

## **Meeting of the Cabinet**

**Monday, 23<sup>rd</sup> November, 2020 at 6.00pm**

**on Microsoft Teams**

**[Click on this link to access the Meeting](#)**

### **Agenda - Public Session**

**(Meeting open to the public and press)**

1. Welcome to this virtual meeting.

The proceedings will take place live on the Internet. The meeting will be recorded for future viewing.

It will assist the conduct of business if participants speak when invited.

All participants should mute their microphones and turn off the video feed when they are not speaking.

Members of the public are welcome to view the proceedings but should not make contributions at this meeting unless invited to do so.

Please remember to unmute your microphone and switch on your video feed when it is your turn to speak. Speak clearly and slowly into your microphone.

Anyone wishing to speak should indicate using the 'raise your hand' button and I will invite people to speak at the appropriate time. The 'raise your hand' icon should also be used for assent should voting be required.

I ask for everyone's patience with the use of the technology and I apologise in advance if we experience any unforeseen difficulties which we shall try to resolve expediently.

2. Apologies for absence
3. To report any changes in representation of opposition group Members
4. To receive any declarations of interest under the Members' Code of Conduct
5. **[To confirm and sign the minutes of the meeting held on 29<sup>th</sup> October, 2020 as a correct record](#)**

6. [Scrutiny Review of the Council and Partner Response to the Covid-19 Pandemic](#)
7. To report on any issues arising from Scrutiny Committees
8. To consider any questions from Members to the Leader where two clear days' notice has been given to the Monitoring Officer (Cabinet Procedure Rule 2.5)

**Distribution:**

**Members of the Cabinet:**

Councillor P Harley (Leader – Chair)

Councillor D Vickers (Deputy Leader – Vice-Chair)

Councillors N Barlow, R Buttery, S Clark, I Kettle, A Lees, S Phipps, K Shakespeare and L Taylor

**Opposition Group Members nominated to attend meetings of the Cabinet:**

All Shadow Cabinet Members are invited to attend Cabinet meetings (to speak but not vote)



**Chief Executive**

**Dated: 13<sup>th</sup> November, 2020**

**Please note the following:**

- This meeting will be held virtually by using Microsoft Teams. The meeting will be held live via the Internet link.
- This is a formal Council meeting and it will assist the conduct of business if participants speak only when invited by the Chair.
- The Chair reserves the right to adjourn the meeting, as necessary, if there is any disruption or technical issues.
- All participants should mute their microphones and video feed when they are not speaking.
- Please remember to unmute your microphone and switch on your video feed when it is your turn to speak. Speak clearly and slowly into your microphone.
- Members of the public can view the proceedings by clicking on the link provided on the agenda.
- The Council reserves the right to record meetings. Recording/reporting is only permitted during the public session of the meeting.
- Information about the Council and our meetings can be viewed on the website [www.dudley.gov.uk](http://www.dudley.gov.uk)
- Any agendas containing reports with exempt information should be treated as private and confidential. It is your responsibility to ensure that information containing private and personal data is kept safe and secure at all times. Confidential papers should be securely disposed of. If you choose to retain the documents you should ensure that the information is securely stored and destroyed within six months.
- Elected Members can submit apologies by contacting Democratic Services. The appointment of any Substitute Member(s) by the Opposition Group should be notified to Democratic Services at least one hour before the meeting starts. Contact Democratic Services by Telephone 01384 815238 or E-mail [Democratic.Services@dudley.gov.uk](mailto:Democratic.Services@dudley.gov.uk)

## **Minutes of the Cabinet**

**Thursday, 29<sup>th</sup> October, 2020 at 6.00 pm**  
**Microsoft Teams Meeting**

### **Present:**

#### **Cabinet Members**

Councillor P Harley (Leader - Chair)  
Councillor D Vickers (Deputy Leader – Vice-Chair)  
Councillors N Barlow, R Buttery, S Clark, I Kettle, A Lees, S Phipps, K Shakespeare and L Taylor

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

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

### **Officers**

K O’Keefe – Chief Executive, I Newman – Director of Finance and Legal, P Davies – Director of Housing and Community Services, G Dean – Acting Director of Public Realm, M Farooq – Lead for Law and Governance (Monitoring Officer), P Mountford – Head of Planning and Regeneration, V Smith – Head of Projects and Delivery, S Lonsdale – Head of Adult Safeguarding, R Cooper – Head of Financial Services, K Arnold – Communications and Public Affairs Officer, S Griffiths – Democratic Services Manager and M Johal – Senior Democratic Services Officer

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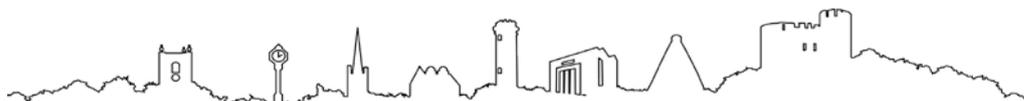
18 **Apologies for Absence**

There were no apologies for absence.

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19 **Declarations of Interest**

Councillor Q Zada declared an interest in any references to Dudley Group NHS Foundation Trust or health issues generally in view of his employment as Deputy Chief Operating Officer at Russells Hall Hospital.



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20 **Minutes**

**Resolved**

That the minutes of the meeting held on 23<sup>rd</sup> September, 2020, be approved as a correct record and signed.

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21 **Capital Programme Monitoring**

A joint report of the Chief Executive and the Director of Finance and Legal was submitted on progress with the implementation of the Capital Programme, together with proposed amendments to the Capital Programme.

In response to a query from Councillor S Ridney, a briefing note would be provided to the Coseley East ward members on the reference to Coseley open spaces included in the Black Country Blue Network 2 project.

**Resolved**

That the Council be recommended:-

- (1) That progress with the 2020/21 Capital Programme, as set out in Appendices A and B to the report, be noted.
  - (2) That Dudley Council's element of the Black Country Blue Network 2 project be approved and included in the Capital Programme and that the Director of Regeneration and Enterprise be authorised to enter into all legal and funding agreements to ensure successful delivery of the project, as set out in paragraph 6 of the report.
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22 **Revenue Monitoring 2020/21**

A joint report of the Chief Executive and the Director of Finance and Legal was submitted on the forecast 2020/21 revenue outturn position.

In presenting the report, the Cabinet Member for Finance and Legal referred to the financial impact of the Covid-19 Pandemic and the awaited outcome of the Government's Comprehensive Spending Review. A further report would be submitted to the Cabinet on 17<sup>th</sup> December, 2020.

The Cabinet Member for Finance and Legal undertook to forward copies of any representations made to the Government concerning the budget situation to the Shadow Cabinet Member for Finance and Legal. Councillor P Lowe made specific reference to pressures on Business Rates and Council Tax income, Children Looked After placements, home to school transport, the staff pay award, levels of reserves and other forecast deficits identified in the report. Concerns were expressed regarding delays in the scrutiny process and the lack of transparency and strategic direction in relation to the Medium Term Financial Strategy.

The Cabinet Member for Finance and Legal again referred to the implications of the Covid-19 Pandemic. Work was ongoing with Council Directorates to develop the Medium Term Financial Strategy which would be subject to scrutiny once the Government had made announcements concerning the Comprehensive Spending Review. The Cabinet Member also confirmed the Council's ongoing commitment to a Fair Deal for Dudley.

In response to questions from Councillor S Ridney, the Cabinet Members for Finance and Legal and Children's Services referred to ongoing action to address issues associated with Home to School Transport, Children Looked After placements and the Successor programme.

The Leader noted the comments made and confirmed that the budget proposals would be subject to full scrutiny once details of the financial settlement from the Government were confirmed.

### **Resolved**

That the forecast revenue outturn position for 2020/21 and the effect on balances at 31<sup>st</sup> March, 2021 be noted.

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## 23 **Brierley Hill High Street Heritage Action Zone and Dudley Town Centre Townscape Heritage Programme**

A report of the Director of Regeneration and Enterprise was submitted on the delegation procedure for the administration of grants awarded under the Dudley Townscape Heritage Programme funded by the National Lottery Heritage Fund. Consideration was also given to a delegation procedure for the administration of grants awarded under the Brierley Hill High Street Heritage Action Zone funded by Historic England.



## Resolved

- (1) That the Director of Regeneration and Enterprise, following consultation with the Cabinet Member for Regeneration and Enterprise, be authorised to prepare criteria, conduct negotiations with applicants and issue grants for the Dudley Townscape Heritage Programme.
- (2) That the Director of Regeneration and Enterprise, following consultation with the Cabinet Member for Regeneration and Enterprise, be authorised to prepare criteria, conduct negotiations with applicants and issue grants for the Brierley Hill High Street Heritage Action Zone.

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### 24 **Approving the Supplemental Deed of Variation to the Black Country Joint Executive Committee Collaboration**

A joint report of the Chief Executive and the Deputy Chief Executive was submitted requesting approval to the Supplemental Deed of Variation relating to the Collaboration Agreement in relation to the Black Country Executive Joint Committee City Deal and Growth Deal dated 7<sup>th</sup> May 2014.

Councillor K Ahmed referred to identified risks, the need for prudential assessments to be undertaken and the importance of work to mitigate risks where appropriate.

## Resolved

- (1) That the Council enter into the Supplemental Deed of Variation relating to the Collaboration Agreement in relation to the Black Country Executive Joint Committee City Deal and Growth Deal dated 7<sup>th</sup> May, 2014, as set out in Appendix A to the report, and that the Governance Principles: Enterprise Zones, as set out in Appendix B to the report, be approved.
- (2) That the Chief Executive, following consultation with the Deputy Chief Executive, be authorised to conduct any negotiations and to make any minor amendments and to subsequently authorise the sealing of the Supplemental Deed of Variation relating to the Collaboration Agreement in relation to the Black Country Executive Joint Committee City Deal and Growth Deal dated 7<sup>th</sup> May, 2014 and the sealing or signing of any related documents.

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### 25 **Housing Allocations Working Group – Age Designations on Low Rise Flats**

A report of the Director of Housing and Community Services was submitted concerning the ongoing work of the Housing Allocations Working Group. Consideration was given to a specific recommendation concerning age designations on low rise flats.

The Director of Housing and Community Services undertook to check the specific point raised by Councillor C Barnett concerning potential challenges on equality grounds with respect to age.

### **Resolved**

- (1) That the progress made by the cross-party Housing Allocations Working Group be noted.
- (2) That the recommendation of the Working Group to amend the Council's Housing Allocation Scheme by removing restrictive age designations on low-rise flats and allocating them according to size and housing needs be approved.
- (3) That the Director of Housing and Community Services be authorised to implement this decision.

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## 26 **Issues Arising from Scrutiny Committees**

The Leader reported that a meeting of the Cabinet would be held on 23<sup>rd</sup> November, 2020 to receive a report from the Health and Adult Social Care Scrutiny Committee concerning the Council and partner response to the Covid-19 Pandemic.

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The meeting ended at 6.57 pm

LEADER OF THE COUNCIL

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## **Meeting of the Cabinet – 23<sup>rd</sup> November, 2020**

### **Report of the Monitoring Officer and Lead for Law and Governance**

### **Scrutiny Review of the Council and Partner Response to the Covid-19 Pandemic**

#### **Purpose**

1. To invite the Cabinet to consider a report from the Health and Adult Social Care Scrutiny Committee on findings and recommendations arising from the scrutiny review of the Council and Partner response to the Covid-19 Pandemic.

#### **Recommendations**

2. That the report of the Health and Adult Social Care Scrutiny Committee concerning the scrutiny review of the Council and Partner response to the Covid-19 Pandemic be received and endorsed.
3. That the report be referred to Full Council for consideration at its meeting on 30<sup>th</sup> November, 2020.

#### **Background**

4. On 10<sup>th</sup> June, 2020, the Health and Adult Social Care Scrutiny Committee agreed to undertake a scrutiny review of the Council and Partner response to the Covid-19 pandemic. Prior to this, consultation had taken place with both Group Leaders in the context of maintaining proper democratic oversight, transparency and scrutiny during the Covid-19 Pandemic. The scrutiny review was included in the Annual Scrutiny Programme for 2020/21.
5. Members of the Health and Adult Social Care Scrutiny Committee have formed the 'core membership' for undertaking the review. Members of other Scrutiny Committees, experts and other attendees have contributed to the review taking account of the theme(s) under consideration.



6. Arrangements for the scrutiny review were agreed by the Scrutiny Committee on 27<sup>th</sup> July, 2020. Further Scrutiny Committee meetings were held on 3<sup>rd</sup> September, 15<sup>th</sup> October and 4<sup>th</sup> November, 2020. The agenda, minutes and reports of these meetings are available on the [Council's Internet site](#). In addition, recordings of the Committee's proceedings are publicly available to view on the Council's [You Tube Channel](#).
7. A draft report on the findings and recommendations from the scrutiny review is being considered by the Health and Adult Social Care Scrutiny Committee on 23<sup>rd</sup> November, 2020. The draft report has also been circulated to the Cabinet. Any amendments arising from the Scrutiny Committee on 23<sup>rd</sup> November, 2020 will be reported to the Cabinet.
8. Subject to any comments from the Cabinet, it is proposed that the report will be referred to Full Council for consideration at its meeting on 30<sup>th</sup> November, 2020.

### **Finance**

9. The financial impact of the Covid-19 Pandemic was discussed at the Health and Adult Social Care Scrutiny Committee on 4<sup>th</sup> November, 2020 and will be reflected in the report to the Cabinet and Full Council.

### **Law**

10. The scrutiny review has been undertaken in accordance with the Council's governance arrangements operated in accordance with the provisions of the Local Government Acts 1972 and 2000, the Localism Act 2011, any subsequent legislation, statutory provisions, associated Regulations and Guidance.
11. The Scrutiny Committee Procedure Rules, as set out in the Council's Constitution, make provision for Scrutiny Committees to hold detailed inquiries and reviews and to submit reports and recommendations to the relevant decision taker(s) including the Cabinet and Full Council.

### **Equality Impact**

12. The scrutiny review has been undertaken in the context of statutory requirements and the Council's commitment to equality and diversity. On 4<sup>th</sup> November, 2020, the Health and Adult Social Care Scrutiny Committee received a report on the impact on specific communities. This will be reflected in the report to the Cabinet and Full Council.

### **Human Resources/Organisational Development**

13. The scrutiny review has been undertaken from within existing Council resources with support from Directorates and Partners as required.

## **Commercial/Procurement**

14. A report on the procurement of Personal Protective Equipment was considered by the Health and Adult Social Care Scrutiny Committee on 3<sup>rd</sup> September, 2020. This, along with any relevant commercial/procurement issues, will be included in the draft report to the Cabinet and Full Council.

## **Health, Wellbeing and Safety**

15. The scrutiny review has been primarily focussed on the ongoing impact of the Covid-19 Pandemic and issues associated with the health, wellbeing and safety of our citizens. This is consistent with building stronger, safer and more resilient communities in line with the Dudley Vision and to protect our residents' physical, and emotional health for the future.



**Mohammed Farooq**  
**Lead for Law and Governance**  
**(Monitoring Officer)**

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## **List of Background Documents**

### [The Council's Constitution](#)

Agenda, Reports and Minutes of meetings available on the [Committee Management Information System](#)

Recordings of Meetings on the Council's [YouTube Channel](#)