak with the Church and use their site if they are accommodating to the situation.

Hayley Green & Cradley South

Three responses have been received for the Hayley Green & Cradley South ward. Cllr Ruth Buttery suggested the use of Fatherless Barn Church in place of the Caslon Primary School for R01 and R02 polling districts. We support this change in our quest to reduce the use of schools. On our initial enquiry, the church were not available for use, but with the assistance of Cllr Buttery the church is now available to be used as a polling station. Electoral Officers have visited the site and deemed it suitable for use as a polling station. Location is close to the school; being only 0.2 miles away, we therefore recommend this change to council. Caslon Primary School responded to the consultation asking why other local polling stations could not be closed and moved to the school. This is not possible due to the distance electors would be required to travel to vote and would also mean the school would probably need to close for polling day.

The third response was in relation to the use of schools as polling stations, namely Lutley Primary School. This is not currently used as a polling station and is not proposed to be used. As stated elsewhere, we are

endeavouring to use alternative sites to schools. For any schools that are currently being used, we are happy to have a discussion with the Headteacher to try and facilitate the school remaining open. The decision on whether a school remains open or closed for the day lies with the school itself and not the Returning Officer.

Kingswinford North & Wall Heath

A sole response was received from an elector, relating to the use of schools and in particular Blanford Mere Primary School, Mimosa Walk (K08). The suggestion was to use an alternative entrance to the school to minimise disruption. This is something we will take up with the Headteacher for their decision. As there are no alternative locations, we propose to continue using Blanford Mere Primary School.

Lye & Stourbridge North

Eight responses were received for the Lye & Stourbridge North ward. A response was received from an elector commenting on the polling station located at Thorns Primary School. It was mentioned that the school is not easily accessible from her location, but also states there are no other 'public buildings any closer'. Thorns Primary School is the best location for a polling station in the polling district of U01. Despite the concerns about the high volume of traffic on the dual carriage way, it does offer a good transport link to the polling station. The school has good accessibility and parking facilities and therefore, due to no viable alternative, it is our recommendation to continue to use the school as a polling station.

Cllr David Borley suggested the use of the Elton Centre or Redhill Primary School in place of the existing arrangement for polling district U04 at the Rufford Primary School.

This is supported by Cllr Patrick Harley and four electors who support either Redhill School or Elton Centre, and one further elector who supported the suggestion of Red Hill School.

In line with our quest to minimise disruption of schools, Electoral Officers have visited the Elton Centre and are happy this location meets the requirements to be used as a polling station. This would therefore prevent any disruption to Redhill School due to being used as a polling station. We received one objection to the use of the Elton Centre from a resident near the centre citing traffic congestion and parking issues. The Officer who visited the Elton Centre felt there was sufficient parking at the centre, and this would not impact the local residents disproportionately. We therefore are happy to accept the suggestion of the Elton Centre to be used in place of Rufford Primary School for the polling district of U04. Rufford Primary School will continue to be used for U05.

Pedmore & Stourbridge East

A sole response was received from an elector relating to Pedmore Technology College as a polling station. The elector noted the location of the polling station as good but raised concerns regarding accessibility and car parking. The alternative suggestions were the Coach House/St Mary's Church, Rectory Road. This location is already a double polling station for the polling districts of W01 and W03, and therefore would not be able to facilitate a further polling station for W02. Furthermore, St Mary's Church would be significantly further for electors to travel from the north section of W02. We would therefore recommend remaining at Pedmore Technology College but will investigate accessibility issues raised by the elector prior to the elections in May 2024.

Quarry Bank & Dudley Wood

A single response was received from Cllr Jackie Cowell. Electors in the X01 polling district currently vote at Dudley Wood Neighbourhood Learning Centre, which is on the boundary of the adjoining polling district of X04. Previously we have located a mobile unit at this site, due to the lack of suitable buildings within X01 polling district. As mentioned previously in this report, mobile units/caravans are no longer suitable to be used as polling stations due to accessibility and Voter ID requirements. We therefore recommend that the polling station remains at the Dudley Wood Neighbourhood Learning Centre but note the comments relating to the locking of the gate situated on Saltwells Road and will ensure it remains open for electors.

Cllr Cowell also commented on the polling station for X02 and X03 at Netherbrook Primary School. At the election an issue relating to the main door from the car park on Chester Road closing caused problems for electors gaining access to the station. We will speak with the school on resolving this issue via either Cllr Cowell's suggestions of an alternative entrance from Norwich Road or intercom/bell system on the Chester Road entrance.

Cllr Cowell also commented on X07 polling district and the office proposals to move location to Thorns Primary School.

We understand the concerns that relate to the high volume of traffic and dangers that occur on Thorns Road.

The main reason for our proposal to move to the Thorns Primary School is due to the accessibility of the entrance to the Scout Hut. Cllr Cowell's suggestion of using a mobile unit would not improve the accessibility to a polling station, and therefore we feel Thorns Primary School or remaining at the Scout Hut is the best option at this current time. Taking Cllr Cowell's comments on board we therefore recommend to council to remain at the Scout Hut.

Sedgley

We received two responses for the Sedgley ward from a Community Hub and an elector.

One response was from The Hub, Ettymore Road, offering their services as a polling station. The current setup of polling stations in that area currently works very well and we have received no objections or comments on this. We would like to thank The Hub for their offer and will add them to our contingency list of stations should an issue arise.

The second response was from an elector relating to D07 polling district and was in support of the current arrangements at Church Hall, Vicar Street. The comments relating to heating issues at the hall for staff are being addressed in the booking of the venue for 2024.

St James's

One response was received from Cllr Cathy Bayton.

Cllr Bayton provided two maps with suggested polling districts. The suggestion to move part of Merryfield Road from E07 to E08 is very similar to the office's proposal but didn't include the whole of Merryfield Road. We have suggested the whole road to be included, as there are no obvious routes that allow the eastern half of the road to access Living Hope Church any easier than Russell Hall Primary School. Therefore, it is our preference to keep whole roads where possible in the same polling district. We concur with Cllr Bayton on sending E08 to Russells Hall Primary School, and E07 to Living Hope Church which will also host E06 as per our proposal.

Cllr Bayton's suggestion of creating a new polling district by separating the properties on the north west side of Milking Bank is a reasonable suggestion if a polling station can be found.

However, the suggestion of using the Co-op to site a second polling station is not feasible as the shop is a very small location, but the alternative of the Bahia Snooker Club, Dibdale Road West is suitable. Therefore, we would recommend the Snooker Club as the polling station.

St. Thomas's

One response was received from an elector in support of Kate's Hill Community Centre in F06 polling district. This is the polling station we currently use; we recommend the continued use of the community centre as a polling station. The changes from the Proposals Document are recommended to council.

Upper Gornal & Woodsetton

Two responses were received for Upper Gornal and Woodsetton ward. One elector had no issues due to being a postal voter in this ward. The second response comments were concerned with the Local Government Boundary Review, which has already taken place. The recommendations

were expected to be passed in parliament on 16 February 2024 and are not within the scope of this polling district and polling places review.

General Responses

Seven responses were received which didn't directly relate to any particular ward but covered more general topics.

Two responses had no issues with their current arrangements. The remaining five responses were in regard to using schools as polling stations and that we should try and use other buildings. Suggestions were to use commercial buildings, public houses, shops or churches, as the use of schools affects children's education, especially when the school has to close.

We have tried where possible to move away from schools to keep any disruption to a minimum, but legislation does allow the Returning Officer the power to use a school as they are funded from the public purse. The legislation that allows this is Rule 20(1)(a) Local Elections (Principal Areas) (England and Wales) Rules 2006 (LEPAR 2006), and we are actively encouraged by the Department for Levelling Up, Housing and Communities (DLUHC) to use schools to keep the cost of elections down, due to private buildings being able to charge a rental cost for the use of their building. For any schools that are currently being used, we are happy to have a discussion with the Headteacher to try and facilitate the school remaining open. Ultimately it is the Headteachers decision if the school remains open or closes for the day.

Alterations to original proposals due to availability

Amblecote

The proposal of S04 polling district moving from Amblecote Primary School to Amblecote Christian Centre is not feasible as the proposed venue is not available due to long standing bookings on Thursdays. Therefore, we propose that the polling station is to remain at Amblecote Primary School.

Gornal

The original proposal document recommended C02 and C03 vote at Ellowes Hall Sports College with C04 attending Fiveways Methodist Church. As we have been unable to agree a suitable location at Ellowes Hall Sports College we recommend the polling stations remain at their current locations, C02 and C04 at the Royal British Legion and C03 at the Black Country Wellbeing Centre.

Netherton & Holly Hall

The original proposal document recommends that M03 to vote at Trinity Methodist Church, unfortunately this venue is not available and therefore we recommend the alternative of Ebenezer Baptist Church, 17 St Andrews Street.

Norton

The original proposal of V06 electors voting at St Josephs Catholic Primary school in place of the unavailable Sons of Rest building at Mary Stevens Park. Due to the Sons of Rest building now becoming available we propose to remain at the venue to prevent the unnecessary use of St Josephs Catholic School.

Acting Returning Officer Responses

No responses were received from any Acting Returning Officers that cover the Dudley Borough. It is therefore concluded that there are no issues to be raised to the proposals.

Links

18. <https://www.electoralcommission.org.uk/reviews-polling-districts-polling-places-and-polling-stations>
<https://www.dudley.gov.uk/council-community/elections/polling-review/>

Post May 2024 elections

19. After the elections on 2 May 2024, we will conduct our usual review of the election, including venues and welcome comments from polling staff and Elected members

Finance

20. There will be financial implications to the cost of running an election by moving away from schools. We have reduced the number of schools used from 57 to 46. This will result in higher booking costs for polling stations in private and commercial properties.

Despite our proposal to reduce the number of polling station locations we do not anticipate substantial savings due to a large proportion of those locations being schools. Schools are only allowed to charge reasonable heating and lighting costs and no hire charge.

The decrease in the use of mobile units/caravans from 6 to 1 will bring a saving of around £6000. The reduction of the additional polling stations we anticipate a further saving of around £2000.

The number of Polling Station staff required will also change due to the decrease of locations.

We do not foresee any savings on staffing costs due to reallocation of staff to existing stations due to the revision of the Electoral Commissions minimum staffing guidelines.

Law

21. The Council has a statutory responsibility for reviewing UK Parliamentary polling districts, polling places and polling stations as specified in Schedule A1 to the Representation of the People Act 1983. The Electoral Registration and Administration Act 2013 states that the review must be completed every fifth year after the period of 16 months beginning with 1st October 2013. In accordance with the Council's Constitution, it is the responsibility of Returning Officer to approve changes to polling places and the responsibility of Full Council to approve changes to polling districts.

Risk Management

22. The recommendations are to comply with legal requirements and there are no additional implications for the Council's Risk Management Framework.

Equality Impact

23. There are no implications relating to the Council's commitment to equality and diversity.

The recommended changes to polling districts and polling places take into account the provisions of the Equalities Act 2010, Representation of the People Act 1983, Elections Act 2022 and the Equalities and Human Rights Commission guidance relating to the duty to make reasonable adjustments to polling places. The Electoral Commission guidance relating to reviews of polling districts, polling places and polling stations also states that local authorities have a duty to review the accessibility of all polling places to disabled voters and ensure that every polling place, and prospective polling place, for which it is responsible is accessible to disabled voters so far as is reasonable and practicable. This reviews key findings are that:

- All polling places identified in the review are able to meet necessary accessibility standards for those with disabilities.
- It is not possible to eliminate the need to use certain types of venues which may have some equality implications - for example, use of pubs, places of worship and schools.
- The ability to vote by post or by proxy provides a degree of mitigation for any voters who may prefer not to use their designated polling place.
- Electoral law establishes a stringent regime to protect the rights of voters, including their privacy and proximity to a polling place. Therefore within these constraints, the available resources, locations, geographic boundaries and polling places identified in the review are considered appropriate to meet the needs of the communities in the Dudley Borough.

Human Resources/Organisational Development

24. There are no additional human resources or organisational development implications.

Commercial/Procurement

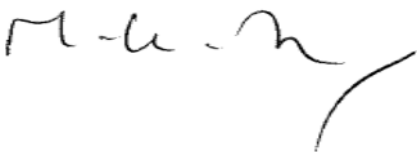
25. There are no procurement or commercial implications.

Environment/Climate Change

26. There are no environmental implications affecting the Council's decision to declare a Climate Emergency or in relation to the impact on the Council's work to address Climate Change and achieve the Net Zero target.

Council Priorities and Projects

27. There are no implications affecting the Council's key priorities including the Borough Vision, Council Plan and Future Council Programme.



Mohammed Farooq
Lead for Law and Governance
(Monitoring Officer)

List of Proposed Polling Districts and Polling Places

Current Polling District Code	New Polling District Code	Polling Place	Predicted Station Electorate
A02, A10	A01, A08	Priory Community Centre, Priory Road, Dudley, DY1 4ED	1163
A03	A02	Sea Cadet H Q, Tipton Road, DY1 4SQ	496
A04	A03	Training Centre, Priory Hall, DY1 4EU	728
A05	A04	Castle & Priory Neighbourhood Learning Centre, Limes Road, Dudley, DY1 4AQ	1233
A06	A05	Reception Block Bishop Milner R C School, (Car Access The Broadway), Burton Road, DY1 3BY	860
A07	A06	Midlands Co-Op, Dibdale Road West, DY1 2RH	1213
A09	A07	Wrens Nest Primary School, Marigold Crescent, DY1 3NQ	1645
A11*	A09*	Lighthouse Centre, Dudley Community Church, 24 - 26 Salop St, Dudley DY1 3AT	868
B01	B01	Darkhouse Baptist Church, Darkhouse Lane, WV14 8XH	1598
B02	B02	Summerhill Community Centre, 28B Summerhill Road, WV14 8RD	761
B03	B03	Summerhill Community Centre, 28B Summerhill Road, WV14 8RD	835

B04, B06	B04, B06	Roseville Methodist Church Hall, Bayer Street, WV14 9DS	1732
B05	B05	Christ Church, 40 Church Rd, Coseley, Bilston WV14 8YB	553
B07	B07	Activity Centre, Silver Jubilee Park, Mason Street, WV14 9SZ	814
B08, B09	B08, B09	Upper Ettingshall Methodist Church, Upper Ettingshall Road, WV14 9QU	1845
B10*	B10*	Foxyards Primary School, Foxyards Road, DY4 8BH	120
C01	C01	Straits School, Longfellow Road, DY3 3EE	865
C02, C04	C02, C04	The Royal British Legion, Ruiton Street, Lower Gornal, DY3 2EH	1517
C03	C03	Black Country Wellbeing Centre, Vale Street, Upper Gornal, DY3 3XF	747
C05	C05	Roberts Primary School, Roberts Street, Lower Gornal, DY3 2AZ	331
C06	C06	Memorial Hall, Temple Street, Lower Gornal, DY3 2PE	577
C07	C07	Gornal Athletic F .C. Clubhouse, Garden Walk, DY3 2NR	419
C08, C09	C08, C09	Church Hall, Zoar Methodist Church, Abbey Rd, Gornal, Dudley DY3 2 ND	1542
C10	C10	Methodist Church Sunday School, Himley Road, Lower Gornal, DY3 2TS	1326
C11	C11	St Andrews District Church, The Straits, DY3 3AB	1038
D01	D01	Alder Coppice School, Northway, DY3 3PS	1220

D01	D01	Alder Coppice School, Northway, DY3 3PS	1057
D02, D03, D06	D02, D03, D06	St Andrew`s Church, Bilston Street, DY3 1JA	1729
D04, D05, D06	D04, D05, D06	St Andrew`s Church, Bilston Street, DY3 1JA	1979
D07	D07	All Saints Church Hall, Vicar Street, DY3 3SD	525
D08	D08	Cotwall End Primary School, Cotwall End Road, DY3 3YG	1129
D09*	D09*	St Chad`s R C Primary School, Catholic Lane, DY3 3UE	1069
E01	E01	Community Room, Milking Bank Primary School, Aintree Way, DY1 2SL	1415
E02	E02	Lighthouse Centre, Dudley Community Church, 24 - 26 Salop St, Dudley DY1 3AT	1212
E03	E03	Nursery Building, Jesson`s C of E Primary School, Ent In Nelson Road & School Street, DY1 2AQ	661
E04	E04	Dudley Central Methodist Church, Upper Entrance, Cross Street, DY1 1RW	535
E05	E05	Queens Cross Centre, Wellington Road, DY1 1RB	491
E06	E06	Living Hope Church, Middlepark Road, DY1 2LD	930
E07	E07	Living Hope Church, Middlepark Road, DY1 2LD	1493
E08	E08	Russells Hall Primary School, Overfield Rd, Dudley DY1 2NX	1253
E09*	E09*	Bahia Snooker Club, Dibdale Road West Dudley, DY1 2TF	450

F02, F03	F01, F02	St John's Parish Hall & Worship Centre, Main Hall, St John`s Road, DY2 7JH	1411
F04, F05	F03, F04	The Scout Hall, Watson's Green Road, DY2 7LG	1637
F06	F05	Kates Hill Primary School, Peel Street, DY2 7HP	1493
F07	F06	Sledmere Primary School, Ent. Warrens Hall Road, Buffery Road Or, DY2 8EH	371
F08	F07	Sledmere Primary School, Ent. Warrens Hall Road, Buffery Road Or, DY2 8EH	1839
F09	F08	Buffery Paradise Centre, Buffery Park, Paradise, DY2 8LY	1106
F10, F11	F09,F10	Abberley Street Centre, Abberley Street, DY2 8QY	1279
G01	G01	Church of Jesus Christ of Latter Day Saints, 61-63 Tipton Road, Woodsetton, DY3 1BE	900
G02	G02	Sports Hall, Bramford Primary School, Park Road, DY1 4JH	1743
G03	G03	Sports Hall, Bramford Primary School, Park Road, DY1 4JH	756
G04	G04	Sycamore Green Centre, Sycamore Green, DY1 3QE	1357
G05	G05	Upper Gornal Methodist Church, Spills Meadow, Upper Gornal, DY3 1YB	1351
G06	G06	Black Country Wellbeing Centre, Vale Street, Upper Gornal, DY3 3XF	854
G09*	G07*	Foxyards Primary School, Foxyards Road, DY4 8BH	957
G11*	G08*	Sycamore Green Centre, Sycamore Green, DY1 3QE	457

H01	H01	Brook Primary School, Environmental Classroom, Ent From George Street, DY8 5YN	1246
H02	H02	Brook Primary School, Environmental Classroom, Ent From George Street, DY8 5YN	1191
H03	H03	Main Hall Hawbush Primary School, Entrance In Hawbush Road, DY5 3NH	1182
H04	H04	Main Hall Hawbush Primary School, Entrance In Hawbush Road, DY5 3NH	1445
H05	H05	The Sports & Social Centre, Hillcrest Avenue, DY5 3QJ	893
H06	H06	Nine Locks Community Centre, Hill Street, DY5 2UE	718
H07, H08	H07,H08	The Store House, Albion Street, DY5 3EE	1487
H09*	H09*	Wesley Methodist Church, Mount Pleasant, DY5 2YN	436
J01	J01	St James` Methodist Church, Church Hall, Chapel Street, DY5 4EL	1098
J02	J02	Caravan, Herringbone Way, DY6 7NE	902
J03	J03	The Bromley-Pensnett Primary Sch, Children`s Centre, Bromley, DY5 4PJ	1103
J04	J04	The Bromley-Pensnett Primary Sch, Children`s Centre, Bromley, DY5 4PJ	1051
J05	J05	Unit 1, Wallows Ind Estate, Fens Pool Avenue, DY5 1QA	496
J06	J06	Brockmoor Community Centre, Pensnett Road, Brockmoor, DY5 3YH	948
J07	J07	Brockmoor Primary School, Belle Isle, Brockmoor, DY5 3UZ	1173

J08*	J08*	St James` Methodist Church, Church Hall, Chapel Street, DY5 4EL	1679
K01	K01	Wall Heath Community Centre, Enville Road, Wall Heath, DY6 0JT	1204
K02	K02	Maidensbridge Primary School, Beachcroft Road, DY6 0HX	878
K03	K03	The Church of The Ascension Primary School, Entrance From New Street, Wall Heath, DY6 9AH	917
K04	K04	The Church of The Ascension Primary School, Entrance From New Street, Wall Heath, DY6 9AH	648
K05	K05	Dawley Brook Primary School, Dubarry Avenue, DY6 9BP	977
K06	K06	Kingswinford Christian Centre, Summer Street, DY6 9NA	480
K07	K07	St Mary's C E (V C) Primary School, Queen Street, DY6 7AQ	926
K08	K08	Blanford Mere Primary School, Mimosa Walk, DY6 7EA	789
K09	K09	Kingswinford Snooker Centre, Dawley Trading Estate, Stallings Lane, DY6 7AP	1011
L01, L02	L01, L02	Glynne Primary School, Cot Lane, DY6 9TH	1944
L03	L03	Kingswinford Methodist Church, Stream Rd, Kingswinford DY6 9NP	1017
L04	L04	The Source Youth Centre, Barnett Lane, Kingswinford, DY8 5PY	961
L05	L05	Community Centre, High Street, DY6 8AP	1964
L06	L06	Bromley Hills Primary School, Granville Drive, DY6 8LW	1129

L07	L07	Crestwood Park Primary School, Lapwood Avenue, DY6 8RP	997
M01	M01	Cole Street Methodist Church Hall, Darby End, DY2 9PA	1570
M02	M02	Savoy Centre, Northfield Road, DY2 9ES	1203
M03	M03	Ebenezer Baptist Church, 17 St Andrew's St, Netherton, Dudley DY2 0QB	1586
M04, M05	M04, M05	Netherton C of E Primary School, Highbridge Road, DY2 0HU	813
M06	M06	Woodside Community Centre, Highgate Road, Adj Highgate Primary School, DY2 0SN	904
M07	M07	School Hall of Hallchurch Road, Methodist Church, DY2 0TQ	1633
M08	M08	The Link Academy, Leisure Centre, Entrance Hill Street, DY2 0PB	555
M09	M09	Peoples Mission Sunday Sch Hall, Entrance From Round Street Or Swan Street, DY2 9EQ	481
N01, N02	N01, N02	The Holy Trinity Church Hall, High Street, DY8 5RU	1428
N03	N03	Dingle Community Centre, Madeley Road, DY6 8PF	1025
N03	N03	Dingle Community Centre, Madeley Road, DY6 8PF	969
N04, N05	N04, N05	The Holy Trinity Church Hall, High Street, DY8 5RU	1586
N06	N06	Ashwood Park Primary School, Off Bells Lane, DY8 5DJ	973
N07	N07	Wordsley Community Centre, Wordsley Grn, Wordsley, Stourbridge DY8 5BN	2036

O01	O01	Overend Methodist Schoolroom, Banners Street, B63 2SL	1145
O02	O02	Methodist Schoolroom, Attwood Street, B63 3UE	969
O03, O04	O03,O04	School Hall, Newfield Park Primary School, Whittingham Road, B63 3TP	1642
O05	O05	Christ for All Nations, Highway House, 250 Coombs Rd, Halesowen B62 8AA	655
O06, O09	O06, O09	Halesowen Town Football Club, Old Hawne Lane, B63 3TB	1276
O07	O07	Hasbury Community Centre, Wall Well, B63 4SJ	1100
O08	O08	Hasbury Community Church, Albert Road, B63 4SW	1212
P01	P01	Community Centre, 33 Malt Mill Lane, B62 8JE	1107
P02	P02	Hill and Cakemore Liberal Club, 87 Nimmings Road, B62 9JG	1471
P03	P03	Hill and Cakemore Liberal Club, 87 Nimmings Road, B62 9JG	1219
P04	P04	Halesbury School, Feldon Lane, B62 9DR	1010
P04	P04	Halesbury School, Feldon Lane, B62 9DR	865
P05	P05	Halesbury School, Feldon Lane, B62 9DR	1197
P06	P06	Long Lane Library, Long Lane, B62 9JY	1163
P07	P07	Christ for All Nations, Highway House, 250 Coombs Rd, Halesowen B62 8AA	34

Q01	Q01	The Green Room, Halesowen Town Hall, 10 Hagley Street, B63 3AF	961
Q02	Q02	St Margarets of Antioch, 23 Hagley Rd, Halesowen B63 4QD	1069
Q04, Q06	Q03, Q05	Manor Way Primary Academy, Brier Mill Road, B63 3HA	694
Q05	Q04	St Peter`s, Lapal, Hiplands Road, Lapal, B62 0BH	793
Q07	Q06	St Peter`s, Lapal, Hiplands Road, Lapal, B62 0BH	1242
Q08	Q07	Howley Grange Primary School, Howley Grange Road, B62 0HS	1712
Q09	Q08	Quinton Methodist Church, 10 Ridgeway Ave, Halesowen B62 9AU	1169
R01, R02	R01, R02	Fatherless Barn Evangelical Church, 2 Hedgefield Grove, Halesowen B63 2HJ	1780
R03	R03	Huntingtree Park Activity Centre, Huntingtree Road, B63 4HY	1576
R04	R04	Lutley Community Association, Brookwillow Road, B63 1BU	1371
R05	R05	Lutley Community Association, Brookwillow Road, B63 1BU	882
R05, R06	R05, R06	Lutley Community Association, Brookwillow Road, B63 1BU	1222
R07	R07	St Margarets of Antioch, 23 Hagley Rd, Halesowen B63 4QD	525
S01	S01	Withymoor Primary School, Gayfield Avenue, DY5 2BH	1727
S02	S02	Wesley Methodist Church, Mount Pleasant, DY5 2YN	958

S03	S03	Petershill Primary School, Petershill Road, DY5 2QH	953
S03	S03	Petershill Primary School, Petershill Road, DY5 2QH	981
S04	S04	Amblecote Primary School, School Drive, DY8 4DQ	1091
S05	S05	Amblecote Wordsley Methodist Church, High Street, DY8 4BX	550
S06	S06	Amblecote Church Hall, Vicarage Road, DY8 4JA	1809
T01	T01	Park Lane Unitarian Chapel, Parsonage Dr, Halesowen B63 2NU	1387
T02, T03	T02, T03	Cradley Community Centre, Colley Lane, B63 2TL	1885
T04, T07	T04, T07	Providence Methodist Schoolroom, Colley Orchard, Off Windmill Hill, B63 2LA	1471
T05	T05	Wollescote Primary School, (Infants Building), Drummond Road, DY9 8YA	1325
T06	T06	The Community Centre, Wassell Road, DY9 9BY	1649
U01	U01	Thorns Primary School, Thorns Road, DY5 2JY	1508
U02	U02	Petershill Primary School, Petershill Road, DY5 2QH	1102
U03	U03	Amblecote Church Hall, Vicarage Road, DY8 4JA	742
U04	U04	Elton Centre, St John's Rd, Stourbridge DY8 1HA	814
U05	U05	Rufford Primary School, Bredon Avenue, DY9 7NR	1479

U06, U08	U06, U08	Community Centre, Crosswalks Road, DY9 8BH	1699
U07	U07	The United Church Lye, Upper High Street, Lye, DY9 8LX	367
V01	V01	The Ridge Primary School, Gregory Road, DY8 3NF	1036
V02	V02	Alderman Tye Scout Headquarters, South Road, DY8 3UL	418
V03	V03	St Michael's Church Centre, Maynard Avenue, DY8 3EE	1328
V04, V05	V04, V05	Norton Community Centre, Kempton Way, DY8 3AP	1682
V06	V06	Sons of Rest Building, Mary Steven`s Park, DY8 2AA	969
V06	V06	Sons of Rest Building, Mary Steven`s Park, DY8 2AA	833
V07	V07	Oldswinford C E Primary School, Field Lane, DY8 2JQ	1070
W01, W03	W01, W03	St Mary`s Church Hall, Rectory Road, DY8 2HA	1581
W02	W02	Pedmore Technology College & Community School, Grange Lane, DY9 7HS	1394
W04	W04	St Peter's Centre, Pedmore Lane, DY9 0SW	1526
W05	W05	Pedmore C of E Primary School, School Hall, DY9 0RH	1345
W06	W06	Hob Green Primary School, Hob Green Road, DY9 9EX	1409
X01	X01	Dudley Wood Neighbourhood Learning Centre, Pavillion Gardens, Dudley Wood Road, DY2 0DB	1187

X02, X03	X02, X03	Netherbrook Primary School, Chester Road, DY2 9RZ	1597
X04	X04	Dudley Wood Neighbourhood Learning Centre, Pavillion Gardens, Dudley Wood Road, DY2 0DB	1360
X05	X05	Birch Coppice Methodist Church Hall, Birch Coppice, DY5 1AR	1420
X06	X06	Quarry Bank Community Centre, Sheffield Street, DY5 1EA	1722
X07	X07	Quarry Bank Scout Hut, Bobs Coppice Walk, DY5 2DX	1053
Y01	Y01	St James`s C E Primary School, Kingsway, DY8 4RU	1616
Y02	Y02	Methodist Church Hall, Bright Street, DY8 3QZ	1544
Y03	Y03	St James` Church Hall, Belfry Drive, DY8 3SE	1301
Y04	Y04	St James` Church Hall, Belfry Drive, DY8 3SE	1072
Y05	Y05	Greenfield Primary School, Hill Street, DY8 1AL	1110
Y05	Y05	Greenfield Primary School, Hill Street, DY8 1AL	965
Y06	Y06	Spiritualist Church, Union Street, DY8 1PJ	516
			194749

* Indicates a new polling district

Meeting of the Council – 26th February, 2024

Report of the Director of Finance and Legal

Appointment of Returning Officer and Electoral Registration Officer and Deputy Electoral Registration Officer

Purpose of Report

1. To appoint a Returning Officer and Electoral Registration Officer for the forthcoming Elections to be held on 2nd May 2024 and to appoint a Deputy Electoral Registration Officer.

Recommendations

2. That the appointment of Kevin O’Keefe as Returning Officer and Electoral Registration Officer be repealed and that Balvinder Heran (Deputy Chief Executive) be appointed as the Returning Officer and Electoral Registration Officer in respect of the elections to be held between 2nd May, and 31st December 2024, to enable the Council to comply with its statutory duties.
3. That Mohammed Farooq (Monitoring Officer and Lead for Law and Governance) be appointed as Deputy Electoral Registration Officer.

Background

4. Section 8 of the Representation of the People Act 1983 (“the 1983” Act”) requires every Local Authority to appoint an officer of the Council to be Electoral Registration Officer (“ERO”) and Section 35 of the Representation of the People Act 1983 requires every Local Authority to appoint a Returning Officer (“RO”) for elections. The role is to ensure that the elections are administered effectively and that, as a result, the experience of voters and those standing for election is a positive one.

5. Whilst both the positions of RO and ERO are undertaken by an officer of the Council, both the role of Electoral Registration and Returning Officer are personal responsibilities, independent and separate from their duties as employees of the Council. They are personally liable for these functions. The roles of Returning Officer and Electoral Registration Officer are typically combined and performed by a single person. These roles are appointed by Full Council. It is proposed to make the appointment as set out in the recommendation to have immediate effect to comply with legislative requirements.
6. On 30 April, 2019, at a meeting of Full Council, Kevin O’Keefe (Chief Executive) was appointed to both of these roles.
7. In the absence, or inability to act, of Kevin O’Keefe, the Council is required to designate an officer to carry out the functions of the Returning Officer and Electoral Registration Officer roles. It is proposed that the Council designates Balvinder Heran (Deputy Chief Executive) to these roles for Electoral purposes until 31st December, 2024. It is also proposed to designate Mohammed Farooq (Monitoring Officer and Lead for Law & Governance) as Deputy Electoral Registration Officer.
8. The 1983 Act does not require that the Chief Executive of a local authority be appointed to these roles. The law states that a Council must appoint “one if its officers” to these roles and it is imperative that the officer appointed has the necessary skills and experience. A Returning Officer must have a working knowledge of the relevant legislation governing the conduct of elections. A Returning Officer is personally responsible for the administration of the authority’s Council elections and for ensuring that the experience of voters and those standing for elections is a positive one.
9. Other local Authorities in the West Midlands have appointed different officers of the Council, for example Birmingham City Council appoint the Assistant Director for Legal & Governance as Returning Officer.
10. A further report will be brought to the Council at the expiry of this appointment.

Finance

11. There are no additional financial implications arising directly from this report.

Law

12. The Council has a statutory duty to appoint to these roles. The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 provide that functions relating to elections should not be the responsibility of a local authority's Executive (Cabinet).

Risk Management

13. The recommendations are to comply with legal requirements and there are no additional implications for the Council's Risk Management Framework.

Equality Impact

14. There are no implications relating to the Council's commitment to equality and diversity in connection with these appointments.

Human Resources/Organisational Development

15. The duties will be undertaken by existing Council employees. There are no additional human resources or organisational development implications.

Commercial/Procurement

16. There are no procurement or commercial implications.

Environment/Climate Change

17. There are no environmental implications affecting the Council's decision to declare a Climate Emergency or in relation to the impact on the Council's work to address Climate Change and achieve the Net Zero target.

Council Priorities and Projects

18. There are no implications affecting the Council's key priorities including the Borough Vision, Council Plan and Future Council Programme.



Iain Newman
Director of Finance and Legal

Meeting of the Council – 26th February, 2024

Report of the Lead for Law and Governance (Monitoring Officer)

Composition and Membership of Committees

Purpose of Report

1. To receive a report on the revised composition and membership of Committees for the remainder of the 2023/24 municipal year.

Recommendation

2. That the revised composition and membership of Committees for the remainder of the 2023/24 municipal year be determined in accordance with the political balance requirements of Sections 15 and 16 of the Local Government and Housing Act 1989, as set out in the Appendix.

Background

Appointment and Membership of Committees

3. On 16th October, 2023, the Council determined the composition and membership of Committees for the 2023/24 municipal year. This was based on the political composition of the Council at that time (Conservative 42; Labour 27; Liberal Democrat 1; Independents 2).
4. Since that time, there has been a change in the political composition of the Council, which necessitates a review of the composition and membership of Committees in accordance with the political balance requirements of the Local Government and Housing Act 1989. On 5th January, 2024, notice was received of the formation of an Independent Group comprising Councillor M Westwood (Group Leader) and Councillor S Keasey (Group Deputy Leader).

5. There are currently 3 political groups represented on the Council:

Conservative Group (42 seats)

Labour Group (26 seats)

Independent Group (2 seats)

There is one Liberal Democrat Member and one other independent Member. The proportionality Regulations provide that a political group is constituted where two or more Members of the Council give notice that they wish to be treated as a group.

6. Under Sections 15 and 16 of the Local Government and Housing Act 1989, the Council is required to provide for political balance on Committees. The revised composition of Committees, in accordance with political balance, is set out in the lists attached as an Appendix to this report.
7. The political balance 'rules' provide that political groups are entitled to be allocated seats on Committees in accordance with the proportion of seats they hold on the Council.
8. Section 17 of the Local Government and Housing Act 1989 authorises the Council to approve different arrangements (eg: not reflecting political balance) provided that no Member of the Council votes against them.
9. Cabinet Procedure Rules provide that each of the other political groups on the Council may nominate members from their group to attend meetings of the Cabinet. Such members may speak at the meeting but may not vote.
10. Regulations made under the Local Government and Housing Act 1989 require the Council's Committees to reflect the overall political balance of the Council and take account of the wishes of political groups when allocating Members to Committees. From time to time during the municipal year, it is necessary for changes to be made in the allocation of Committee Memberships to reflect the wishes of the political groups. Under Article 4.02 of the Constitution, the Monitoring Officer is authorised to make any necessary changes that arise from time to time in accordance with the requirements of the Leaders of political groups.

Finance

11. The financial implications of operating the Council's governance arrangements are being met from existing resources during the 2023/24 financial year.

Law

12. The relevant statutory provisions regarding the Constitution and arrangements with respect to executive functions are contained in Part II of the Local Government Act, 2000, as amended, and the Localism Act 2011, together with Regulations, Orders and Statutory Guidance issued by the Secretary of State.
13. The power to appoint Committees and to delegate functions to Committees and Officers is set out in Sections 101 and 102 of the Local Government Act 1972.
14. Seats on Committees must be allocated to political groups on a proportional basis in accordance with the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990.
15. If it so wishes, the Council may resolve not to apply the proportionality rules in respect of one or more Committees, but such a resolution must be passed with no Member of the Council voting against it (Section 17 of the 1989 Act).
16. The rules on proportionality do not apply to the Your Home Your Forums because the Forums are not Committees of the Council and they comprise all the Ward Councillors for the areas concerned.
17. The implications of the Localism Act 2011 have been reflected in this report, including the freedoms to consider governance structures.
18. The duty to allocate seats on a politically proportional basis does not apply to a Licensing Committee or to Sub-Committees established under the statutory requirements of the Licensing Act 2003. However, the proportionality duty does apply to the Licensing and Safety Committee in discharging other licensing functions not covered by the 2003 Act (eg functions under the Gambling Act 2005). The Council has previously agreed that the proportionality requirements of Section 15 of the Local Government and Housing Act 1989 should not apply to the Licensing Sub-Committees established by the Licensing and Safety Committee, to enable them to deal with all licensing business requiring Member determination. This is also applied to any Sub-Committee established by the Audit and Standards Committee to consider complaints against Members under the Council's standards arrangements.

Risk Management

19. This report deals with the Council's governance arrangements, which will ensure that the Council considers any ongoing material risks as part of the Risk Management Framework.

Equality Impact

20. The requirements to consider the Council's policies on equality and diversity, along with duties under the Equality Act 2010, are fully reflected in the Council's governance structures and decision-making processes. Decisions taken by the Council, the Cabinet and Committees during the year on policy issues and the implementation of the Council Plan framework will involve actions to promote equality and diversity and in relation to children and young people.

Human Resources/Organisational Development

21. The Council's governance arrangements are being administered from existing resources during the 2023/24 financial year.

Commercial/Procurement


22. Decisions taken by the Council, the Cabinet and Committees will reflect the Council Plan objectives to maximise value from procurement, deliver social value and develop a commercial focus as appropriate.

Environment/Climate Change

23. Within our governance arrangements, the Council requires that all reports should include an assessment of the impact on the environment. The Council has declared a Climate Emergency and reports on individual proposals should address the impact on the Council's work to address Climate Change and achieve the Net Zero target by 2041. In addition, individual reports should consider how the proposals support the [United Nations sustainable development goals](#)
24. To reinforce the Council's commitment, the Leader has established a specific Cabinet portfolio for Climate Change. The Council has also established the Climate Change Select Committee for the 2023/24 municipal year.

Council Priorities and Projects

25. This report deals with the Council's governance arrangements to underpin the delivery of key Council priorities including the Borough Vision, Council Plan and Future Council Programme. Reports to meetings and decision takers will include details of how proposals impact on or contribute to Council priorities.



Mohammed Farooq
Lead for Law and Governance
(Monitoring Officer)

COMPOSITION AND MEMBERSHIP
OF CABINET AND COMMITTEES 2023/24

<u>COMMITTEE</u>	<u>TOTAL</u>	<u>CONSER- VATIVE</u>	<u>LABOUR</u>	<u>IND</u>
Overview and Scrutiny Committee	11	6	5	
Adult Social Care Select Committee	11	7	4	
Children's Services Select Committee (Excluding Co-opted Members)	11	7	4	
Climate Change Select Committee	11	7	4	
Corporate and Economic Strategy Select Committee	11	7	4	
Highways and Environmental Services Select Committee	11	6	4	1
Housing and Safer Communities Select Committee	11	7	4	
Health Select Committee	11	7	4	
Appointments Committee	9	5	4	
Audit and Standards Committee	9	6	3	

Children's Corporate Parenting Board	12	6	4	2
Planning Committee	9	6	3	
Ernest Stevens Trusts Management Committee (Excluding Co-opted Members)	6	4	2	
Licensing and Safety Committee	12	7	4	1
Taxis Committee	9	5	4	

Council balance:

Conservative Group 42; Labour Group 26; Independent Group 2; Liberal Democrat 1; Independent 1

COMMITTEE CHAIRS AND VICE-CHAIRS

2023/24

<u>COMMITTEE</u>	<u>CHAIR</u>	<u>VICE-CHAIR</u>
	Councillor	Councillor
Overview and Scrutiny Committee	I Kettle	M Hanif
Adult Social Care Select Committee	L Johnson	J Elliott
Children's Services Select Committee	K Lewis	D Bevan
Climate Change Select Committee	P Dobb	T Russon
Corporate and Economic Strategy Select Committee	D Stanley	S Henley
Highways and Environmental Services Select Committee	E Lawrence	P Miller
Housing and Safer Communities Select Committee	A Davies	S Bothul
Health Select Committee	J Clinton	R Collins
Appointments Committee	P Harley	P Bradley
Audit and Standards Committee	A Lees	D Borley
Children's Corporate Parenting Board	R Buttery	S Ridney
Planning Committee	D Harley	M Webb
Ernest Stevens Trusts Management Committee	I Kettle	T Crumpton
Licensing and Safety Committee	K Razzaq	A Taylor
Taxis Committee	A Hopwood	B Challenor

CABINET 2023/24

<u>Councillor</u>	<u>Portfolio</u>
P Harley	Leader (Policy)
P Bradley	Deputy Leader (Communities and Economic Delivery)
M Rogers	Adult Social Care
R Buttery	Children's Services and Education
Dr R Clinton	Climate Change
P Atkins	Corporate Strategy
S Clark	Finance, Legal and Human Resources
D Corfield	Highways and Environmental Services
L Taylor-Childs	Housing and Homelessness
I Bevan	Public Health

OPPOSITION GROUP SPOKESPERSONS (SHADOW CABINET) 2023/24

<u>Councillor</u>	<u>Portfolio</u>
P Lowe	Leader (Policy and Performance, Heritage and Sport)
J Foster	Deputy Leader (Human Resources, EDI and Legal)
S Ali	Finance and Digital
A Aston	Health and Wellbeing (includes Adult Social Care)
S Ridney	Children's Services, Young People and Families
C Bayton	Climate Change and Environment (includes West Midlands Combined Authority)
J Cowell	Housing and Communities
K Casey	Highways, Transport and Street Scene
S Mughal	Commercialisation, Procurement and Audit
P Sahota	Regeneration, Skills, Employment and Leisure

CABINET 2023/24

Leader of the Council Councillor P Harley (Chair)

Cabinet Members
Councillor P Bradley (Deputy Leader - Vice-Chair)
Councillor P Atkins
Councillor I Bevan
Councillor R Buttery
Councillor S Clark
Councillor Dr R Clinton
Councillor D Corfield
Councillor M Rogers
Councillor L Taylor-Childs

Opposition Groups

Each of the other political groups on the Council may nominate Members from their Group to attend meetings of the Cabinet (to speak but not vote)

OVERVIEW AND SCRUTINY COMMITTEE 2023/24

Conservative
Councillors (6)

I Kettle (Chair)
J Clinton
A Davies
P Dobb
E Lawrence
D Stanley

Labour
Councillors (5)

M Hanif (Vice-Chair)
S Ali
H Bills
J Foster
E Taylor

ADULT SOCIAL CARE SELECT COMMITTEE 2023/24

Conservative
Councillors (7)

L Johnson (Chair)
J Elliott (Vice-Chair)
S Bothul
R Collins
A Davies
A Hopwood
C Sullivan

Labour
Councillors (4)

A Aston
T Crumpton
M Hanif
A Qayyum

CHILDREN'S SERVICES SELECT COMMITTEE 2023/24

Conservative
Councillors (7)

K Lewis (Chair)
D Bevan (Vice-Chair)
R Collins
P Lee
D Stanley
C Sullivan
M Webb

Labour
Councillors (4)

C Bayton
T Crumpton
C Reid
S Ridley

Five statutory, non-elected co-opted members with voting rights in matters concerning education:-

Parent Governor Representatives

1. Secondary Schools – Vacancy
2. Primary Schools – Vacancy
3. Special Schools - Vacancy

Church Representatives

4. Worcester Diocesan Board of Education – T Reid
5. Archdiocese of Birmingham – R May

CLIMATE CHANGE SELECT COMMITTEE 2023/24

Conservative
Councillors (7)

P Dobb (Chair)
T Russon (Vice-Chair)
D Borley
M Dudley
J Elliott
S Henley
N Neale

Labour
Councillors (4)

C Barnett
C Bayton
C Eccles
A Tromans

CORPORATE AND ECONOMIC STRATEGY SELECT COMMITTEE 2023/24

Conservative
Councillors (7)

D Stanley (Chair)
S Henley (Vice-Chair)
A Hopwood
L Johnson
E Lawrence
N Neale
T Russon

Labour
Councillors (4)

C Eccles
J Foster
S Mughal
P Sahota

HIGHWAYS AND ENVIRONMENTAL SERVICES SELECT COMMITTEE 2023/24

Conservative
Councillors (6)

E Lawrence (Chair)
P Miller (Vice-Chair)
D Borley
P Dobb
I Kettle
A Lees

Labour
Councillors (4)

K Casey
K Denning
J Martin
K Westwood

Independent
Councillor (1)

M Westwood

HOUSING AND SAFER COMMUNITIES SELECT COMMITTEE
2023/24

Conservative
Councillors (7)

A Davies (Chair)
S Bothul (Vice-Chair)
D Bevan
T Creed
I Kettle
K Lewis
M Webb

Labour
Councillors (4)

J Cowell
P Drake
J Martin
C Reid

HEALTH SELECT COMMITTEE 2023/24

Conservative
Councillors (7)

J Clinton (Chair)
R Collins (Vice-Chair)
B Challenor
M Dudley
M Evans
D Harley
W Little

Labour
Councillors (4)

A Aston
J Foster
M Hanif
K Westwood

One non-elected co-opted member without voting rights:

Healthwatch Dudley – Chief Officer (J Griffiths)

APPOINTMENTS COMMITTEE 2023/24

Conservative
Councillors (5)

P Harley (Chair)
P Bradley (Vice-Chair)
R Buttery
D Corfield
L Taylor-Childs

Labour
Councillors (4)

J Foster
P Lowe
Labour Group nomination
Labour Group nomination

AUDIT AND STANDARDS COMMITTEE 2023/24

Conservative
Councillors (6)

A Lees (Chair)
D Borley (Vice-Chair)
T Creed
M Evans
S Henley
W Little

Labour
Councillors (3)

S Ali
J Cowell
J Foster

CHILDREN'S CORPORATE PARENTING BOARD 2023/24

Conservative
Councillors (6)

R Buttery (Chair)
P Bradley
L Johnson
P Lee
K Lewis
D Stanley

Labour
Councillors (4)

S Ridney (Vice-Chair)
C Bayton
H Bills
E Taylor

Independent
Councillors (2)

S Keasey
M Westwood

PLANNING COMMITTEE 2023/24

Conservative
Councillors (6)

D Harley (Chair)
M Webb (Vice-Chair)
S Bothul
B Challenor
P Miller
K Razzaq

Labour
Councillors (3)

H Bills
P Drake
E Taylor

ERNEST STEVENS TRUSTS MANAGEMENT COMMITTEE 2023/24

Conservative
Councillors (4)

Labour
Councillors (2)

One Ward Councillor from each of the following wards:

Cradley & Wollescote –
T Crumpton (Vice-Chair)

Norton –
S Clark

Lye & Stourbridge North –
D Borley

Pedmore & Stourbridge East –
I Kettle (Chair)

Quarry Bank & Dudley
Wood –
J Cowell

Wollaston & Stourbridge Town –
A Hopwood

Three non-elected co-opted members without voting rights (3 year term):

1. Friends of Stevens Park Quarry Bank – Vacancy
2. Friends of Wollescote Park – J Jones
3. Friends of Mary Stevens Park – H Rogers

LICENSING AND SAFETY COMMITTEE 2023/24

Conservative
Councillors (7)

K Razzaq (Chair)
A Taylor (Vice-Chair)
J Clinton
T Creed
M Evans
A Goddard
A Lees

Labour
Councillors (4)

K Denning
P Drake
M Howard
E Taylor

Independent
Councillor (1)

S Keasey

TAXIS COMMITTEE 2023/24

Conservative
Councillors (5)

A Hopwood (Chair)
B Challenor (Vice-Chair)
D Harley
W Little
A Taylor

Labour
Councillors (4)

M Aston
K Denning
M Howard
J Martin