

MEETING OF THE EXECUTIVE

Wednesday, 15th October, 2003, at 6.00 p.m.

PRESENT:-

Councillor Caunt (Leader of the Council) (Chair)
Councillors Adams, Evans, Fraser-Macnamara, Jones, Mrs Martin, Powell and Mrs Shakespeare; the following Minority Group Members nominated to attend meetings of the Executive: Councillors G H Davies, Fletcher, Ms Foster, Ms Harris, Lomax, Mottram (substitute for Councillor C L Woodall) and Whitehouse (Labour Group); Councillors Burt, Bramall and Mrs Patrick (Liberal Democrat Group), together with the Director of Law and Property, Director of Education and Lifelong Learning, Director of Finance, Director of Housing, Director of the Urban Environment, the Acting Assistant Director of Social Services (Mr Carter) and Mr Sanders (Directorate of Law and Property)

66

MINUTES

RESOLVED

That the minutes of the Meeting of the Executive held on 10th September, 2003, be approved as a correct record and signed.

67

AREA COMMITTEES

Arising from Minute 55, Councillor Sparks expressed the view that there was a need to review Area Committees and their method of operation. In particular, he expressed concerns about the use of Area Committees for the purposes of formal consultation on issues for which a statutory process existed. Councillor Sparks also considered that the Chairs of Area Committees should play a larger role in determining agendas and questioned whether existing Committee boundaries were still appropriate. In relation to the latter issue, Councillor Sparks advocated a review of Area Committee boundaries being undertaken in the light of the outcome of the review of ward boundaries by the Boundaries Commission.

A number of other members empathised with Councillor Sparks and further concerns were expressed in relation to the number of Area Committees appointed and on the issue of the service of members on committees the composition of which included a ward situated in more than one Area Committee area.

RESOLVED

That the number, boundaries and operation of Area Committees be considered in the forthcoming review of the Constitution.

68 DECLARATIONS OF INTEREST

Councillors Jones and Powell declared a personal interest, in accordance with the Members Code of Conduct in the subject of item number 5 on the Agenda (Capital Programme Monitoring) in so far as it related to the proposals regarding Redhill School specialist status contained in paragraphs 2.3.1 and 3.1.8 of the report, in view of their governorship of Redhill School.

69 APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received on behalf of Councillors Ali, Miller, Sunter, C L Woodall and J Woodall, the Chief Executive and the Director of Social Services.

70 CHANGES IN REPRESENTATION

It was reported that Councillor Mottram was attending this meeting as a representative of the Labour Group in place of the nominated representative, Councillor C L Woodall.

71 CAPITAL PROGRAMME MONITORING

A joint report of the Chief Executive and Director of Finance was submitted indicating progress with regard to the implementation of the Capital Programme and containing proposals for certain amendments to the Capital Programme and matters associated therewith.

RESOLVED

- (1) That the Council be recommended:-
 - (a) That, subject to Advantage West Midlands funding being confirmed, the amended Netherton Neighbourhood Regeneration Centre project, and an increase in the budget for the scheme to £2.050m, as set out in paragraph 2.2.1 of the report submitted to the meeting, be approved.

- (b) That a consultant be engaged to carry out detailed design, prepare contract documentation and undertake the procurement process for the refurbishment of Bell Street Car Park; that the associated costs be included in the Capital Programme; and that Standing Orders relating to contracts be waived to enable the Assistant Director of the Urban Environment (Environmental Management) to negotiate with Faber Maunsell to undertake this phase of the scheme, as set out in paragraph 2.2.2 of the report submitted to the meeting.
- (c) That the scheme for enhanced Lighting and CCTV at Priory Road Car Park, Dudley and its inclusion in the Capital Programme be approved, as set out in paragraph 2.2.3 of the report submitted to the meeting.
- (d) That the Capital Programme be amended to reflect the extra resources available to enhance the new children's play area at Grange Park, as set out in paragraph 2.2.4 of the report submitted to the meeting.
- (e) That the payment of "gap funding" to St. Modwen towards their investment in the development of Castle Hill, be included in the Capital Programme, subject to Government Office for the West Midlands (GOWM) approval of funding and to the Council ensuring that it has the necessary agreement with St. Modwen to protect the Council against any clawback by GOWM if the scheme does not proceed; and that the Director of Law and Property be authorised to enter into such an agreement, as set out in paragraph 2.2.5 of the report submitted to the meeting.
- (f) That the Community Transport Initiative be approved; that a funding stream be established to part-finance the Capital elements of the Initiative, subject to annual review; and that £100,000 initially be made available from the current year's budget for transport minor works to support the Initiative, as set out in paragraph 2.2.6 of the report submitted to the meeting.

- (g) That the scheme for an extension to provide a new language laboratory in connection with the award of specialist status to the Redhill School, and its inclusion in the Capital Programme be approved, as set out in paragraph 2.3.1 of the report submitted to the meeting.
 - (h) That the scheme to extend Ham Dingle Primary School and its inclusion in the Capital Programme be approved, as set out in paragraph 2.3.2 of the report submitted to the meeting.
 - (i) That the Dudley Wood Neighbourhood Learning Centre Nursery scheme and its inclusion in the Capital Programme be approved, as set out in paragraph 2.3.3. of the report submitted to the meeting.
 - (j) That the Community Access Fights Financial Exclusion (CAFFE) project be approved and that the capital element be included in the Capital Programme, as set out in paragraph 2.4.1. of the report submitted to the meeting.
 - (k) That the additional expenditure of £145,000 on the repairs to the Wates homes at Darby End be approved, as set out in paragraph 2.5.1. of the report submitted to the meeting.
 - (l) That the expenditure arising as a result of the National Care Standards Commission requirements for Social Services homes, and its inclusion in the Capital Programme be approved, as set out in paragraph 2.6.1 of the report submitted to the meeting.
 - (m) That the increase in the budget for the Parkes Street Children's Centre by £60,000 be approved, as set out in paragraph 2.6.2 of the report submitted to the meeting.
 - (n) That the urgent amendment to the Capital Programme and the reason therefor as set out in paragraph 2.7.1 of the report submitted to the meeting, be noted.
- (2) That current progress with the 2002/03 Capital Programme, as set out in paragraph 2.1, and Appendix A, to the report submitted to the meeting, be noted.

- (3) That the results of the Post Completion Reviews of Capital Projects, as set out in paragraph 2.8.1, and Appendix B, to the report submitted to the meeting be noted.

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

72 CAPITAL STRATEGY

A report of the Director of Finance was submitted seeking consideration of an update of the Council's Capital Strategy, in the light of issues raised by Select Committees on consideration of the draft Strategy.

RESOLVED

That the Council be recommended, that subject to the inclusion of the issues referred to in paragraphs 2.2.1 of the report submitted to the meeting, the Capital Strategy for 2003, as attached to the report, be approved.

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

73 IMPLEMENTING ELECTRONIC GOVERNMENT STATEMENT (IEG3)

A joint report of the Director of Finance and Director of Education and Lifelong Learning (as ICT E Champion) was submitted indicating the process adopted in drafting the IEG3 statement and seeking approval for the submission of the statement to the Office of the Deputy Prime Minister by 10th November, 2003.

RESOLVED

That the IEG3 Statement, together with any further approvals that can be made, be approved and that the IEG3 Statement be submitted to the Office of the Deputy Prime Minister on 10th November, 2003.

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

74 HOUSING STRATEGY AND HOUSING REVENUE BUSINESS PLAN

A report of the Director of Housing was submitted seeking consideration of the Housing Strategy and Housing Revenue Business Plan and the machinery for its submission to the Government Office for the West Midlands.

RESOLVED

- (1) That the draft Housing Strategy and Housing Revenue Account Business Plan, be approved.
- (2) That the Lead Member for Housing, in consultation with the two Shadow Housing Spokespersons and the Director of Housing, be authorised to make any minor amendments and/or include additional detail in the light of comments from the Government Office for the West Midlands and then to submit the final version of the Strategy Plan to the Government Office for the West Midlands.
- (3) That the Action Plan for the completion and sign-off of an options appraisal by July, 2005, as appended to the report submitted to the meeting, be noted.

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

75

PROPOSED CHANGES TO DRAFT REGIONAL PLANNING GUIDANCE FOR THE WEST MIDLANDS (RPG11) AND THE BLACK COUNTRY (BCERAS) STUDY

A report of the Director of the Urban Environment was submitted on the publication of the Proposed Changes to the Draft Regional Planning Guidance which also sought consideration of a response on the key issues affecting the Borough.

The key issues for Dudley were summarised in Section 3 of the report and related to the future development of Brierley Hill, the Walsall to Stourbridge Freight Line, the Metro extension from Wednesbury to Brierley Hill and Highways issues regarding the western by-passes and the link road between the A449 and the Dudley Southern by-pass

RESOLVED

That the report submitted to the meeting be noted.

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

76

POLICY STATEMENT ON FLOOD DEFENCE

A report of the Director of the Urban Environment was submitted seeking approval to a policy statement in respect of flood defence and land drainage matters.

RESOLVED

That the Council be recommended:

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- (1) That the report submitted to the meeting be noted.
- (2) That a report be submitted to a future meeting of the Executive on the implications of the Flood and Coastal Defence Funding Review when these are known.
- (3) That as the erosion at Sedgley Hall presents a hazard to public safety, the situation be monitored and then a report be submitted to a future meeting of the Executive on the means of managing retreat at this location.

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

77

BLACK COUNTRY CONSORTIUM

A report of the Director of Law and Property was submitted seeking consideration of the proposed incorporation of the Black Country Consortium.

RESOLVED

- (1) That the Council become a member of the "Black Country Consortium"
 - (2) That a Director be appointed to the new Board and that the Chief Executive in consultation with the Leader of the Council be authorised to make the appointment.
 - (3) That the Director of Law and Property be authorised to approve the Memorandum and Articles of Association, and to take any other action necessary to set up the new Company.
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78

COMPLAINT TO THE LOCAL OMBUDSMAN - LAND MATTER - FURTHER REPORT

A joint report of the Chief Executive and the Director of Law and Property was submitted seeking consideration of a further report of the Ombudsman in respect of this complaint.

RESOLVED

That, in the absence of the legal advice obtained by the Ombudsman being made available to the Council for scrutiny, in the light of the view of the Director of Law and Property on the decision and remedy of the Ombudsman, as set out in paragraph 2.5 of the report submitted to the meeting, no further action on the Ombudsman's Report be taken.

79

ISSUES ARISING FROM SELECT COMMITTEES

No issues were reported under this item.

80

EXCLUSION OF THE PUBLIC

That, under Section 100A(4) of the Local Government Act, 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Schedule 12A of the Act, in particular the paragraphs of Part I of that Schedule indicated below:-

RESOLVED

<u>Description of Item</u>	<u>Relevant Paragraph of Part I of Schedule 12A</u>
Midland Metro Line 2 - Halesowen Spur	7
Capital Programme Implementation	7
Directorate of Social Services - Voluntary Redundancy	1

81

MIDLAND METRO LINE 2 - HALESOWEN SPUR

A report of the Director of the Director of the Urban Environment was submitted advising on the current position in respect of the Metro Phase 2 Line into Halesowen and proposing a way forward in respect of future provision of Metro adjacent to Halesowen town centre.

RESOLVED

- (1) That the provision of Metro into Halesowen be deferred from Phase 2 to a future phase of the Light Rail Programme.
- (2) That alternatives for future provision of a metro terminus at Halesowen Town Centre be further investigated and that CENTRO be advised that its location and detail are to be agreed.

- (3) That a future report be submitted to the Executive when detailed proposals that consider the engineering constraints have been formulated for alignments from the A456 to Queensway.
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82

CAPITAL PROGRAMME IMPLEMENTATION

A joint report of the Director of Finance and Director of Housing was submitted seeking consideration of the purchase of a property in order to rectify structural problems with an adjacent property owned by the Council.

RESOLVED

That, subject to its being demonstrated that this is the most cost-effective solution for the Council, the option of repurchasing the property referred to in the report submitted to the meeting be implemented and that both houses be demolished, as set out in paragraph 2.1.1. of the report.

83

DIRECTORATE OF SOCIAL SERVICES - APPLICATION FOR VOLUNTARY REDUNDANCY

A report of the Director of Social Services was submitted on an application for voluntary redundancy from a member of staff in the Directorate.

RESOLVED

That the voluntary redundancy request referred to in the report submitted to the meeting be approved on the terms and conditions set out in the report.

The meeting ended at 7.25 pm.

LEADER OF THE COUNCIL