

MEETING OF THE CABINET

Wednesday, 9th December, 2009 at 6.00 p.m.
in Committee Room 2 at the Council House, Dudley

PRESENT:-

Councillor Mrs. Millward (Leader of the Council) (Chairman)
Councillor Jones (Deputy Leader)
Councillors Adams, D. Blood, Evans, Mrs. Faulkner, Simms, Stanley,
A. Turner and Mrs. Walker

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

Councillors Ali, Islam, Lowe, Mrs. Ridney, Sparks and Waltho (Labour Group)

OFFICERS:-

Chief Executive, Director of Children's Services, Director of the Urban Environment, Interim Director of Law, Property and Human Resources, Interim Director of Finance, Assistant Director of Adult, Community and Housing Services, Assistant Director (Human Resources and Citizenship), Democratic Services Manager (Directorate of Law, Property and Human Resources) and other officers.

DIRECTOR OF CORPORATE RESOURCES

Prior to the commencement of the formal business, the Cabinet congratulated Philip Tart on his appointment to the post of Director of Corporate Resources, with effect from 4th January, 2010.

77

APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received on behalf of Councillors Foster and Ms. Partridge.

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CHANGES IN REPRESENTATION OF MINORITY GROUP MEMBERS

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

79

DECLARATIONS OF INTEREST

No member declared a Personal of Prejudicial Interest, in accordance with the Members' Code of Conduct, in respect of any matter to be considered at this meeting.

80

MINUTES

RESOLVED

That the minutes of the meetings of the Cabinet held on 28th October and 18th November, 2009, be approved as correct records and signed.

81

SPENDING PROJECTIONS 2009/10

The Cabinet considered a report of the Interim Director of Finance on the projected revenue out-turn on the General Fund for 2009/10.

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

RESOLVED

That the Council be recommended:

- (1) That the forecast net overspending, set out in paragraph 4 of the report submitted to the meeting, be noted.
- (2) That the favourable variance arising from the pay award for 2009/10 be noted and the saving be transferred to General Balances.
- (3) That approval be given to earmarking General Balances to fund the projected overspending in the Directorate of Children's Services, if ultimately required.
- (4) That the projected underspending in Finance, ICT and Procurement and the Directorate of the Urban Environment be noted and approval be given to transfer these savings to General Balances.

- (5) That the need to exercise stringent budgetary control for the remainder of the current financial year in accordance with the Council's Approved Financial Management Regime be reiterated to all Cabinet Members, Directors and budget holders.
 - (6) That the pressures on the Council's Medium Term Financial Strategy be noted.
 - (7) That action be taken to replenish General Balances when the opportunity arises.
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CAPITAL PROGRAMME MONITORING

The Cabinet considered a joint report of the Chief Executive and the Interim Director of Finance on progress with the implementation of the Capital Programme.

RESOLVED

- (1) That the current progress with the 2009/10 Capital Programme, as set out in Appendix A of the report submitted to the meeting, be noted.
- (2) That the results of the Post Completion Review of capital projects, as set out in Appendix B to the report submitted to the meeting, be noted.
- (3) That the Interim Director of Finance, in consultation with the Leader and Leader of the main opposition group, be authorised to agree and support Centro's submission to the Department for Transport in respect of enhancements to Midland Metro, as set out in paragraph 5 of the report submitted to the meeting, only if it is appropriate to do so.
- (4) That the Council be recommended to note the urgent amendment to the Capital Programme, as set out in paragraph 6 of the report submitted to the meeting.

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

VISION 2025 - INCLUDING BUILDING SCHOOLS FOR THE FUTURE
SUBMISSION OF READINESS TO DELIVER STATEMENT

The Cabinet considered a report of the Director of Children's Services on progress made in preparing the Building Schools for the Future submission. The report also requested that authority be given to the Leader of the Council, the Cabinet Member for Children's Services and the Opposition Spokesperson for Children's Services to sign off the Readiness to Deliver submission in December, 2009.

RESOLVED

- (1) That the progress made on developing the Building Schools for the Future Readiness to Deliver submission, be noted.
- (2) That the work undertaken to date be endorsed and the submission be supported.
- (3) That the Leader of the Council, the Cabinet Member for Children's Services and the Opposition Spokesperson for Children's Services be authorised to sign the final Readiness to Deliver documentation on the Council's behalf.

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

QUARTERLY CORPORATE PERFORMANCE MANAGEMENT
REPORT

The Cabinet considered a report of the Chief Executive on the second Quarterly Corporate Performance Management Report for 2009/10, relating to performance for the period 1st July to 30th September, 2009.

RESOLVED

- (1) That the content of the Quarterly Corporate Performance Management report be approved.
 - (2) That the Quarterly Corporate Performance Management Report be referred to Select Committees to consider specific issues within their terms of reference.
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APPROVAL FOR ADOPTION OF THE GLASS QUARTER
SUPPLEMENTARY PLANNING DOCUMENT

The Cabinet considered a report of the Director of the Urban Environment on the formal adoption of the Council's Glass Quarter Supplementary Planning Document.

RESOLVED

That approval be given to the adoption of the Glass Quarter Supplementary Planning Document.

86

ANNUAL MONITORING REPORT 2009

The Cabinet considered a report of the Director of the Urban Environment on the Annual Monitoring Report 2009 on behalf of the Local Planning Authority pursuant to the Planning and Compulsory Purchase Act 2004. The Council was required to submit the Annual Monitoring Report to the Secretary of State by 31st December, 2009.

RESOLVED

- (1) That the contents of the Annual Monitoring Report be noted and endorsed.
- (2) That the Annual Monitoring Report be forwarded to the Secretary of State before the deadline of 31st December 2009.

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

87

GLASS FEASIBILITY STUDY - STAGE 1 RECOMMENDATIONS

The Cabinet considered a report of the Director of the Urban Environment on the findings of Stage 1 of the Glass Feasibility Study and seeking support to proceed with Stage 2 of the Study.

RESOLVED

- (1) That the findings of Stage 1 of the Glass Feasibility Study be noted.

- (2) That, in view of the fact that the Council's bid to purchase the additional buildings on the Red House site has been successful, the consultants be asked to progress to Stage 2 of the study and develop more detailed proposals and costings for Option B of the Consultant's report.

88 CARE QUALITY COMMISSION ANNUAL PERFORMANCE
ASSESSMENT REPORT OF ADULT SOCIAL CARE SERVICES IN
DUDLEY

The Cabinet considered a report of the Director of Adult, Community and Housing Services on the outcome of the Care Quality Commission (CQC) Annual Performance Assessment (APA) report for Adult Social Care Services in Dudley 2008/09.

In receiving the report, the Cabinet expressed its thanks to all the staff involved. The Chief Executive undertook to pursue further the comments and concerns expressed by Members regarding inconsistencies and differing methodologies used by the various inspection regimes to which the Council was subjected.

RESOLVED

That the Care Quality Commission's Annual Performance Assessment of the performance of the Council's Adult Social Care Services within the Directorate of Adult, Community and Housing Services, be noted.

89 REVIEW OF THE DISABILITY EQUALITY SCHEME

The Cabinet considered a report of the Interim Director of Law, Property and Human Resources on the revised Disability Equality Scheme for the Council.

RESOLVED

That the revised Disability Equality Scheme be approved.

90 REVIEW OF THE COMMUNITY STRATEGY

The Cabinet considered a report of the Chief Executive on the final draft of the 2010-2013 Sustainable Community Strategy.

RESOLVED

That the Council be recommended to approve the draft Community Strategy.

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

91 16 – 19 FUNDING TRANSFER – TRANSFER ARRANGEMENTS AND RISKS

The Cabinet considered a report of the Director of Children’s Services on the arrangements for and risk associated with 16-19 funding transfer.

RESOLVED

That the new duties that will be passed to the Local Authority in April 2010, together with the associated risks, be noted.

92 ISSUES ARISING FROM SELECT COMMITTEES

No issues were reported on this item.

93 EXCLUSION OF THE PUBLIC

RESOLVED

That the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Local Government Act 1972, as specified below and, in all the circumstances, the public interest in disclosing the information is outweighed by the public interest in maintaining the exemption from disclosure.

<u>Description of Item</u>	<u>Relevant paragraph of Part 1 of Schedule 12A</u>
Staffing Issues – Directorate of Adult, Community and Housing Services	1

94 STAFFING ISSUE - DIRECTORATE OF ADULT, COMMUNITY AND HOUSING SERVICES

A report of the Director of Adult, Community and Housing Services was submitted on a request to terminate the contract of employment of an employee on the grounds of redundancy in accordance with the Council’s Redeployment and Retraining policy.

RESOLVED

That the termination of the contract of employment of the officer referred to in the report submitted to the meeting (JA), be approved on the grounds of redundancy, in accordance with the terms and conditions set out in the report.

At the conclusion of the meeting, the Leader wished Members and Officers a happy Christmas and a peaceful, prosperous new year.

The meeting ended at 7.00pm

LEADER OF THE COUNCIL