

## **Minutes of the Cabinet**

**Monday, 14<sup>th</sup> November, 2022 at 6.00 pm  
in Committee Room 2 at the Council House, Dudley**

### **Present:**

#### **Cabinet Members**

Councillor P Harley (Leader)  
Councillor S Clark (Deputy Leader)  
Councillors R Buttery, R Clinton, S Keasey, N Neale, S Phipps and S Saleem.

#### **Opposition Group Members Nominated to attend the Cabinet**

Councillors S Ali, C Barnett, C Bayton, K Casey, J Foster, P Lowe, S Ridney, P Sahota and Q Zada.

#### **Officers**

K O'Keefe (Chief Executive), I Newman (Director of Finance and Legal), H Martin (Director of Regeneration and Enterprise), M Abuaffan (Acting Director of Public Health and Wellbeing), A Vaughan (Interim Director of Public Realm), T Robbins (Head of Procurement), J Reed (Procurement Business Partner), M Clinton (Waste Disposal and Contract Manager) and S Griffiths (Democratic Services Manager).

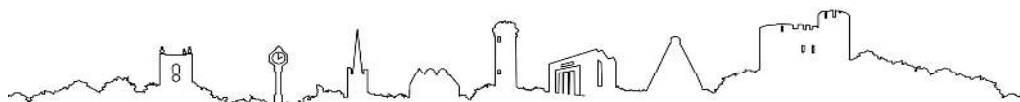
B Heran (Deputy Chief Executive) and M Farooq (Lead for Law and Governance) attended via Microsoft Teams.

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### 54 **Apologies for Absence**

Apologies for absence were submitted on behalf of Councillors A Aston, I Bevan and L Taylor-Childs.

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55 **Declarations of Interest**

Councillor Q Zada declared a non-pecuniary interest in Agenda Item No. 4 (Black Country Plan) in view of his portfolio of property investments.

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56 **Minutes**

**Resolved**

That the minutes of the meeting held on 27<sup>th</sup> October, 2022 be approved as a correct record and signed.

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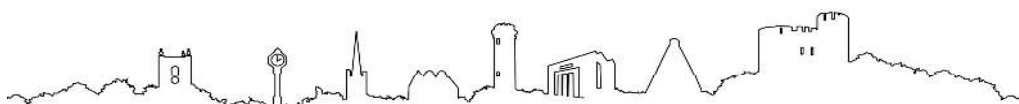
57 **Black Country Plan**

A report of the Director of Regeneration and Enterprise was submitted on the Black Country Plan following the resolution of the four Black Country local authorities at the Association of Black Country Authorities (ABCA) on 19<sup>th</sup> October, 2022 to cease the production of a joint local plan.

Members of the Opposition Group raised concerns regarding the content of the report, the potential implications of withdrawing from the production of a joint local plan and the costs involved. The Leader referred to the need to take full account of the outcome of public consultation and the aim to protect green belt sites in the Borough. It was noted that briefings would be arranged with Members of the Opposition Group. Details of the expenditure on the Black Country Plan to date would be provided to the Opposition Spokesperson for Finance and Legal.

**Resolved**

- (1) That the withdrawal from the preparation of a Joint Local Plan (Black Country Plan) of all four Black Country Authorities, as per the resolution of the Association of Black Country Authorities on 19<sup>th</sup> October 2022, be noted.



- (2) That the commencement of work on both the development of a new Borough Local Plan and the associated Local Development Scheme be approved.
- (3) That the additional costs associated with delivering a Borough Local Plan, currently estimated to be £500,000 for the 3-year period covering financial years 2023/24 to 2025/26 inclusive, be noted and that this be considered as part of the Medium-Term Financial Strategy process.

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58 **Questions to the Leader under Cabinet Procedure Rule 2.5**

No questions were submitted under this agenda item.

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59 **Exclusion of the Public and Press**

**Resolved**

That the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information relating to the financial or business affairs of any particular person (including the authority holding that information) as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972, as amended.

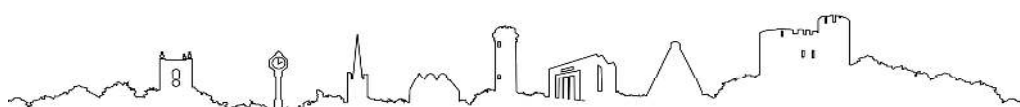
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60 **Energy from Waste Contract – Operations and Maintenance Contract Award**

A report of the Deputy Chief Executive was submitted on the interim strategy for the Council's Energy from Waste facility.

**Resolved**

- (1) That the interim strategy to award the Operations and Maintenance contract whilst developing a longer-term strategy for waste and energy be noted.



- (2) That the Operations and Maintenance contract be awarded to the proposed successful tenderer, as set out in the report, with effect from 14th February, 2023 and that the Lead for Law and Governance be authorised to finalise contractual arrangements together with any ancillary contracts necessary for the operation of the Energy from Waste (EFW) facility.
- (3) That the process for entering into a tender to appoint a Power Purchase Agreement partner who can sell the electricity generated by the EFW facility be noted and that a hedging strategy be developed and presented to the Cabinet in December, 2022.
- (4) That the Council be recommended to amend the Capital Programme (2023/24 to 2027/28) to provide for an estimated £4.6m for life cycle and dilapidation costs over a five-year period.
- (5) That the Cabinet decision on 27<sup>th</sup> October, 2022 concerning £2m for fire suppression works, subject to final approval by the Council, be noted.
- (6) That the Interim Director of Public Realm be authorised to appoint technical advisors and consultants, as necessary, to manage existing contracts and support the development of future strategies within the overall budget.
- (7) That the Interim Director of Public Realm be authorised to bring forward proposals for the long-term Energy for Waste strategy, cognisant of the Council's wider objectives, during the 2023/4 financial year.
- (8) That the arrangements for developing a strategy for the use of generated electricity, to support the Council's carbon reduction commitment, be noted.

The meeting ended at 5.50pm

## LEADER OF THE COUNCIL

