

MEETING OF THE CABINET

Wednesday, 12th September, 2012 at 6.00 p.m.
in Committee Room 2 at the Council House, Dudley

PRESENT:-

Councillor Sparks (Leader of the Council) (Chair)
Councillor Ali (Deputy Leader)
Councillors K Ahmed, Crumpton, Islam, Lowe, Waltho and Wood

together with the following Minority Group Members appointed to attend meetings of the Cabinet

Councillors Blood, Harley, L Jones, Mrs Shakespeare, Vickers, Mrs Walker and Wright (Conservative Group)

OFFICERS:-

The Chief Executive, Director of Corporate Resources, Director of Children's Services, Treasurer, Director of the Urban Environment, Director of Public Health, Assistant Director, Adult Services (Directorate of Adult, Community and Housing Services) and Mr J Jablonski (Directorate of Corporate Resources), together with other officers.

21 APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were submitted on behalf of Councillors Foster and Partridge.

22 DECLARATIONS OF INTEREST

Councillor Lowe declared a Non-Pecuniary Interest in respect of agenda item number 10 (The Local Government Ombudsman's Annual Review Letter 2011/12) as he was acquainted with some of the people referred to in Appendix 3C of the report.

Councillors Mrs Shakespeare and Mrs Walker also declared Non-Pecuniary Interests in agenda item number 10 – Appendix 3C - referred to above, for the reasons that Councillor Mrs Shakespeare was the Cabinet Member at the time of the decision and Councillor Mrs Walker had a personal friendship with a resident who would be a recipient of compensation awarded.

23 MINUTES

RESOLVED

That the minutes of the meeting of the Cabinet held on 20th June, 2012, be approved as a correct record and signed.

24

CAPITAL PROGRAMME MONITORING

A joint report of the Chief Executive and the Treasurer was submitted on progress with the implementation of the Capital Programme and which proposed certain amendments to the Programme.

RESOLVED

- (1) That the results of the Post Completion Review of capital projects, as set out in Appendix B of the report submitted to the meeting be noted.
- (2) That the Council be recommended:-
 - (a) That current progress with the 2012/13 Capital Programme, as set out in Appendix A of the report submitted to the meeting be noted and that budgets be amended to reflect the reported variances.
 - (b) That Amblecote House be declared surplus to requirements and disposed of by the Director of Corporate Resources; that £420,000 from the capital receipts from this disposal be earmarked for the Dementia Gateways project; and that subject to resource availability this project be approved and included in the Capital Programme, as set out in paragraph 5 of the report submitted to the meeting.
 - (c) That it be noted that the Adult Social Care minor works programme for this year includes £80,000 of investment in Libraries and Archives, as set out in paragraph 6 of the report submitted to the meeting.
 - (d) That the replacement of Leisure Centre Lockers be approved and included in the Capital Programme, as set out in paragraph 7 of the report submitted to the meeting.
 - (e) That the contribution of £120,000 from Dudley NHS Public Health towards Active Travel Network development be noted, and the associated spend included in the Capital Programme, as set out in paragraph 8 of the report submitted to the

meeting.

- (f) That the Local Sustainable Transport Fund allocation be noted, and that subject to detailed confirmation, Dudley's element of the Smart Network Smarter Choices project be included in the Capital Programme, as set out in paragraph 9 of the report submitted to the meeting.
- (g) That the Urgent Amendment to the Capital Programme, as set out in paragraph 10 of the report submitted to the meeting be noted.

(This was a Key Decision with the Council and Cabinet being named as Decision Takers)

25

STRAY AND ILLEGALLY GRAZING HORSES – POLICY ADOPTION

A report of the Director of the Urban Environment was submitted on the Stray and Illegally Grazing Horses Policy as developed by the Regeneration, Culture and Adult Education Scrutiny Committee.

The Cabinet Member for Environment and Culture wished to place on record her thanks to the Members of the Working Group of the scrutiny committee who, in consultation with others, had developed the policy.

RESOLVED

- (1) That the Stray and Illegally Grazing Horses Policy, as detailed in Appendix 1 of the report submitted to the meeting, be approved.
- (2) That the Stray and Illegally Grazing Horses Policy be reviewed in twelve months time and promoted via the Communications and Public Affairs Section of the Chief Executive's Directorate.

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

26

QUARTERLY CORPORATE PERFORMANCE MANAGEMENT REPORT

A report of the Chief Executive was submitted on the first Quarterly Corporate Performance Management Report for 2012/13, relating to performance for the period from 1st April to 30th June, 2012.

In the discussion, it was reported that proposals for further engaging with Members of the Council on processes and performance were being looked at and would be reported on later in the year.

RESOLVED

- (1) That the Quarterly Corporate Performance Management Report for the period from the 1st April to the 30th June, 2012 be noted and its contents approved.
- (2) That the information contained within the Quarterly Corporate Performance Management Report be referred to Scrutiny Committees to consider specific issues within their Terms of Reference.

27

FOOD SERVICE PLAN 2012/13

A report of the Director of the Urban Environment was submitted on the contents of the Directorate of the Urban Environment Food Service Plan 2012/13.

RESOLVED

That the Council be recommended that the contents of the Food Service Plan of the Directorate of the Urban Environment for 2012/13 be approved.

28

RE-PUBLICATION OF THE STOURBRIDGE AREA ACTION PLAN

A report of the Director of the Urban Environment was submitted on progress on the Stourbridge Area Action Plan (AAP) and to seek approval for the AAP to be published for a final six-week period of public consultation and subsequently submitted to the Secretary of State for examination.

Arising from comments made, it was agreed that any minor changes to the document would be notified to all Members of the Council.

RESOLVED

- (1) That the publication of the Stourbridge Area Action Plan be approved for a statutory period of public consultation.
- (2) That the Council be recommended that following public consultation, the Stourbridge Area Action Plan be submitted to the Secretary of State so that it may be subjected to a Public Examination.

- (3) That the Director of the Urban Environment, in consultation with the Leader of the Council and Cabinet Member for Regeneration be authorised to agree any minor recommended changes to the document prior to submission to the Secretary of State, following consultation which concludes on 12th November, 2012 and that any such changes be notified to all Members of the Council.

(This was a Key Decision with the Council and Cabinet being named as Decision Takers)

29

THE LOCAL GOVERNMENT OMBUDSMAN'S ANNUAL REVIEW LETTER 2011/12

A report of the Director of Corporate Resources was submitted on the Annual Review Letter for 2011/12 from the Local Government Ombudsman in respect of complaints received against the Council and dealt with by the Ombudsman's office over the year ending 31st March, 2012.

Arising from the presentation of the report, it was noted that the Environment Scrutiny Committee at its meeting held on 5th September, 2012, had considered the report referred to at Appendix 3C to the report submitted. A number of learning points had been raised and would be actioned.

In the discussion arising in particular about the delay in the payment of compensation to residents, in relation to the report referred to at Appendix 3C to the report submitted, the Cabinet Member for Environment and Culture agreed to respond direct to Councillor L Jones on the reasons for the delay in paying the compensation agreed upon.

An undertaking was however given that all compensation payments would be made.

RESOLVED

- (1) That the information contained in the report, and Appendices, submitted to the meeting, be noted and that the Chief Executive and Directors be requested to:-
 - (a) Review their internal arrangements, as appropriate; and
 - (b) Continue to ensure that requests for information on complaints received are dealt with by the date requested, in order to ensure that responses can be submitted to the Ombudsman's office within the timescales set and the Council's excellent performance on response times can be

maintained.

- (2) That all Directorates continue to impose rigorous monitoring of complaint activity to ensure ongoing good practice and a continued reduction in complaints being received.
- (3) That the Annual Review Letter be posted on the Council's website.
- (4) That the Cabinet Member for Environment and Culture respond direct to Councillor L Jones on the reasons why compensation agreed to be paid to residents, referred to in Appendix 3C of the report submitted, had not yet been paid.

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ISSUES ARISING FROM SCRUTINY COMMITTEES

No issues were reported under this item.

The meeting ended at 6.25pm.

LEADER OF THE COUNCIL