

## MEETING OF THE CABINET

Wednesday, 15<sup>th</sup> March, 2006 at 6.00 pm  
in the Council Chamber of the Council House, Dudley

### PRESENT:-

Councillors Adams, Caunt, Evans, Fraser-Macnamara, Jones, Mrs. Martin, Miller, Mrs Millward, Mrs. Shakespeare and Vickers; together with the following Minority Group Members nominated to attend meetings of the Cabinet: Councillors G.H. Davies, Ms. Harris, Mottram, Sparks and C.L. Woodall (Labour Group); and Councillor Mrs. Patrick (Liberal Democrat Group)

### OFFICERS:-

Director of Law and Property, Director of Adult, Community and Housing Services, Director of Children's Services, Director of Finance, Director of the Urban Environment, the Head of Personnel and Support Services, the Head of Policy (Chief Executive's Directorate), the General Manager - Planning and Ms. Roberts (Directorate of the Urban Environment) and Mr. Sanders (Directorate of Law and Property).

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### COUNCILLOR C.L. WOODALL

This, being the last meeting of the Cabinet that Councillor Woodall would be attending prior to his retirement from the Council, the Leader paid tribute to Councillor Woodall's outstanding contribution to the Borough over his many years of service as a Member of the Council. Councillor Woodall, in return, thanked the Leader for the kind sentiments expressed.

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### APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received on behalf of Councillors Ali, Ms. Foster, Sparks and Tyler.

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### DECLARATIONS OF INTEREST

A declaration of prejudicial interest, in accordance with the Members' Code of Conduct, was made by Councillor Caunt in respect of Agenda Item No. 9 (Birmingham International Airport - Draft Airport Master Plan) in view of his directorship of Birmingham Airport Holdings Limited.

A declaration of prejudicial interest in accordance with the Members' Code of Conduct, was made by Councillor Vickers in Agenda Item No. 16 (Capital Programme Monitoring) insofar as it related to paragraph 11 in view of his Governorship of one of the schools referred to in that paragraph.

Declarations of personal interest, in accordance with the Members' Code of Conduct, were made by Councillor Ms. Harris, in Agenda Items numbered 11, 12 and 13 (the Principles of the Children's Services Directorate, the Structure of the Directorate of Children's Services and Children and Young People's Plan, respectively), in view of her chairmanship of the Dudley Beacon and Castle Primary Care Trust and the relationship of that body with the Council as partner and budget holder.

A declaration of personal interest, in accordance with the Members' Code of Conduct was made by the Director of Law and Property, Mr. Polychronakis, in Agenda Item 9 in view of his capacity as adviser to the Council's nominated Director on the Birmingham Airport Company.

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MINUTES

RESOLVED

That the minutes of the Meeting of the Cabinet held on 8<sup>th</sup> February, 2006, be approved as a correct record and signed.

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CHANGES IN REPRESENTATION OF MINORITY GROUP MEMBERS

It was reported that Councillor Ms. Harris and Mottram were serving in place of Councillors Ali and Ms. Foster, respectively, for this meeting of the Cabinet only.

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COUNCIL PLAN, 2006/07

A report of the Chief Executive was submitted seeking endorsement for the revised Council Plan policy framework for 2006/07. The document had been revised in the light of public consultation undertaken during 2005 and having had regard to the relationship with the medium term financial plan for the Council.

RESOLVED

That the Council be recommended:-

- (1) That the policy framework for the revised Council Plan be endorsed.

- (2) That the alignment of Strategic Plans to the Council Plan framework be noted.
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BLACK COUNTRY STUDY - PREFERRED OPTIONS

A report of the Director of the Urban Environment was submitted seeking endorsement of the preferred strategy for the Black Country Study as the first stage of a partial review of the Regional Spatial Strategy. The Study was required to be submitted to the Secretary of State before 31<sup>st</sup> May, 2006.

Further to discussion on this item, the Cabinet Member for Economic Regeneration indicated that a number of technical changes to the document in relation to Brierley Hill and Dudley would be necessary and would require ratification before the document was finalised.

A discussion ensued on the future role of the respective townships in the Borough. In this regard, the Cabinet Member referred to the important role Dudley Town Centre would continue to play in providing a leisure and cultural focus for the Borough, its civic centre and increased residential accommodation.

RESOLVED

- (1) That the preferred strategy of the Black Country Study, proposed for submission to the Secretary of State, be endorsed, subject to Resolutions (2) and (3) below.
- (2) That, during the final drafting stages, should the contents of the document change in a manner which does not alter the document materially, the Leader of the Council be authorised to approve changes.
- (3) That, should any urgent material changes be necessary, which would be considered to alter the document significantly, a Special Meeting of the Cabinet to consider the revisions be held on the 19<sup>th</sup> April, 2006.

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

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REVISION OF THE LOCAL DEVELOPMENT SCHEME

A report of the Director of the Urban Environment was submitted seeking approval to submit the revised Local Development Scheme to the Government Office for the West Midlands for incorporation into the Council's Local Development Framework.

In the discussion, concern was expressed at the adverse impact on employment in the manufacturing sector the current Government policy to provide residential accommodation on brownfield sites was having. Similarly, concerns were expressed at the apparent ease in which land held for industrial purposes could be re-designated as residential land with the result that factory closures increased, with a consequential increase in unemployment in the manufacturing sector.

RESOLVED

That the Council be recommended:-

- (1) That the LDS for the period 2006-09 be approved as the operational Local Development Scheme for the Borough and submitted to the Government Office for the West Midlands in accordance with the Planning and Compulsory Purchase Act, 2004 subject to resolutions (2) and (3) below.
- (2) That, should changes to the timescales involved on some documents be necessary in consequence of the commitment of the four Black Country Boroughs working together to produce a joint core strategy (one of the key documents in the LDS), the Cabinet member for Economic Regeneration, in consultation with the Director of the Urban Environment, be authorised to approve minor changes.
- (3) That, should changes required be significant, the LDS be re-submitted to the next ordinary meeting of the Cabinet for approval before its submission to the Government Office for the West Midlands.

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**SUBMISSION OF THE STATEMENT OF COMMUNITY INVOLVEMENT TO THE SECRETARY OF STATE FOR AN INDEPENDENT EXAMINATION**

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A report of the Director of the Urban Environment was submitted seeking approval for the submission of the Statement of Community Involvement to the Secretary of State for independent examination.

RESOLVED

That the submission of the Statement of Community Involvement to the Secretary of State for independent examination and the associated six weeks' statutory public consultation, be approved.

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

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BIRMINGHAM INTERNATIONAL AIRPORT - DRAFT AIRPORT  
MASTER PLAN

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(Having declared a prejudicial interest, in accordance with the Members' Code of Conduct in this item, the Leader of the Council, Councillor Caunt, left the room during consideration of the item. The Chairmanship was assumed by Councillor Fraser-Macnamara. Following consideration of the report, Councillor Caunt re-assumed the Chair).

A report of the Director of the Urban Environment was submitted seeking consideration of the consultation document "Birmingham International Airport towards 2030 Draft Master Plan".

The draft Master Plan had been produced by the Birmingham Airport Company in response to the Government White Paper "The Future of Air Transport" which had been published in December, 2003 and had acknowledged Birmingham International Airport as the principal airport for the West Midlands region. The White Paper set out the broad requirements for the Airport to expand and develop, including an extension to the existing runway and the construction of a new second runway, to fulfil the role of the airport and satisfy the forecast in demand through to 2030.

RESOLVED

That the Birmingham International Airport draft Master Plan be endorsed and that the comments outlined in paragraphs 14 to 16 (inclusive) in the report submitted to the meeting be forwarded to the Airport Company as part of a supportive response to the consultation.

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

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DUDLEY ECONOMIC STRATEGY, 2006/07

A report of the Director of the Urban Environment was submitted seeking approval to the Council's Economic Strategy for 2006/07.

RESOLVED

That the Council be recommended:-

- (1) That the revised Economic Strategy for the Borough for 2006/07, as summarised in Appendix 1 to the report submitted to the meeting, be approved.

- (2) That a full copy of the revised Economic Strategy for the Borough for 2006/07 be placed in the Members' Room for future reference.

(This was a Key Decision with the Council named as Decision Taker).

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THE PRINCIPLES OF THE CHILDREN'S SERVICES DIRECTORATE

A report of the Director of Children's Services was submitted seeking endorsement for the principles of operation of the Directorate of Children's Services for the purposes of consultation.

RESOLVED

- (1) That the principles of operation of the Directorate of Children's Services, as set out in paragraphs 23 to 26 of the report submitted to the meeting, be endorsed for the purpose of wide consultation, alongside the Children and Young People's Plan.
  - (2) That it be suggested to Area Committees that one of their vacancies for a co-opted member be reserved for a representative of young people.
  - (3) That all members of the Children's Champion Group, and all the staff in the former Education and Lifelong learning and Social Services Directorates involved, be thanked for their work in establishing the principles of operation of the Directorate of Children's Services and the Children and Young People's Plan.
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THE STRUCTURE OF THE DIRECTORATE OF CHILDREN'S SERVICES

A report of the Director of Children's Services was submitted, seeking endorsement for proposals for a new structure for the Directorate of Children's Services.

RESOLVED

That the structure for the Directorate of Children's Services, as summarised in the report submitted to the meeting, be approved.

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THE CHILDREN AND YOUNG PEOPLE'S PLAN

A report of the Director of Children's Services was submitted, seeking comments on the draft Children and Young People's Plan, which was currently being consulted upon.

In introducing the draft Plan, the Cabinet Member for Education and Lifelong Learning described the Plan as a living document and indicated that it would be used to give direction to the Council and its partners on matters relating to children and young people. The Plan would be reviewed annually.

## RESOLVED

That the draft Plan be received and that it be noted that the final Plan will be approved by way of a joint decision sheet of the Cabinet Members for Education and Lifelong Learning and Social Services, for publication from the 1<sup>st</sup> April, 2006.

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

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IMPLEMENTING THE STATUTORY DUTY TO SAFEGUARD AND PROMOTE THE WELFARE OF CHILDREN - THE ROLES AND RESPONSIBILITIES OF THE COUNCIL

A report of the Director of Children's Services was submitted setting out the key elements of the Council's duty to make arrangements to safeguard and promote the welfare of children under Section 11 of the Children Act, 2004 and seeking endorsement for the governance arrangements proposed. It was indicated in the report that similar proposals were currently being submitted to the Council's Statutory partners through the Dudley Safeguarding Children Board.

## RESOLVED

- (1) That the report submitted to the meeting be noted.
  - (2) That the statement "Safeguarding Children - Summary of Roles and Responsibilities within the Council" be endorsed.
  - (3) That it be noted that other partners will be engaged in a similar process through the Dudley Safeguarding Children Board.
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QUARTERLY CORPORATE PERFORMANCE MANAGEMENT REPORT

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The Quarterly Corporate Performance Management Report for the third quarter of 2005/06, relating to the period from the 1<sup>st</sup> October, 2005 to the 31<sup>st</sup> December, 2005 was submitted.

RESOLVED

That the report submitted to the meeting be received and its content approved.

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CAPITAL PROGRAMME MONITORING

(Having declared a prejudicial interest in this item, insofar as it related to paragraph 11, Councillor Vickers left the meeting during consideration of that paragraph of the report).

A joint report of the Chief Executive and Director of Finance was submitted on progress on the implementation of the Capital Programme and on proposals for certain amendments to the Programme.

RESOLVED

- (1) That current progress with the 2005/06 Capital Programme, as set out in paragraph 2 and Appendix A of the report submitted to the meeting be noted.
- (2) That the Council be recommended:-
  - (a) That the increased Disabled Facilities Grant Allocation be noted, and that the Capital Programme be amended accordingly, as set out in paragraph 6 of the report submitted to the meeting.
  - (b) That the Sedgley Superloo project be approved and included in the Capital Programme, as set out in paragraph 7 of the report submitted to the meeting.
  - (c) That the expenditure of the Waste Performance and Efficiency Grant for 2006/07 be approved and included in the Capital Programme, as set out in paragraph 8 of the report submitted to the meeting.



- (d) That the expenditure on developing the Green Waste Collection service be approved and included in the Capital Programme, as set out in paragraph 9 of the report submitted to the meeting.
- (e) That the expenditure on fencing off Stepshaft Mine be approved and included in the Capital Programme, as set out in paragraph 10 of the report submitted to the meeting.
- (f) That the potential shortfall in funding for the Phase 2 Children's Centre Programme be noted; that the Cabinet Member for Education and Lifelong Learning be authorised to make representations to the Department for Education and Skills concerning the inadequacy of the funding available; and that subject to continued scrutiny with a view to reducing costs, other funding being sought, and to no commitment being entered into for which funding is not secure, the Phase 2 Children's Centre programme be approved, and the individual projects be included in the Capital Programme, as set out in paragraph 11 of the report submitted to the meeting.
- (g) That the expenditure on acquisition and demolition of properties in the Cavendish Quarter be included in the Capital Programme, as set out in paragraph 12 of the report submitted to the meeting.
- (h) That the Urgent Amendment to the Capital Programme, as set out in paragraph 13 of the report submitted to the meeting, be noted.

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

**APPROVAL FOR SUBMISSION OF PROPOSALS FOR A CASINO IN BRIERLEY HILL**

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A report of the Director of the Urban Environment was submitted, seeking approval for the submission of proposals to the Department of Media, Culture and Sport's Casino Advisory Panel for a casino in Brierley Hill.

RESOLVED

That the Director of the Urban Environment, in consultation with the Director of Law and Property, be authorised to submit proposals for an appropriate category of casino in Brierley Hill for consideration by the Department of Media, Culture and Sports Casino Advisory Panel.

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EXCLUSION OF THE PUBLIC

RESOLVED

That the public be excluded from the meeting for the following items of business on the grounds that:-

- (a) they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Local Government Act, 1972 as indicated below; and
- (b) in all the circumstances, the public interest in disclosing the information is outweighed by the public interest in maintaining the exemption from disclosure.

<u>Item</u>	<u>Paragraph No.</u>
Remodelling of Council Services - Voluntary Severance	1
Directorate of Finance, ICT and Procurement - Human Resource Issues	1
Appointment of Consultants in connection with the Dudley Town Centre Area Development Framework	3

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REMODELLING OF COUNCIL SERVICES – VOLUNTARY SEVERANCE

A report of the Director of Adult, Community and Housing Services was submitted seeking approval to an application made for voluntary severance.

RESOLVED

That the application for voluntary severance referred to in the report submitted to the meeting be approved on the terms and conditions set out in the report.

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DIRECTORATE OF FINANCE, ICT AND PROCUREMENT - HUMAN RESOURCES

A report of the Director of Finance was submitted on two requests for voluntary severance from within the Director of Finance, ICT and Procurement.

RESOLVED

That the two requests for early severance set out in the report submitted to the meeting be approved on the terms and conditions set out in the report.

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APPOINTMENT OF CONSULTANTS IN CONNECTION WITH THE DUDLEY TOWN CENTRE AREA DEVELOPMENT FRAMEWORK

A joint report of the Directors of the Urban Environment, Law and Property and Finance was submitted seeking approval for the appointment of consultants to conduct an options appraisal for implementation of the Dudley Town Centre Area Development Framework.

RESOLVED

- (1) That the Director of the Urban Environment, in consultation with the Director of Law and Property and the Director of Finance, be authorised to appoint the consultants referred to in the report submitted to the meeting, as advisers to the Council on terms to be negotiated and agreed by the Director of the Urban Environment.
- (2) The Director of Law and Property and the Director of Finance be authorised to appoint outside Solicitors/ Financial Advisers from time to time for specialist advice in connection with the implementation of the Dudley Town Centre Area Development Framework.

The meeting ended at 7.30 p.m.

LEADER OF THE COUNCIL