

COUNCIL MEETING

MONDAY 2ND DECEMBER 2013

**AT 6:00PM
IN THE COUNCIL CHAMBER
COUNCIL HOUSE
DUDLEY**

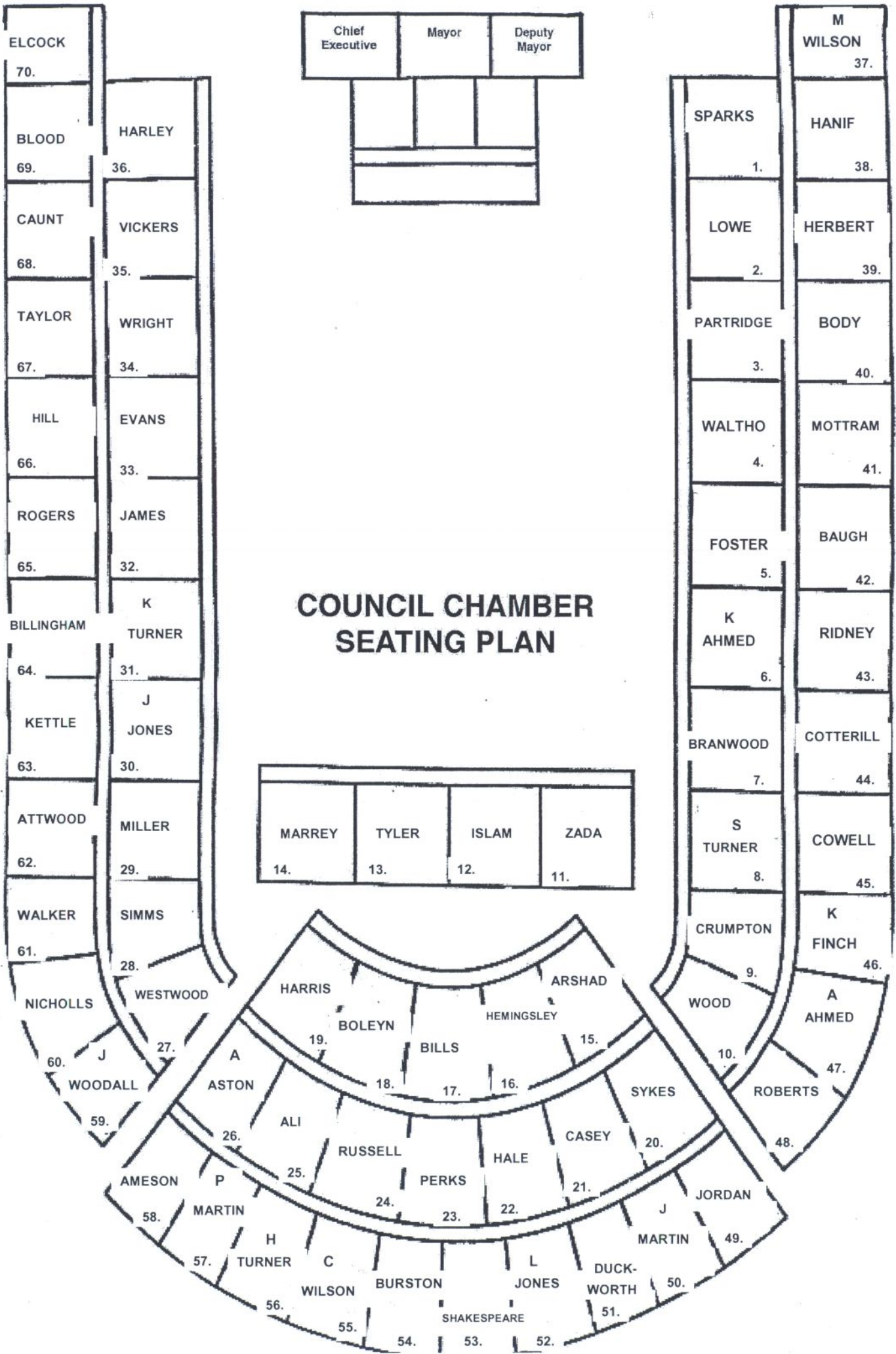
**SUMMONS, AGENDA
AND REPORTS**

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

**STEVE GRIFFITHS
DEMOCRATIC SERVICES MANAGER
TEL: 01384 815235**

**You can view information about Dudley MBC on
www.dudley.gov.uk**

Members are asked to send advance notice of interests by email to steve.griffiths@dudley.gov.uk by 12.00 noon on Friday, 29th November, 2013



Chief Executive	Mayor	Deputy Mayor

MARREY	TYLER	ISLAM	ZADA
14.	13.	12.	11.

ELCOCK	70.
BLOOD	69.
CAUNT	68.
TAYLOR	67.
HILL	66.
ROGERS	65.
BILLINGHAM	64.
KETTLE	63.
ATTWOOD	62.
WALKER	61.
NICHOLLS	60.
WOODALL	59.

HARLEY	36.
VICKERS	35.
WRIGHT	34.
EVANS	33.
JAMES	32.
K TURNER	31.
J JONES	30.
MILLER	29.
SIMMS	28.
WESTWOOD	27.

M WILSON	37.
HANIF	38.
HERBERT	39.
BODY	40.
MOTTRAM	41.
BAUGH	42.
RIDNEY	43.
COTTERILL	44.
COWELL	45.
K FINCH	46.
A AHMED	47.
ROBERTS	48.
JORDAN	49.
DUCK-WORTH	50.
SHAKESPEARE	51.

COUNCIL CHAMBER SEATING PLAN

HARRIS	BOLEYN	BILLS	HEMINGSLEY	ARSHAD
19.		17.	16.	15.
A ASTON	ALI	RUSSELL	PERKS	HALE
26.	25.	24.	23.	22.
P AMESON	MARTIN	H TURNER	C WILSON	BURSTON
58.	57.	56.	55.	54.
J WOODALL	WOOD	SYKES	CASEY	ROBERTS
60.	10.	20.	21.	48.
J	9.	18.	17.	16.
60.	9.	19.	18.	17.
60.	9.	19.	18.	17.

DUDLEY METROPOLITAN BOROUGH

You are hereby summoned to attend a meeting of the Dudley Metropolitan Borough Council to be held at the Council House, Priory Road, Dudley on Monday, 2nd December, 2013 at 6.00 pm for the purpose of transacting the business set out in the numbered agenda items listed below.



DIRECTOR OF CORPORATE RESOURCES

22nd November, 2013

A G E N D A

PRAYERS

1. APOLOGIES FOR ABSENCE
2. TO RECEIVE DECLARATIONS OF INTEREST IN ACCORDANCE WITH THE MEMBERS' CODE OF CONDUCT
3. MINUTES

To approve as a correct record and sign the minutes of the meeting of the Council held on 7th October, 2013 (Pages CI/22 - CI/29)

4. MAYOR'S ANNOUNCEMENTS
5. TO RECEIVE REPORTS FROM MEETINGS AS FOLLOWS:

PAGES

From To

Meeting of the Cabinet held on 30th October, 2013

Councillor Sparks to move:

- | | | |
|----------------------------------|---|---|
| (a) Capital Programme Monitoring | 1 | 4 |
|----------------------------------|---|---|

Councillor Lowe to move:

(b) Revenue Budget Strategy 2014/15	5	8
(c) Localised Council Tax Reduction Scheme 2014/15	9	15

Councillor Partridge to move:

(d) Annual Review of the Constitution	16	32
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6. NOTICE OF MOTION

To consider the following notice of motion received from Councillor Lowe on 28th October, 2013:

“ Dudley Metropolitan Borough Council recognises the important contribution of Fairtrade to the well being of producers in the developing world.

The Council welcomes the support of local shops and shoppers, catering outlets, schools, churches and other organisations in Dudley and in the wider UK for Fairtrade. This support is demonstrated in the ongoing rise of Fairtrade sales in the UK: in 2012 sales reached £1.57 billion.

This Council recognises that as an important consumer itself and opinion leader it should support a strategy to facilitate the promotion and purchase of foods with the FAIRTRADE Mark within the Borough as part of its commitment to pursue sustainable development and to give marginalised producers a fair deal.

The Council welcomes the fact that it passed a resolution in July 2007 in support of Fairtrade enabling Stourbridge to meet Goal One of the Fairtrade Town criteria and to achieve Fairtrade Town Status in September 2010. The Council also welcomes the fact that since 2010 there has been increasing active mutual support between the members and staff of Dudley Council and supporters of Fairtrade in Dudley Borough. For instance, the Council installed signs in Stourbridge Town Centre in 2013 marking its status as a Fairtrade Town.

The proposal of this further resolution aims to consolidate the commitment made by this Council in 2007 and to build on it for the future. Supporting Fairtrade can promote civic pride, benefit the local community and makes a real difference to the lives of producers.

This Council aims to be recognised by the residents and business community of Dudley Borough, suppliers, employees and other local authorities, as a Borough that actively supports and promotes Fairtrade and helps to increase the sale of products with the FAIRTRADE Mark.

The Council resolves to contribute to the campaign to increase sales of products with the FAIRTRADE Mark by striving to achieve Fairtrade status for Dudley Metropolitan Borough as detailed in the Fairtrade Foundation's Fairtrade Towns Initiative.

The Initiative involves a commitment to:

- Widely offer FAIRTRADE Marked food and drink options internally and make them available for internal meetings and to extend the range of Fairtrade products used.
- Promote the FAIRTRADE Mark using Fairtrade Foundation materials in refreshment areas and promoting the Fairtrade Towns initiative in internal communications and external newsletters and in the local press when appropriate.
- Use influence to urge local retailers to provide Fairtrade options for residents.
- Use influence to urge local business to offer Fairtrade options to their staff and promote the FAIRTRADE Mark internally.
- Allow the Council's Communication Team to publicise the Fairtrade Towns initiative during Fairtrade Fortnight and on other appropriate occasions using internal and external media.
- Organise events, displays and publicity during national Fairtrade Fortnight - the annual national campaign to promote sales of products with the FAIRTRADE Mark. This can include the encouragement of local schools to promote Fairtrade through competitions, events and displays as encouraged in Fairtrade Fortnight 2013 by Dudley Performing Arts.
- Promote Fairtrade on the Council's website.
- Encourage other towns in Dudley Borough to work towards Fairtrade Town Status.
- Allocate responsibility for progression of the Fairtrade Town initiative to a member or group of staff."

7. TO ANSWER QUESTIONS UNDER COUNCIL PROCEDURE RULE 11
8. 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 SECTION 100(B)(4) OF THE LOCAL GOVERNMENT ACT 1972

DUDLEY METROPOLITAN BOROUGH

MINUTES OF THE PROCEEDINGS OF THE COUNCIL
AT THE MEETING HELD ON MONDAY 7th OCTOBER, 2013
AT 6.00 PM AT THE COUNCIL HOUSE, DUDLEY

PRESENT: -

Councillor A Finch (Mayor)
Councillor M Aston (Deputy Mayor)
Councillors A Ahmed, K Ahmed, Ali, Arshad, A Aston, Attwood, Mrs Billingham, Bills, Blood, Body, Boleyn, Branwood, Burston, Caunt, Cotterill, Cowell, Duckworth, Elcock, Evans, K Finch, Foster, Hale, Hanif, Harley, Harris, Hemingsley, Herbert, Hill, Islam, James, J Jones, L Jones, Kettle, Lowe, Marrey, J Martin, Mrs P Martin, Miller, Mottram, Ms Nicholls, Partridge, Perks, Ridney, Roberts, Mrs Rogers, Russell, Mrs Shakespeare, Mrs Simms, Sparks, Sykes, Taylor, Mrs H Turner, K Turner, S Turner, Tyler, Vickers, Mrs Walker, Mrs Westwood, C Wilson, Wood, Wright and Zada, together with the Chief Executive and other Officers.

PRAYERS

The Mayor's Chaplain led the Council in prayer.

25 **APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of Councillors Mrs Ameson, Baugh, Casey, Crumpton, Jordan, Waltho, M Wilson and Woodall.

26 **DECLARATIONS OF INTEREST**

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

Councillor Ridney – Minute No. 6 of the Coseley East/Sedgley Community Forum (Area Grants) – Non-pecuniary interest as a Governor at Hurst Hill School.

Councillors Ali and Waltho – Minute No. 13 of Castle and Priory/St James's and St. Thomas's Community Forum (Area Grants) – Non-pecuniary interests in view of their involvement with St Thomas's Network.

Councillor K Turner – Minute No. 12 of the Belle Vale, Hayley Green and Cradley South Community Forum (Area Grants) - Non-pecuniary interest as a Director of Halesowen Age Concern.

Councillor Body – Minute No. 12 of the Adult, Community and Housing Services Scrutiny Committee (Welfare Reform)– Non pecuniary interest as a his son was a Council tenant.

The following Members in respect of Minute No. 16 of the Development Control Committee (Plans and Applications to Develop) – Non-pecuniary interests in individual applications for the reasons described below:

Councillors J Martin and Zada – P13/0542 (11 Gorsty Avenue, Brockmoor, Brierley Hill) as they knew the objectors.

Councillor Wright – P13/0677 (7 Straits Road, Lower Gornal, Dudley) as he was acquainted with the applicant.

Councillor Wright – P13/0707 (39 Hillbrow Crescent, Halesowen) as he was a friend of the applicant.

Councillor Mrs Westwood – P13/0677 as the applicant was her employer.

Councillor Mrs Westwood – P13/0707 as she knew the applicant.

Councillor Casey – P13/0677 as he knew the applicant.

The following Members in respect of Minute No. 24 of the Development Control Committee (Site Visits) – Non-pecuniary interests in individual applications for the reasons described below:

Councillors J Martin and Zada – P13/0542 (11 Gorsty Avenue, Brockmoor, Brierley Hill) as they knew the objectors.

The following Members in respect of Minute No. 25 of the Development Control Committee (Plans and Applications to Develop) – Non-pecuniary interests in individual applications for the reasons described below:

Councillor Wright – P12/1054 (former Gala Bingo Club, Castle Hill, Dudley) as he was a Trustee of the Black Country Living Museum.

Councillor Perks – P13/0591 (63 Platts Crescent, Amblecote, Stourbridge) as she knew the objectors.

Councillor J Martin - Minute No. 31 of the Development Control Committee (Plans and Applications to Develop) – P12/1287 (Brierley Hill Freight and Steel Terminal, Moor Street, Brierley Hill) – Non-pecuniary interest as a registered objector to the application.

Councillor Wright - Minute No. 37 of the Development Control Committee (Plans and Applications to Develop) – P13/1101 (North and South Bound Tipton Road, Dudley) – Non-pecuniary interest as a Trustee of the Black Country Living Museum.

Councillor Mrs Rogers – Minutes of the Ernest Stevens Trusts Management Committee – Non-pecuniary interests as Chair of the Friends Group for Mary Stevens Park and Swinford Common and also in view of her involvement with the Project Implementation Team – Heritage Lottery Bid for Mary Stevens Park and attendance at stakeholder meetings.

Councillor Mrs Rogers – Minute No. 8 of the Ernest Stevens Trusts Management Committee (Stevens Park and Recreation Ground Foundation Trust – Grant Application) – Non-pecuniary interest as she attended the Annual General Meeting at the Alderman Tye Scout and Guide Headquarters, South Road, Stourbridge.

Councillor Hanif – Minutes of the Ernest Stevens Trusts Management Committee – Non-pecuniary interest as an attendee at stakeholder meetings and Friends of Parks Groups.

Councillor Partridge – Minutes of the Ernest Stevens Trusts Management Committee – Non-pecuniary interest as an attendee at Friends of Parks Groups.

Councillor Wright - Any references to Midland Heart - Non-pecuniary interest as a tenant of Midland Heart.

Councillor Crumpton - All matters affecting schools - Non-pecuniary interest as a relative worked as a supply teacher.

Councillor A Aston – All matters relating to West Midlands Ambulance Service (WMAS) – Pecuniary interest as an employee of WMAS.

Councillor Caunt - Agenda Item No. 5(d) (Adoption of the Stourbridge Area Action Plan) - Non-pecuniary interest as Chairman of Stourbridge Navigation Trust.

Councillor C Wilson - Minutes of the Ernest Stevens Trusts Management Committee – Non-pecuniary interest as a Director and Trustee of Mary Stevens Hospice.

27 MINUTES

RESOLVED

That the meeting of the Council held on 15th July, 2013, be approved as a correct record and signed.

28 MAYOR'S ANNOUNCEMENTS

(a) Honorary Alderman Kenneth Johnson

The Mayor reported on the death of Honorary Alderman Kenneth Johnson, referring to his long and distinguished service with the Council and his service as a Member of West Midlands Fire Authority. Members stood in silent tribute as a token of respect to his memory. Other Members then paid individual tributes.

(b) Mayor's Charity and Associated Events

The Mayor reported on the following recent events and the monies raised for his charity fund. The Mayor thanked everyone involved for organising and participating in the events concerned:

- Members versus Officers Cricket Match
- Annual Football Tournament
- Fun Day at Netherton Park
- Great Black Country Road Run
- Dudley Town FC versus Councillors/Officers Football Match

(c) Councillor Waltho - 20 Lakeland Mountains Challenge

The Mayor congratulated Councillor Waltho on the completion of the above challenge in aid of several local charities.

(d) Spotlight on Talent Event

The Mayor reported on the above charity event on 22nd October, 2013 to showcase the talents of local people with learning difficulties.

(e) European and Local Elections – 22nd May, 2014

The Mayor reported that the above elections would both take place on 22nd May, 2014 and consequently, the annual meeting of the Council would be held on 5th June, 2014.

29 CAPITAL PROGRAMME MONITORING

A report of the Cabinet was submitted.

It was moved by Councillor Sparks, seconded by Councillor Lowe and

RESOLVED

- (1) That current progress with the 2013/14 Capital Programme as set out in Appendix A to the report now submitted be noted.
- (2) That the expenditure on the modernisation of Tiled House Lane Residential Care Home be approved and included in the Capital Programme, as set out in paragraph 5 of the report now submitted.
- (3) That the additional expenditure at the Oak Lane Traveller Site be approved and included in the Capital Programme, as set out in paragraph 6 of the report now submitted.

- (4) That in respect of Mary Stevens Park, Stourbridge, the Director of the Urban Environment be authorised to accept the Heritage Lottery Fund (HLF) grant funding; the Director of Corporate Resources be authorised to sign the necessary funding agreements with HLF; and the capital element of the project be included in the Capital Programme, as set out in paragraph 7 of the report now submitted.
 - (5) That in respect of Rapid Charging Points for Electric Vehicles, the Director of the Urban Environment be authorised to accept the funding; the project be included in the Capital Programme; and the Director of the Urban Environment be authorised to agree the locations for the charging points and procure and install the equipment in consultation with the Cabinet Member for Transport, as set out in paragraph 8 of the report now submitted.
 - (6) That the Outdoor Gym project be approved and included in the Capital Programme, as set out in paragraph 9 of the report now submitted.
 - (7) That the funding allocation in respect of the post-16 provision at Pens Meadow Special School be noted, and the project included in the Capital Programme, as set out in paragraph 10 of the report now submitted.
-

30 REPORT OF THE INDEPENDENT REMUNERATION PANEL ON THE MEMBERS' ALLOWANCES SCHEME

A report of the Cabinet was submitted.

It was moved by Councillor Sparks, seconded by Councillor Lowe and

RESOLVED

That the recommendations contained in the report of the Independent Remuneration Panel concerning the Members' Allowances Scheme, as now submitted, be approved and adopted.

31 ADOPTION OF THE HALESOWEN AREA ACTION PLAN

A report of the Cabinet was submitted.

It was moved by Councillor Foster, seconded by Councillor Lowe and

RESOLVED

That the Halesowen Area Action Plan be approved and adopted.

32 ADOPTION OF THE STOURBRIDGE AREA ACTION PLAN

A report of the Cabinet was submitted.

It was moved by Councillor Foster, seconded by Councillor Lowe and

RESOLVED

That the Stourbridge Area Action Plan be approved and adopted.

33 CODE OF CONDUCT FOR EMPLOYEES

A report of the Audit and Standards Committee was submitted.

It was moved by Councillor Cowell, seconded by Councillor Lowe and

RESOLVED

That the revised Code of Conduct for Employees, as now submitted, be approved and adopted.

34 TREASURY MANAGEMENT

A report of the Audit and Standards Committee was submitted.

It was moved by Councillor Cowell, seconded by Councillor Lowe and

RESOLVED

That the treasury management activity, as outlined in the report now submitted, be noted.

35 NOTICE OF MOTION

Pursuant to Council Procedure Rule 12, Councillor J Martin had given notice of a motion on 20th September, 2013.

The motion, as set out in the agenda, was moved by Councillor J Martin and seconded by Councillor Branwood.

Following a speech by Councillor James, a closure motion pursuant to Council Procedure Rule 14.11 was moved to the effect that the question be now put. The Mayor was of the opinion that the original motion had not been sufficiently discussed and the closure motion was not put to the vote.

Following speeches by a further four members, it was moved by Councillor Hanif, duly seconded and

RESOLVED

That the question be now put.

Councillor J Martin then exercised his right to reply to the debate pursuant to Council Procedure Rule 14.9.

The original motion was thereupon put to the vote and it was

RESOLVED

That this Council:

Notes that the 'Bedroom Tax' (disingenuously referred to by the Conservative led Government as their spare room subsidy) will hit hundreds of the poorest households in the Dudley Borough. The Equality Impact Assessment conducted by the Government estimates that two thirds of affected households include a person with a disability.

Believes that the policy will fail as forcing tenants to move to smaller, but in many cases, more expensive private rented accommodation will in many cases lead to higher benefit payments.

Notes that the Bedroom Tax will do nothing to help those on the Council's housing waiting list.

Believes that with house building at the lowest level since the 1920's, Government should be investing in new social housing in the borough creating real homes, rather than making clumsy and punitive benefit cuts that penalise the least well off.

Calls on registered social landlords operating in the Borough to refrain from seeking possession of properties where arrears are substantially due to tenants struggling to cope with the impact of the 'Bedroom Tax'.

Asks the Government to axe the Bedroom Tax (spare room subsidy), which will cut the benefit paid to some of Dudley Borough's most vulnerable residents.

Calls upon the Chief Executive to write to the Secretary of State for the Department of Work and Pensions asking the Government to repeal the Bedroom Tax (spare room subsidy) as a matter of urgency.

Pursuant to Council Procedure Rule 16.4, at the demand of in excess of six members present at the meeting, the voting on the above motion was recorded as follows:

For the Motion (37):

Councillors A Ahmed, K Ahmed, Ali, Arshad, A Aston, M Aston, Bills, Body, Boleyn, Branwood, Cotterill, Cowell, Duckworth, A Finch, K Finch, Foster, Hale, Hanif, Harris, Hemingsley, Herbert, Islam, Lowe, Marrey, J Martin, Mottram, Partridge, Perks, Ridley, Roberts, Russell, Sparks, Sykes, S Turner, Tyler, Wood and Zada

Against the Motion (27)

Councillors Attwood, Mrs Billingham, Blood, Burston, Caunt, Elcock, Evans, Harley, Hill, James, J Jones, L Jones, Kettle, Mrs P Martin, Miller, Ms Nicholls, Mrs Rogers, Mrs Shakespeare, Mrs Simms, Taylor, Mrs H Turner, K Turner, Vickers, Mrs Walker, Mrs Westwood, C Wilson and Wright

36

QUESTIONS UNDER COUNCIL PROCEDURE RULE 11

During questions asked under Council Procedure Rule 11, there were no decisions that the Leader, Cabinet Members or Chairs agreed to have reconsidered.

The meeting ended at 7.41 p.m.

MAYOR

Meeting of the Council – 2nd December, 2013

Report of the Cabinet

Capital Programme Monitoring

Purpose of Report

1. To report progress with implementation of the Capital Programme.
2. To propose amendments to the Capital Programme.

Background

3. At its meeting held on 30th October, 2013, the Cabinet made recommendations to the Council concerning the capital programme, as contained in this report. Under the powers delegated to it, the Cabinet also noted the results of two post completion review projects, as appended to the report submitted to the Cabinet meeting.
4. In accordance with the requirements of the Council's Financial Regulations, details of progress with the 2013/14 Programme are given in Appendix A. It is proposed that the current position be noted and that budgets be amended to reflect the reported variances.

Urgent Amendment to the Capital Programme

Internal remedial works to offices at Mary Stevens Park, Stourbridge

5. The Transforming Our Workplace project approved by the Cabinet includes the disposal of 12 surplus offices sites in Dudley Town Centre and the refurbishment of core offices to be retained.

When the Directorate of the Urban Environment co-located to 4 Ednam Road, three offices were vacated, including that at Mary Stevens Park (MSP). Retention of the office was necessary so that the Directorate of Children's Services could occupy the site. This would provide Children's Services with the opportunity to establish a strategic hub in the south of the borough to support the most vulnerable children and families in this area. As a result Children's Services would be able to vacate a further 2 leased properties plus freehold sites at Halesowen District Office and Church Street Education Centre in Pensnett providing additional savings and capital receipts to the Council.

In order to accommodate the most vulnerable children and families, essential improvement works are required to the ground floor of the building. These include upgrading the existing reception and providing adjoining family rooms and associated amenities to accommodate vulnerable clients. As MSP will become a core Council office managed centrally, only essential works are being carried out to the same quality standard and cost controls applied to the wider project. This will include a modest amount of work to create new kitchen/break out areas for staff which can also be used for agile working by staff when working in the Stourbridge area.

The total cost of the work proposed is £121,000, which can be funded from a £50,000 allocation from the existing Transforming Our Workplace project and a £25,000 contribution from the Directorate of Children's Services capital programme (unallocated unringfenced 14-19/SEN capital grant), with the balance of £46,000 being met from anticipated future disposal proceeds resulting from the ongoing rationalisation of the Council's assets.

In order to accommodate additional staff moves within the existing programme and avoid knock on slippage, the proposed work at MSP has to commence as soon as possible, ideally starting in November 2013. To facilitate this, a decision (ref. DCR/35/2013) was made by the Leader of the Council in consultation with the Treasurer on 30th September 2013 to authorise internal remedial works to the Council offices at Mary Stevens Park, Stourbridge as part of the Transforming Our Workplace project and include the works in the Capital Programme.

Finance

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

Law

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

Equality Impact

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

10. On consideration of the above, the Cabinet, at its meeting held on 30th October, 2013 resolved to recommend the Council that the proposals set out in paragraphs 11 and 12 below be approved.

Recommendations

11. That current progress with the 2013/14 Capital Programme as set out in Appendix A to this report be noted and that budgets be amended to reflect the reported variances.
12. That the Urgent Amendment to the Capital Programme, as set out in paragraph 5, be noted.



.....
Leader of the Council

2013/14 Capital Programme Progress to Date

Service	Budget £'000	Spend to 30 th September £'000	Forecast £'000	Variance £'000	Comments
Public Sector Housing	39,878	12480	39,878	-	
Other Adult, Community & Housing	9,001	3814	8,989	-12	See Note 1
Urban Environment	31,462	10398	31,462	-	
Children's Services	15,302	2777	15,302	-	
Corporate Resources	2,260	842	2,260	-	
TOTAL	97,903	30,311	97,891	-	

Note 1: Minor underspend on completion of refurbishment of the Unicorn Centre (formerly Amblecote SEC).

Meeting of the Council – 2nd December, 2013

Report of the Cabinet

Revenue Budget Strategy 2014/15

Purpose of Report

1. To consider decisions required in connection with the Revenue Budget Strategy for 2014/15 and Medium Term Financial Strategy (MTFS) 2015/16 – 2016/17.

Background

2. Reports were submitted to the Cabinet on 30th October, 2013 concerning the Revenue Budget Strategy for 2014/15 and Staffing Issues relating to budget savings. A number of issues arising from these reports now need to be considered by the Council. The full reports are available on the Internet via the Committee Management Information System or on request from Members to Democratic Services (Tel: 01384 815236).

Forecast 2013/14 Position

3. When the proposed Revenue Budget Strategy for 2013/14 was considered by the Cabinet on 30th October 2013, the following issues relating to the 2013/14 budget were noted and recommendations made:

Treasury variances

4. The latest monitoring indicates favourable Treasury variances amounting to £1.5m resulting from better than expected cashflows.

Looked After Children

5. The outturn report to the Cabinet in June 2013 highlighted a risk of an overspend arising from numbers of Looked After Children being higher than those allowed for in the budget. As at August 2013, there were 757 Looked After Children as against 737 allowed for in the budget.
6. The increase is primarily among high cost external residential and independent fostering agency placements. Whereas in previous years it has been possible to manage the costs of Looked After Children by holding back expenditure in other parts of the Directorate of Children's Services, the impact of reducing budgets means that this is no longer possible.

7. Furthermore, the rising demand for services from social care has led to pressures on children's social care workloads. In order to ensure that social workers have manageable workloads and are able to progress cases in a timely manner including responding to externally imposed deadlines from the courts, it has been necessary to allocate additional resources to children's social work services and independent reviewing officers.
8. Taken together, these factors have led to a projected overspend for the Directorate of Children's Services of £3m. A report on a diagnostic exercise on looked after children and presenting any proposals that arise from it will be submitted to the Cabinet in February but, in the meantime, it is considered prudent to assume that numbers of Looked After Children will remain at their current levels.
9. The Cabinet recommended the Council to amend the current year's budget to reflect the above variances and that future year forecasts be amended accordingly.

Revenue Budget Strategy for 2014/15 and Medium Term Financial Strategy from 2014/15 to 2015/16

10. The Cabinet approved as a preliminary basis for consultation, including with scrutiny committees, the revenue budget strategy to be adopted for 2014/15 and the Medium Term Financial Strategy from 2015/16 to 2016/17, having regard to government funding and base budget and other forecasts, spending pressures and proposed savings and the estimates, assumptions and risk analysis on which the proposals were based.
11. The Cabinet also authorised the Chief Executive and Directors in consultation with the Leader, Deputy Leader and relevant Cabinet Members to examine options set out in the report submitted to the Cabinet meeting to ensure that the Council can properly manage its financial affairs over the life of the Medium Term Financial Strategy and ensure that resources are available to deal with new spending pressures and other unforeseen eventualities. The various issues and risks that will need to be taken into account in finalising the budget proposals and the Medium Term Financial Strategy were noted by the Cabinet.

Staffing Issues

12. The Cabinet, at its meeting on 30th October, 2013 also considered a report on Staffing Issues relating to budget savings, and approved:
 - The outline timetable for the next round of employee related budget savings.
 - A voluntary redundancy programme related to services where savings are identified, rather than a Council wide "expressions of interest" process.
 - That the Director of Corporate Resources, in consultation with the Cabinet Member for Human Resources (HR), Legal and Property, be authorised to determine all applications for voluntary redundancy including those where there are pension implications, and that the Assistant Director of Corporate Resources (HR and Organisational Development), in consultation with the Cabinet Member for HR, Legal and Property, be authorised to determine all applications for compulsory redundancy, including those where there are pension implications, up to a total maximum of £3m for direct redundancy costs and £1.5m for the capitalised cost of pension strain.

13. It is proposed that the Council endorses this strategy.

Finance

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

Law

15. The Council's budget setting process is governed by the Local Government Finance Acts 1988 and 1992 and the Local Government Act 2003.
16. 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.
17. The Localism Act 2011 introduced a new chapter into the Local Government Finance Act 1992 making provision for council tax referendums to be held if an authority increases its council tax by an amount exceeding principles determined by the Secretary of State and agreed by the House of Commons.
18. The main provisions relating to the redundancy rights and payments for Local Authority employees are contained in The Redundancy Payments (Continuity of Employment in Local Government etc.) (Modification) Order 1999 as amended.
19. The Collective Redundancies (Amendment) Regulations 2006 concerns the duty to notify the Secretary of State of the proposal of collective redundancies. This duty has been met with the submission of the required HR1 Form.
20. Relevant employer responsibilities are contained in The Employments Rights Act 1996 and The Equality Act 2010.
21. Section 111 of the Local Government Act 1972 empowers the Council to do anything which is calculated to facilitate, or is conducive or incidental to the discharge of its functions.
22. Pension arrangements for Local Government employees are contained in the Local Government Pension Scheme Regulations 1997.

Equality Impact

23. The proposals are consistent with the Council's Equality and Diversity Policy.
24. With regard to Children and Young People, there is no impact on this group other than that described in respect of looked after children.

Recommendations

25. That the Council:

- (a) Agrees that 2012/13 budgets be amended as set out in paragraphs 4,8 and 9.
- (b) Endorses the strategy for employee related budget savings as set out in paragraph 12.



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Leader of the Council

Meeting of the Council – 2nd December, 2013

Report of the Cabinet

Localised Council Tax Reduction Scheme 2014/15

Purpose of Report

1. To update members on the results of the consultation exercise that was approved at the Cabinet meeting held on 20th June 2013, together with information regarding plans for council tax reduction scheme changes in our neighbouring authorities.
2. To consider the proposals of the Cabinet, further to their consideration of the consultation results, the outcomes from member scrutiny, and an equality impact assessment, regarding the Council Tax Reduction Scheme to commence in April 2014.

Background

3. The Council's Benefit service administers the localised council tax reduction scheme. Under this scheme, the income of low income households is subjected to a means test and can result in a reduction to their council tax liability of up to 100%. 33,500 households currently receive a council tax reduction, the average amounting to £13.54 per week (£706 per year).
4. New *localised* Council Tax Reduction (CTR) schemes replaced the old *national* Council Tax Benefit (CTB) scheme in April 2013. This also came with a reduction in the level of, and nature of, supplied central government funding to support the scheme. The background to the CTR 2013/14 scheme development together with a breakdown of the schemes funding arrangements can be found in the Cabinet report on 20th June 2013 (available on the Internet or to members on request from Democratic Services).
5. After taking into account government grants towards CTR awards and the local authorities share of the overall council tax bill, Dudley's estimated contribution to funding it's CTR scheme in 2013/14 is approximately £1.85 million.
6. As some of the central government funding for our scheme was only granted for the first year, if the current scheme were to continue in 2014/15 (and council tax levels remain unchanged), Dudley's estimated contribution towards the scheme next year would be £2.4million.
7. As the CTR scheme for pensioners is prescribed in regulations, any change in our local CTR scheme can only apply to work-age applicants. The estimated breakdown of reductions to be granted under the current 2013/14 scheme is as follows:-

Data as at 01/05/13	Pension Age	Working Age Employed	Working Age Other	Total
Number of claims with non-zero awards	15892	2377	15081	33350
Average weekly reduction in CT	£13.69	£9.87	£13.97	£13.54
Average annual reduction in CT	£714	£515	£728	£706
Total annual awards	£11,349,729	£1,238,466	£11,001,423	£23,589,618

- 78% of all working age applicants of CTR (just under 14,000) currently receive a 100% reduction in their council tax bill (ie. they currently pay no council tax at all).
- 56% of all CTR applicants reside in the lowest council tax property band A and 84% reside in property bands A or B.
- 25% of all households throughout the borough are in receipt of CTR. (Halesowen South has the lowest level at 12% and the highest is 39% in St. Thomas's)

8. New CTR schemes for working age claimants can only be implemented at the start of a financial year (ie. 1st April) and any scheme changes must be consulted on and approved by a full council meeting before 31st January in the year that the scheme will start. Any transitional arrangements for applicants affected by changes must also be considered at the same time.

Further to their approval of a timetable for consultation, the Cabinet, at its meeting held on 30th October, 2013, considered the options contained in the consultation document and the responses thereto. The report to the Cabinet, and the appendix thereto, in which the options consulted upon and details of the responses are set out, is available on the Committee Management Information System (CMIS), or from Democratic Services on request.

None of the options consulted upon affect pensioners who are protected automatically by law.

9. In addition to seeking a preference on the preferred option, the consultation asked if any vulnerable groups (in addition to pensioners) should be protected from changes in the scheme, should the options other than the status quo be implemented. The 4 most common vulnerable categories protected in other local authority CTR schemes (ie. disabled adults, disabled children, war pensioners and lone parents with children under 5) were named in the consultation together with the option to suggest other vulnerable groups for protection from any changes.
10. Dudley's major precepting authorities (Fire and Police) who are also affected by our choice of CTR scheme were consulted upon with regard to their preferred options. The key points arising from the responses are:-
- An acknowledgement of the difficulties associated with reduced funding arrangements and the vulnerability of the citizens affected.

- Consideration should be given to maximising other council tax technical changes to minimise the impact on the authority funding.
- Whatever option is chosen, a prudent approach should be adopted in terms of the anticipated levels of council tax collection rates so that planning assumptions regarding funding are not over optimistic.

11. Public consultation took place for 12 weeks from 29th July to 18th October 2013 and the details of the consultation and the full results are set out in Appendix 1 to the report submitted to the Cabinet on 30th October, 2013.

In summary 550 people responded to the consultation, of which 412 (73%) preferred option 1 (to continue with the existing scheme which protects low income households from any changes, calculating CTR entitlement in the same way); 68 (12%) option 2 (to calculate CTR entitlement in the same way, but then reduce the level of the award granted by 8.5%, thus increasing the Council Tax payable); and 65 (12%) option 3 (to calculate CTR entitlement in the same way, but then reduce the level of award granted by 20%, thus increasing the level of Council Tax payable by more than option 2) 15 (3%) of respondents gave no preference.

In the event of options 2 or 3 being implemented 274 (50%) were in favour of protecting disabled adults, 241 (44%) disabled children, 229 (42%) war pensioners, 163 (30%) lone parents with a child under 5, and 119 (22%) suggested a variety of other categories of vulnerable households for protection.

12. The members of the Corporate Performance Management, Efficiency and Effectiveness (CPMEE) Scrutiny Committee have undertaken scrutiny of the options for CTR schemes over a series of meetings and a summary of the issues discussed at the scrutiny committee are as follows:-

- The protection of low-income households from increases in council tax bills vs. options to raise more council tax to help with budget pressures elsewhere.
- Analysing and defining any vulnerable categories that could be protected from changes should options 2 or 3 be implemented, and in particular the different definitions that could be applied to disability. The definition for disabled used in the consultation exercise is the widest definition to include all incapacity as a result of long-term illness. There is also a narrower definition for disability that could be used which can be defined as people in receipt of Disability Living Allowance (or it's replacement benefit Personal Independence Payments).
- The potential problems in collecting relative small amounts of council tax from low income households, and the increased costs of collecting from up to 14000 additional households who currently pay no council tax at all.

More details of the discussions at the Committee are set out in the minutes of its meeting held on 5th September, 2013, which are available on CMIS. Owing to the final results of the public consultation not being available until 18th October and to collection information from neighbouring authorities not being available, the work of the Committee concluded that it did not wish to make a recommendation on any of the options presented, on the basis that there was currently not enough information on which to make a decision. They resolved, however, that should the Cabinet or Council wish to implement options 2 or 3, it was recommended that the vulnerable groups identified in the papers be protected and that the widest possible definition of disability be features of the proposed scheme.

13. The deadline for 2013/14 CTR scheme approval is 31st January, 2014.
14. As part of the recent “Big Question” consultation on the budget, the Council sought the views of the public on the services that they would want to cut or protect. The results of that exercise indicated a relatively high level of support for cutting benefits and other welfare services. However it is relevant to note that there was also a relatively high level of support for protecting services for disabilities and mental health in children and adults as well as for child protection and family support. (There was also a relatively high level of support for protecting older people but these are in any case protected by the mandatory CTR scheme for pensioners).
15. At a national level, early indications from other authorities which have reduced CTR eligibility suggest that recovery of council tax from low-income families is proving challenging, both in terms of administration and lower collection rates. More locally, while budgeted collection rates vary widely, actual collection performance has reduced, although other factors have had an impact here, particularly changes to council tax exemptions and discounts for unoccupied properties from 1st April, 2013. It has proved difficult to obtain factual information this early in the financial year and official council tax collection results for 2013/14 will not be available until May 2014.
16. The following information about neighbouring authority plans has been extracted from publicly available reports. At this stage they are only proposals and the situation may change prior to the scheme setting deadline of 31st January, 2014.

LA	2013 / 14 CTR schemes	2014 / 15 proposals
Birmingham	8.5% cut in CTR - with protected groups - extra CT to collect = £8.1m	Unknown - No public consultation started
Coventry	Default Scheme – no changes	Unknown - No public consultation started
Sandwell	Various scheme changes - with protected groups - extra CT to collect = £474k	Unknown - No public consultation started
Solihull	Default Scheme – no changes	Cabinet recommendation to retain default scheme for a further 2 years
Walsall	Default Scheme – no changes	Public consultation to commence based on 4 options - cut in CTR of 20.5% - cut in CTR of 10% - cut in CTR of 20% (with protected groups) - no change to scheme
Wolverhampton	8.5% cut in CTR - no protected groups - extra CT to collect = £1.2m	Public consultation underway on variety of ‘mix & match’ scheme changes :- - limiting CTR to 88% of CT liability - limit child disregard to 1 st child - lower capital cut-off to £3k - 5 other ‘lower value’ scheme changes

Finance

17. In 2013/14 it is estimated that £24million in council tax reductions will be granted under our current scheme for low-income families. This is funded by £21.3million from central government, £0.6million in 'one-off' transitional grants, and a contribution from Dudley and its major precepting authorities (Fire and Police) of £2.1million. The breakdown of these figures is 88% Dudley Council, 8% West Midlands Police and Crime Commissioner and 4% West Midlands Fire Service. No further government transitional funding has been announced for 2014/15.
18. Although provision for funding the Dudley contribution to the scheme was made in the budget for 2013/14, (assisted by the one-off transitional grant), any savings made in the costs of the 2014/15 scheme will contribute to meeting other budget pressures.
19. The true cost of any CTR scheme to the council and its precepting authorities (Fire and Police) is the amount of extra council tax that could be collected as a result of a less generous scheme. The table below shows the council's share of the extra council tax that would be collectable under each of the proposed scheme options referred to in the report submitted to the Cabinet. Each of the 3 options have been modelled to include and exclude all of the named 'potential' protected groups in the consultation. During the Scrutiny Committee discussions two different definitions for disabled adults were considered and consequently both options have been presented. There are obviously a number of sub-sets of the named protected groups that could be considered or indeed consideration of different groups for protection from changes as a response to the public consultation.

	Protecting all disabled adults & children, lone parents with child under 5 and war pensioners <u>widest</u> defn. of Disabled	Protecting all disabled adults & children, lone parents with child under 5 and war pensioners <u>narrower</u> defn. of Disabled	Not protecting any vulnerable groups (other than pensioners)
Option 1 Continue with current scheme	No change	No change	No change
Option 2 Increase council tax payable by cutting the level of CTR by 8.5%	Increase in LA's share of the collectable council tax by a <u>maximum</u> of £456k in 2014/15.	Increase in LA's share of the collectable council tax by a <u>maximum</u> of £591k in 2014/15	Increase LA's share of the collectable council tax by a <u>maximum</u> of £911k in 2014/15
Option 3 Increase the council tax payable by cutting the level of CTR by 20%	Increase in LA's share of the collectable council tax by a <u>maximum</u> of £1,072k in 2014/15	Increase in LA's share of the collectable council tax by a <u>maximum</u> of £1,389k in 2014/15	Increase LA's share of the collectable council tax by a <u>maximum</u> of £2,143k in 2014/15

Assumptions

- All calculations are based on current caseloads, 2013/14 council tax levels with no annual upratings applied
 - 'Savings' in the scheme are quoted in terms of the Dudley's share of extra collectible council tax and a 100% collection rate. (Only 88% of all council tax collected is retained by the local authority)
 - Additional costs for collection and administration are not included
20. Implementing a scheme with no protected groups would require the collection of council tax from an additional 14,000 council tax payers who currently pay nothing, and additional council tax from another 3000 council tax payers who currently receive less than 100% CTR. It is estimated that the additional administrative costs in collection would be around £100,000. Obviously this cost would reduce depending on the number of protected groups.
21. It is very likely that extra council tax from low-income households could result in a lower than average collection rate for this sector of the community (compare to our usual 99% collection rate). Although official collection rate statistics from local authorities with less generous schemes are not published until after the end of this financial year, the budgeted collection rates of neighbouring authorities for this additional debit is as low as 66%.

Law

22. The Local Government Finance Act 2012 introduced local council tax reduction schemes to replace council tax benefit from April 2013.
23. The Council Tax Reduction Scheme (Prescribed Requirements) (England) Regulations 2012 (Statutory Instrument 2012 / 2885) contains the mandatory elements for any local scheme and details the scheme that must be adopted for pensioners.
24. The Council Tax Reduction Scheme (Default Scheme) (England) Regulations 2012 (Statutory Instrument 2012 / 2886) contains the default council tax reduction scheme that was imposed on councils if they failed in their duty to set a scheme by 31st January 2012. The default scheme mirrors the rules of the old council tax benefit scheme and our current CTR scheme follows this with the addition of extra income disregards for war and war widow pensions.
25. The law requires consultation on any council tax reduction scheme changes and approval of any changes by a full council meeting. Due to the way the current scheme is documented, the up-rating of annual amounts (personal allowances, premiums, disregards and non-dependent deductions) could be deemed changes to the scheme. To ensure legal compliance and to avoid unnecessary public consultation it is proposed that the CTR scheme that commences in April 2014 is documented in a manner that links annually up-rated values to equivalents in the national CTR scheme for pensioners or Housing Benefits regulations.

Equality Impact

26. The Government has stated that local schemes should provide support for the most vulnerable. The Government has confirmed that it does not intend to prescribe the protection that local authorities should provide for vulnerable groups other than pensioners, but issued guidance in May 2012 on the existing duties local authorities must take into account in relation to vulnerable groups in designing their schemes. These cover the following:

- the public sector equality duty set out in section 149 of the Equality Act 2010
- the duty to mitigate child poverty under the Child Poverty Act 2010, and
- the duty to prevent homelessness under the Housing Act 1996.

The guidance does not tell local authorities what they must do in their schemes to be compliant with these duties, but states that this needs to be tailored to their own specific circumstances.

27. An Equality Impact Assessment has been undertaken and will be reviewed / updated based on the scheme recommendations of the Cabinet.
28. There has been no specific involvement of children and young people in developing the proposals in this report.
29. On consideration of the report submitted, which contained the above information, the Cabinet, at its meeting held on 30th October, 2013, resolved to recommend the Council as set out in paragraphs 30 to 32 below.

Recommendations

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



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Leader of the Council

Meeting of the Council – 2nd December, 2013

Report of the Cabinet

Annual Review of the Constitution

Purpose of Report

1. To consider the proposals of the Cabinet regarding the annual review of the Constitution.

Background

2. The Council introduced its written Constitution in May 2002.
3. 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 in order to ensure that the aims and principles are given full effect.
4. Full Council is responsible for approving changes to the Constitution after consultation with the Cabinet. An exception to this is that the Leader, in consultation with the opposition Group Leader, may approve amendments to the Scheme of Delegation from time to time.
5. The Constitution is an important vehicle by which the Council promotes its overall democratic governance arrangements.
6. The last annual review of the Constitution was undertaken in November, 2012. All previously approved amendments have been fully implemented. Amendments are routinely made to update legal provisions and reflect ongoing operational issues.
7. This report takes account of ongoing changes in the national and local context and it is recognised that further amendments to the Constitution may be necessary during 2013/14 and beyond.

Public Health Functions

8. Following the transfer of public health functions to the Council in April, 2013, work has been undertaken to include appropriate references to statutory public health functions in the portfolio of the Cabinet Member for Health and Wellbeing with associated ongoing delegations to the Director of Public Health. These primarily relate to functions contained in the National Health Service Act 2006, the Health and Social Care Act 2012 together with the associated statutory guidance and regulations.

9. In October, 2013, the Leader of the Council made amendments to Cabinet portfolios, which included changes to functions relating to Environment and Culture and Health and Wellbeing. These are set out in Delegated Decision Sheet DCR/34/2013 (the full decision sheet is available on the website). Further work is being undertaken to include further references to the statutory functions of the Director of Public Health in the Constitution. These are set out in detailed regulations and guidance from the Department of Health.

Pay Policy Statement

10. Under the provisions of the Localism Act 2011, the Council is required to approve its Pay Policy Statement on an annual basis and include the statement on the website. For the past two years, the Pay Policy Statement has been presented to the Council for approval in February. The Department for Communities and Local Government has now issued supplementary guidance, requiring full Council to be given the opportunity to vote on salary packages for new appointments that exceed a threshold of £100,000. Similarly, the guidance requires that any severance packages to employees leaving the authority that exceed the £100,000 threshold should also be submitted to full Council for approval.
11. In practice, the Council will consider the above matters following a recommendation from the Appointments Committee. The revised guidance will be reflected in the Constitution by amending the terms of reference of the Appointments Committee to provide that any recommendations on new appointments or severance packages that exceed the £100,000 threshold will be the subject of a recommendation to full Council. This amendment will be cross referenced in the functions reserved to full Council under Article 4 and in the Officer Employment Procedure Rules under Part 4 of the Constitution.

Members' Planning Code of Good Practice

12. A detailed review of the Members' Planning Code of Good Practice, as set out in Part 6 of the Constitution, is currently in progress. The review is taking account of changes to the Members' Code of Conduct, the rules on declaration of interests and various other aspects associated with the development control process. The revised Code of Good Practice will be reported to the Development Control Committee in the first instance. Recommendations will subsequently be presented to the Council for future inclusion in the Constitution.

Ernest Stevens Trusts Management Committee

13. The Council appointed the above Management Committee following the decision to replace the former Area Committees with the 10 Community Forums. The Management Committee comprises one ward Councillor from each of the Cradley and Wollescote, Lye and Stourbridge North, Norton, Pedmore & Stourbridge East, Quarry Bank and Dudley Wood and Wollaston & Stourbridge Town wards.

14. The former Area Committees had functions to deal with issues relating to local trusts/charities. In practice, however, the vast majority of business related to the Ernest Stevens Trusts under the delegated powers of the former Stourbridge Area Committee. As a general 'catch all' provision, it is recommended that the terms of reference of the Management Committee be extended to include all Trust land in the Borough. It is considered appropriate that this general power be allocated to a 'non-executive' Committee. In occasional cases, where the Management Committee is dealing with matters not relating to the Ernest Stevens Trust, substitution will be permitted from the wider political groups to enable the appointment of ward councillors for the area concerned for consideration of that business only.

Signing of Decision Sheets in the absence of Cabinet Members

15. In situations where a Cabinet Member is absent for an extended period of time, the general requirement is that all Decision Sheets should be referred to the Leader. In relation to the Directorate of Corporate Resources, it is recommended that the Deputy Leader (Cabinet Member for Finance) be authorised to sign decision sheets in the absence of the Cabinet Member for Human Resources, Legal and Property. This will avoid any potential delays in view of the high volume of decision sheets presented to the Cabinet Member for Human Resources, Legal and Property, particularly relating to staffing issues, where there is a budgetary aspect to the items under consideration.

Recording of Council, Cabinet, Committee and Other Meetings

16. The Department for Communities and Local Government has issued a guide entitled 'Your Council's Cabinet – Going to its meetings, seeing how it works'. This document makes reference to the filming and recording of meetings as well as the use of blogging, tweeting and other such electronic media. The guide includes a clear presumption that local authorities should not prevent the use of reasonable facilities for reporting on meetings. Councils are advised to allow the filming of councillors and officers at meetings that are open to the public.
17. Council Procedure Rules currently make provision for full Council meetings to be recorded for live broadcast on the Internet. The Council does not retain copies of these recordings for any other purpose other than the live broadcast. For all other meetings, no photographs may be taken, tape recordings made or other mechanical, electronic or similar apparatus used without the consent of the meeting concerned.

18. No objections have been raised to prevent individuals using their own mobile devices to use Twitter, similar social media or blogging facilities during meetings. With regard to filming or audio/visual recording, however, the guide recognises that the Council may reasonably ask for the filming to be undertaken in such a way that it is not disruptive or distracting to the good order and conduct of the meeting. As a courtesy, attendees should be informed at the start of the meeting that it is being filmed. It is recommended that anyone wishing to film should liaise with Council staff before the start of the meeting. The guide suggests that the Council should adopt a policy on the filming of members of the public speaking at a meeting so as to allow people to object to being filmed if they so wish, without undermining the broader transparency of the meeting.
19. It is recommended that Council Procedure Rule 24.6 be amended to provide that the Council has no objection to the use of social media, blogging or similar electronic facilities during any meetings to which the public have access. With regard to the use of filming or any other audio/visual recording equipment during any meeting, this would still be subject to the consent of the meeting being obtained in advance. In practice, this will ensure that no person is filmed without prior knowledge and the use of the equipment is not disruptive to the efficient conduct of business.

Amendments to the Terms of Reference of the West Midlands Joint Committee

20. The West Midlands Joint Committee (WMJC) comprises the seven Metropolitan District Councils of Birmingham, Coventry, Dudley, Sandwell, Solihull, Walsall and Wolverhampton. It was established in 1986 following the abolition of the West Midlands County Council. The Committee is a joint committee for the purposes of Part VI of the Local Government Act 1972.
21. The overall objective of the WMJC is to co-ordinate actions on important issues affecting the local authorities in the West Midlands, and to provide a vehicle for communicating these actions and their needs to Government and other influential bodies.
22. The Government has highlighted the importance of effective governance arrangements as one of the key requirements that must be met in devolving powers and funding to sub-regions. It is recognised that strengthened Transport Governance is a prerequisite to furthering significant devolved funding to the West Midlands, including Growth and City Deals, which must contain proposals for stronger governance across their functional economic area, so that decisions necessary for the growth of the area as a whole can be taken quickly and effectively.

23. The meeting of the West Midlands Metropolitan District Leaders Group on the 23rd January, 2013 agreed a set of principles for Transport Governance, recommended them to the Joint Committee and tasked officers with exploring how Transport Governance relating to the Integrated Transport Authority (ITA) could be taken forward.
24. At the Leaders meeting in March, a preferred route to implement the changes was agreed, which was to put in place a shadow board (through the existing Joint Committee structure) while progressing the required review to be considered by the Secretary of State. On 29th April, 2013, the West Midlands Joint Committee subsequently agreed to undertake a Governance Review of the West Midlands Integrated Transport Authority (WMITA).
25. Following this, the West Midlands Joint Committee meeting of the 12th June, 2013 agreed to set up a Shadow ITA pending formal approval by the Secretary of State. To accommodate this and other variations in respect of the Joint Committee, the seven West Midlands authorities are being recommended to endorse the revised Terms of Reference of West Midlands Joint Committee, as set out in Appendix 1. The amended terms of reference seek to:
 - update the provisions relating to Birmingham Airport to match what has previously been agreed by the West Midlands Districts.
 - provide for effective decision making between meetings.
 - provide for the new duty to co-operate.
 - accommodate the disbanding of the former West Midlands Planning and Transportation Sub-Committee.
 - create the Shadow Integrated Transport Authority Board.
26. It is recommended that the Council formally endorse the revised Terms of Reference of the West Midlands Joint Committee, as set out in Appendix 1, as amended by the Joint Committee at its meeting on 12th June, 2013. Following the report to the Cabinet on 30th October, 2013, the Council has now been requested to authorise the Leader of the Council, in consultation with the Chief Executive, to send or sign a letter of support to the Secretary of State for Transport in connection with the proposed structural changes to the Integrated Transport Authority.

Black Country Executive Joint Committee

27. City Deal and Growth Deal is a Government initiative under which certain powers, such as the ability to set and spend budgets, are devolved from central government to local authorities in a bid to increase economic growth. The Black Country sub-region has been successful in its application to be included in the City Deal and Growth Deal initiative, and whilst the details of how it will precisely work and its core elements are to be finalised with the Government, the Government wants to see a decision making entity that is both accountable and transparent. Discussions with the Government have resulted in the proposal for a Joint Executive Committee for the Black Country.

28. The Association of Black Country Authorities has agreed that each Councils' Cabinet would seek to set up an Executive Joint Committee, comprising of the Leaders of the four Black Country Councils, to be the lead decision making forum for City Deal and Growth Deal. The proposed Constitution of the Joint Committee including Terms of Reference is set out at Appendix 2.
29. Paragraph 4 of the Black Country Executive Joint Committee terms of reference refers to the allocation of spending and capital expenditure programmes. For clarification, this should not be construed as overriding the powers that are properly reserved to this Council to make budget decisions in relation to this Council's revenue or capital expenditure. As the City Deal develops, any revenue or capital commitments will still need to be approved by the Cabinet and full Council in the usual way.
30. The Government expect as part of the City Deal and Growth Deal arrangement that the local business community, and in particular the Local Enterprise Partnership (LEP) take a key role in decision making as well as both shaping and influencing the outcomes of City Deal and Growth Deal. The Association of Black Country Authorities and the Chair of LEP have agreed that the Joint Committee should have an Advisory Board, which forms part of the recommendation and decision-making processes.
31. The Advisory Board will comprise the Black County Councils' four Cabinet Members for economic development and regeneration (voting), four representatives from the LEP (voting), Executive Directors for economic development and regeneration of the four Councils in an advisory role (non-voting), representatives from central government as necessary in an advisory role (non-voting), and such other persons and/or bodies as the Advisory Board feel will assist it in its decision making in an advisory role (non-voting). The precise details of how this will operate in practice will depend upon the approach to managing City Deal and Growth Deal agreed between Government and the sub-region.
32. It has been agreed between the four Black Country Chief Executives that Walsall MBC will act as Secretary to the Black Country Executive Joint Committee and for the purposes of complying with the necessary legislation Walsall will publish the meeting dates, agenda, reports and take minutes. Finally, Walsall MBC's constitution will apply to the decision-making processes.
33. The Cabinet resolved to endorse the establishment of a Black Country Executive Joint Committee for the purpose of dealing with the Government's agenda for greater local decision-making under City Deal and Growth Deal.

Ongoing Governance Reviews

34. Over the past 12 months, the Council has introduced significant changes to its governance structures, most notably the introduction of Community Forums and the revised Scrutiny arrangements. The Community Forums are the subject of an ongoing process of monitoring and review in consultation with the Chairs/Vice-Chairs and Lead Officers. The Overview and Scrutiny Management Board is overseeing the progress of the new scrutiny arrangements. The outcome of the monitoring and review process will be reported to the Council to consider any amendments for the 2014/15 municipal year onwards.

Finance

35. There are no financial implications arising from this report. Any costs arising from compliance with the Constitution are met from existing budgets.
36. In relation to City Deal, there will be financial implications in terms of government funding streams being made available. However, the details of those are yet to be finalised in negotiations with central Government and will need to form the basis of a future report.

Law

37. Section 37 of the Local Government Act 2000 requires the Council to keep its Constitution up to date.
38. The West Midlands Joint Committee is constituted under Part VI of the Local Government Act 1972. The Black Country Joint Executive Committee will be established under the provisions of the Local Government Act 1972, the Local Government Act 2000 as amended by the Localism Act 2011 and regulations issued by the Secretary of State.

Equality Impact

39. This report complies with the Council's policies on equality and diversity and there are no particular implications for children and young people. An Equality Impact Assessment in relation to the City Deal proposals will need to be carried out when all the detail is available.
40. On consideration of the above, the Cabinet, at its meeting held on 30th October, 2013, resolved to recommend the Council as set out in paragraph 41 below.

Recommendations

41. The Council be recommended:
 - (a) That the work undertaken and in progress to integrate public health functions within the Constitution, as referred to in paragraphs 8 and 9, be noted.
 - (b) That the terms of reference of the Appointments Committee be amended, with consequential changes elsewhere in the Constitution, to provide for salary packages for new appointments and any severance packages for employees that exceed £100,000 to be recommended to full Council for approval as referred to in paragraphs 10 and 11.
 - (c) That the review of the Members' Planning Code of Good Practice, as referred to in paragraph 12, be noted.
 - (d) That the proposed addition to the terms of reference of the Ernest Stevens Trusts Management Committee be approved as set out in paragraphs 13 and 14.
 - (e) That the Deputy Leader (Cabinet Member for Finance) be authorised to sign Decision Sheets in the absence of the Cabinet Member for Human Resources, Legal and Property, as referred to in paragraph 15.

- (f) That the approach to the recording of Council, Cabinet, Committee and other meetings, as set out in paragraphs 16 to 19, be approved and that Council Procedure Rule 24.6 be amended accordingly.
- (g) That the amended Terms of Reference for West Midlands Joint Committee, as described in paragraphs 20 to 26 and Appendix 1 to this report, be approved insofar as they relate to the executive functions of Dudley Metropolitan Borough Council and that the Director of Corporate Resources be authorised to take any necessary and consequential actions to give effect to this decision.
- (h) That the Leader of the Council, in consultation with the Chief Executive, be authorised to send or sign a letter of support to the Secretary of State for Transport in connection with the proposed structural changes to the Integrated Transport Authority.
- (i) That the establishment of the Black Country Executive Joint Committee, as referred to in paragraphs 27 to 33, be approved and the Constitution be amended accordingly.
- (j) That the constitution of the Black Country Executive Joint Committee, including the Terms of Reference set out in Appendix 2 to this report, be endorsed and the associated functions and powers be delegated to the Executive Joint Committee, subject to the requirement that any revenue or capital expenditure programmes or commitments are approved by the Cabinet and full Council in accordance with the existing Constitutional requirements of Dudley MBC.
- (k) That the Leader of the Council be appointed as the Cabinet's representative on the Black Country Executive Joint Committee together with a named Member to act as a substitute.
- (l) That the proposals for the City Deal and Growth Deal Advisory Board, as set out in paragraphs 31 and 32 of this report, including the provision for the appointment of the Cabinet Member for Regeneration, be approved.
- (m) That the Leader of the Council, in consultation with the Chief Executive and appropriate Directors, be authorised to make any necessary and consequential changes to the terms of reference of the Black Country Executive Joint Committee that may be required from time to time to implement the proposals in this report.
- (n) That the appointment of Walsall MBC to act as Secretary to the Black Country Executive Joint Committee and Advisory Board be noted.
- (o) That the ongoing reviews of governance arrangements, as referred to in paragraph 34, be noted.



.....
Leader of the Council

WEST MIDLANDS JOINT COMMITTEE
CONSTITUTION

[2013]

1. (i) The District Councils of the County of West Midlands established on 24 July 1985 a Joint Committee known as the West Midlands Joint Committee ("the Committee") for the purpose of discharging the functions mentioned in the Annex. The Committee was a joint committee for the purposes of Part VI of the Local Government Act 1972 and the provisions of that part applicable to joint committees shall apply to the Committee.
- (ii) This Revised Constitution has been updated to reflect changes as set out in the Localism Act 2011 in relation to strategic planning and cross boundary infrastructure matters which must now be dealt with via the Duty to Cooperate ("the duty"). Further takes account of the establishment of a Shadow Integrated Transport Authority Board, its membership and role and functions as outlined in the attached annex.
2. (i) The Committee shall comprise seven voting members, each District Council being entitled to appoint one voting member who shall be a member of the District Council making the appointment. In the event of any voting member of the Committee ceasing to be a member of the District Council which appointed him/her, the District Council shall forthwith appoint another voting member in his/her place. Only a voting member is entitled to be elected as Chair or Vice-Chair of the Committee.
- (ii) Each District Council may appoint two of its members to attend the meeting of the Committee as observer members in addition to the voting member appointed under (i) above. Such observer members may speak at meetings of the Committee but not vote.
- (iii) Each District Council may appoint members of its Council as substitute for the voting members or observer members appointed under (i) or (ii) above to attend meetings of the Committee and its sub-committees in the absence for any reason of the voting members or observer members appointed under (i) or (ii) above and in attending meetings of the Committee and its sub-committees the substitute voting members or observer members shall be treated in all respects as if they were appointed under (i) or (ii) above as the case may be. The Secretary for the Committee shall be informed prior to the commencement of the meeting of the names of substitute members.
- (iv) The Chairman of each Joint Authority appointed in the West Midlands shall be an ex officio member of the Committee. Such ex officio members may speak at meetings of the Committee but not vote.
- (v) The Chairman (or their delegated representative) of each of the Local Enterprise Partnership's covering the Met. Area geography (GBS LEP, Black Country LEP and Coventry & Warwickshire LEP) shall be an ex officio member of the Committee for Shadow Board agenda items. Such ex officio members may speak at meetings of the Committee but not vote.
- (vi) The Committee shall, at its Annual Meeting, elect a Chair and Vice-Chair from amongst its voting members. In the event of both being absent from the meeting, the Chair and the Vice-Chair for whatever reason, the Committee shall elect a Chair from amongst the voting members present for that meeting.
- (vii) Four voting members of the Committee shall constitute a quorum. Except as otherwise provided by statute, all questions shall be decided by a majority of the votes of the voting

members present, the Chair having the casting vote in addition to his/her vote as a Member of the Committee.

- (viii) The Committee will meet as agreed at AGM but in any event at least quarterly. However, a meeting of the Committee may be convened at any time by the Secretary in consultation with the Chair. A meeting of the Committee must also be convened by the Chair within 28 days of the receipt of a requisition of any two voting members of the Committee addressed to the Secretary to the Committee. All requisitions shall be in writing and no business other than that specified in the requisition shall be transacted at such a meeting.
 - (ix) The Committee shall from time to time make such standing orders for the carrying on of the business of the Committee as the Committee shall deem necessary or desirable.
 - (x) For the avoidance of doubt and subject to there being no changes to the law on this issue, where a District Council is operating executive arrangements pursuant to the Local Government Act 2000 (and any regulations made under it), it will be a matter for the Executive of the District Council to appoint any voting member, observer member or substitute member to the Committee.
3. The Committee shall from time to time appoint such sub-committees to consider and deal with any of the functions of the Committee as may be thought desirable.
 4. The Committee shall employ a Secretary and such other officers as may be deemed necessary for the due conduct of the business of the Committee at such remuneration (if any) and upon such terms as the Committee shall decide. The appointment of Secretary shall be for a term of three years and shall be made at the annual meeting of the Committee in the appropriate year.
 5. (i) The Secretary shall keep proper accounts of the money received and expended by the Committee.
(ii) The Secretary shall apportion the expenses of the Committee between the District Councils in proportion to the population of each district in the County.
 6. This Revised Constitution and, subject as hereinafter mentioned, the functions of the Committee may be amended at any time by the unanimous agreement of the District Councils.
 7. That the relevant Standing Orders for West Midlands Joint Committee are those of Birmingham City Council.
 8. Decision making between meetings is delegated to the Chair, but those decisions are only to be implemented if supported in writing by the signatures of all of the Chief Executives of each of the 7 Districts.

The Annex

(Functions of the Joint Committee)

1. To make nominations or appointments as the case may be:-
 - (i) to the 5 balancing places of the West Midlands Police and Crime Panel
2. In relation to Birmingham Airport, to:-
 - 2.1 (i) determine the exercise of the Districts' powers and rights as shareholders of the Company including the manner in which the Districts' block shareholder vote is to be exercised;
 - (ii) determine the manner in which the block vote is to be cast by any of the Districts' Directors.
 - (iii) determine the exercise of rights and performance of obligations, warranties, indemnities and covenants contained in the Investment Agreement and Taxation Deed relating to the restructuring of the Airport;
 - (iv) appoint and remove the Districts' Directors on the Board and appoint appropriate officers as Districts' Observers to attend Board meetings and support the District Directors.
 - 2.2 The delegation of powers by the Districts to the Joint Committee in clause 2.1 shall be subject to a condition that all resolutions of the Joint Committee or any Sub-Committee appointed by the Joint Committee shall be passed by a majority of the members present who between them represent Districts who hold at least 51% of the Districts' total shareholding.
 - 2.3 The Joint Committee may arrange for the discharge of their functions by a Sub-Committee subject to the same condition set out in clause 2.2.
 - 2.4 The Joint Committee may arrange for the discharge of their functions subject to the condition set out in clause 2.2 by each of the Districts' Chief Executives or anyone authorised by any District to act in the Chief Executive's absence acting in consultation with the Chair or Vice Chair of the Joint Committee.
3. To co-ordinate actions on important issues affecting the Districts and to provide a vehicle for communicating these actions, and the needs of Districts, to Government and other influential bodies.
4. To consult and co-operate as respects matters affecting the District Councils (including the Duty to Cooperate) and as appropriate with each District Council and the Joint Authorities.
5. To consider, in consultation with and, if appropriate, in partnership with the Joint Authorities, whether they could make better value arrangements for the provision of any services, supplies or works required in connection with the discharge of the functions of the District Councils.
6. To co-ordinate the exercise by the District Councils of the enforcement functions conferred on them by the Weights and Measures Act 1985 (as amended) with a view to securing uniformity in the exercise of those functions throughout the West Midlands and the employment provision or use by those Councils for the purposes of those functions of staff, property and facilities.
7. To oversee the work of and payment of the Joint Data Team contract with Mott Macdonald Ltd dated 27 March 2008.

8. To receive reports from any partnership
9. To exercise the functions delegated to it by the Agreement between the District Council relating to landfill brokerage dated 9 September 1994.
10. In relation to the Shadow Integrated Transport Authority Board
 - 10.1 To act as a strategic advisory body; setting and reviewing objectives for strategic investment in transport economic infrastructure across the conurbation, including:
 - a. Providing a coherent single position on the major strategic transportation issues
 - b. Setting the annual transport budget
 - c. Setting major transport priorities
 - d. Advising the existing ITA in respect of developing and monitoring the Local Transport Plan and its expenditure
 - 10.2 Consider the formal review and identify a preferred option for transport governance which is fit for purpose;
 - 10.3 Influence and align government investment in transport in order to boost economic growth;
 - 10.4 To ensure alignment in decision making on transport supports other areas of policy;
 - 10.5 Co-ordinate and align decision making on transport with the LEPs (through direct LEP representation) ensuring that business views are taken on board and that LEP growth plans are reflected in strategic priorities;
 - 10.6 Advising on capital expenditure programmes and ensuring policy and programmes are delivered effectively through partners including Local Authorities, Centro, Network Rail and the Highways Agency;
 - 10.7 Recommend appropriate steps to reorganise the ITA to make its functions more efficient; and
 - 10.8 Engaging and Co-ordinating with the wider travel to work area.

**BLACK COUNTRY JOINT COMMITTEE
CONSTITUTION
[2013]**

1. (i) Dudley MBC, Sandwell MBC, Walsall MBC and Wolverhampton City Council established an Executive Joint Committee known as the Black Country Joint Committee (“the Committee”) for the purpose of discharging the functions mentioned in Annex A. The Committee is a joint committee of the Executive for the purposes of Part VI of the Local Government Act 1972 and Part I Chapter 2 of the Local Government Act 2000 and the provisions of thereof that are applicable to Joint Committees of the Executive shall apply to the Committee.

2. (i) The Committee shall comprise four members, each Council being entitled to appoint one voting member who shall be a member of the Councils Cabinet making the appointment. In the event of a voting member of the Committee ceasing to be a member of the Council which appointed him/her, the Council shall forthwith appoint another voting member in his/her place. Only a voting member is entitled to be elected as Chair or Vice-Chair of the Committee.

(ii) Each Council may appoint members of its Executive as substitute for the voting members appointed under (i) above to attend meetings of the Committee and its sub-committees in the absence for any reason of the voting members or observer members appointed under (i) above and in attended meetings of the Committee and its sub-committees the substitute voting members or observer members shall be treated in all respects if they were appointed under (i) above as the case may be. The Secretary for the Committee shall be informed prior to the commencement of the meeting of the names of the substitute members.

(iii) The Chairman of the Black Country Local Enterprise Partnership shall be an ex officio member of the Committee on matters relating to City Deal and Growth Deal. Ex officio members may speak at meetings of the committee but not vote. The Chairman of the Black Country Local Enterprise Partnership shall present reports to the Joint Committee from the City Deal and Growth Deal Advisory Board.

(iv) The Black Country Consortium Ltd will be responsible for writing reports to the Joint Committee from the City Deal and Growth Deal Advisory Board in the format provided for at Annex B. A representative of the Black Country Consortium Ltd can be in attendance at meetings of the Joint Committee on matters relating to City Deal and Growth Deal in an advisory role.

(v) The Committee shall at its Annual Meeting, elect a Chair and Vice-Chair from among its voting members or chose to adopt for that year to have a rolling Chair and Vice Chair being upon rotation. In the event of both being absent from the meeting, the Chair and Vice-Chair for whatever reason, the Committee shall elect a chair from amongst the voting members present for that meeting but shall not count for purposes of rotation.

(vi) Three voting members of the Committee shall constitute a quorum. Except as otherwise provided by statute, all questions shall be decided by a majority of the votes of the voting members present, the Chair having the casting vote in addition to his/her vote as a member of the Committee.

(vii) The Committee shall meet as agreed at its AGM. However a meeting of the Committee may be convened at any time by the Secretary in consultation with the Chair for the meeting that would be convened. A meeting of the Committee must also be convened by the Chair within 28 days of the receipt of a requisition of any two voting members of the Committee addressed to the Secretary of the Committee. All requisitions shall be in writing and no business other than that specified in the requisition shall be transacted at such a meeting.

(viii) The Committee shall from time to time to make such standing orders for the carrying on of the business of the Committee as the Committee shall deem necessary and or desirable.

(viii) For the avoidance of doubt and subject to there being no changes to the law on this issue, where a Council is operating executive arrangements pursuant to the Local Government Act 2000 (and any regulations made under it), it will be a matter for the Executive of the Council to appoint any voting member, or substitute member of the Committee as long as that member is a member of the appointing Councils Cabinet.

3. The Committee shall from time to time appoint such sub-committees and Advisory Boards to consider and deal with any of the functions of the Committee as may be thought desirable.
4. The Committee Secretary and such other officers as may be deemed necessary for the due conduct of the business of the Committee shall be Walsall Metropolitan Borough Council.
5. Meetings of the Joint Committee shall be held at Walsall Metropolitan Borough Council unless otherwise directed by the Joint Committee.
6. The Secretary shall:
 - i. Be responsible for preparing the agenda and submitting reports prepared by either of the Councils or other bodies to the Joint Committee and minutes of the Joint Committee.
 - ii. Be responsible for making arrangements for the publishing in accordance with Access to Information requirements all meetings, agenda, agenda items and minutes as appropriate.
7. That the relevant Standing Orders for Black Country Joint Committee are those of Walsall Metropolitan Borough Council.

Annex A – Terms of Reference

Functions of the Committee

1. To receive reports from any Sub Committee of the Joint Committee or Advisory Board of the Joint Committee.
2. At any time review and agree proposed changes to the Functions of the Committee, and seek approval of the same from the four Council Executives of the Black Country authorities.
3. To agree and approve any proposed governance and or reporting structure that the committee sees fit.
4. In relation to the City Deal and Growth Deal:
 - 4.1 To act as a strategic body; setting and reviewing objectives for strategic investment across the Black Country, including;
 - a. Providing a coherent single position on the major strategic City Deal and Growth Deal issues;
 - b. Agreeing allocation of spending;
 - c. Agreeing major priorities;
 - d. Consider and agree recommendations made by any Sub Committee of the Joint Committee or Advisory Board of the Joint Committee;
 - e. Refer recommendations received back to any Sub Committee of the Joint Committee or Advisory Board of the Joint Committee for further consideration as and when minded in the first instance to not follow recommendations at all or to materially change the substance of the decision except in the case of genuine urgency requiring a decision to be made at that time;
 - 4.2 Agreeing Lead and or Accountable Body status for a body or organisation;
 - 4.3 Agree, review and amend options at any time for City Deal and Growth Deal governance which is fit for purpose;
 - 4.4 influence and align government investment in order to boost economic growth;
 - 4.5 have regard to the duty to cooperate and Joint Committee's overall function as set out above;
 - 4.6 to ensure alignment between decision making on City Deal and Growth Deal and decisions on other areas of policy such as land use, transportation, economic development and wider regeneration;

- 4.7 Co-ordinate and align decision making on transport with the LEPs ensuring that business views are taken on board and that LEP growth plans are reflected in strategic priorities;
- 4.8 Deciding on capital expenditure programmes and ensuring policy and programmes are delivered effectively through partners;

Annex B - Report Format

BLACK COUNTRY JOINT COMMITTEE – XXTH XXXXX 20XX REPORT OF THE SECRETARY [insert title of report] BLACK COUNTRY JOINT COMMITTEE

1. PURPOSE OF REPORT

Details of what is being sought in summary

2. RECOMMENDATIONS

Specific decision to be made by the Committee

3. REPORT DETAIL

All relevant and pertinent information so as to enable a fully informed decision to be made by the Joint Committee

4. FINANCIAL IMPLICATIONS

All relevant financial implications

5. LEGAL IMPLICATIONS

All relevant Legal implications

6. RISK MANAGEMENT

Key risk identified and explanations as to how they will be managed are to be inserted.

7. EQUALITY IMPLICATIONS

An equality impact assessment to be done and equality implications set out in the report as well as how they will be managed.

Background papers

Authors name and contact details