

## **MEETING OF THE CABINET**

Wednesday, 21<sup>st</sup> March, 2007 at 6.00 p.m.  
in Committee Room 2 at the Council House, Dudley

### **PRESENT:-**

Councillor Caunt (Leader of the Council - Chairman);  
Councillors Adams, Evans, Fraser-Macnamara, Knowles, Mrs. Martin,  
Miller, Mrs. Millward, Mrs Shakespeare and Mrs Walker

Opposition Group Members appointed to attend meetings of the  
Cabinet:

Councillors G. H. Davies, Lowe, Male, Mrs Ridney and Sparks (Labour  
Group).

### **OFFICERS:-**

The Director or Adult, Community and Housing Services, Director of  
Finance, Director of Law and Property, Director of the Urban  
Environment, Head of Personnel and Support Services, Assistant  
Director of Children's Services (Resources), Assistant Director of Adult,  
Community and Housing Services (Learning Disability and Mental  
Health), The General Manager (Planning), Directorate of the Urban  
Environment and Mr Sanders (Directorate of Law and Property).

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### **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were received on behalf of  
Councillors Ali, Crumpton and Ms Partridge.

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### **CHANGES IN REPRESENTATION OF MINORITY GROUP MEMBERS**

It was reported that Councillors Lowe and Male were serving in place of  
Councillors Crumpton and Ms Partridge as representatives of the  
Labour Group appointed to attend meetings of the Cabinet for this  
meeting only.

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122            DECLARATIONS OF INTEREST

No Member declared an interest, in accordance with the Member's Code of Conduct, in respect of any matter to be considered at this meeting, at this juncture.

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123            MINUTES

RESOLVED

That the minutes of the meeting of the Cabinet held on 12th February 2007 be approved as a correct record and signed.

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124            COMPREHENSIVE PERFORMANCE ASSESSMENT 2006

A Report of the Chief Executive was submitted advising the Cabinet of the outcome of the 2006/07 Comprehensive Performance Assessment, including the result of the delayed Corporate Performance Assessment from March, 2006.

RESOLVED

- (1) That the outcome of the Comprehensive Performance Assessment direction of travel and 2006 Corporate Performance Assessment be received and noted.
  - (2) That the proposed response to improvement areas identified through the Corporate Performance Assessment Report be endorsed.
  - (3) That thanks be expressed to Members and Officers who contributed to the achievement of the Council in its being awarded overall 3 star status in respect of the Corporate Performance Assessment from March, 2006.
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125            COUNCIL PLAN REVIEW 2007-10

A report of the Chief Executive was submitted seeking endorsement for the proposed structure of the Council Plan Policy Framework for 2007 – 10, in the light of long-term priorities of the Community Strategy and the relationship with the Local Area Agreement and the medium term financial strategy.

RESOLVED

- (1) That the Policy Framework of the Revised Council Plan, as set out in the report submitted to the meeting, be endorsed.
- (2) That the alignment of the Council Plan and the Directorate Strategic Plans to the Community Strategy be noted.

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

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126

DUDLEY BOROUGH ECONOMIC STRATEGY 2007/08

A report of the Director of the Urban Environment was submitted seeking approval to the Council's Economic Strategy for 2007/08.

Reference was made in the discussion to the current position regarding the economic well being of Dudley, Halesowen and Stourbridge, on their respective needs for regeneration and on the perceived consequences should action not be taken. A question was also asked on the survival rate of new businesses started up through the Princes Trust and it was agreed that a report on this issue would be submitted to a later meeting.

RESOLVED

- (1) That the Revised Economic Strategy for Dudley Borough for 2007/08, as summarised in Appendix 1 of the report submitted to the meeting, be approved.
- (2) That a full copy of the revised Economic Strategy for Dudley Borough for 2007/08 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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127

DRAFT EQUALITY SCHEME

The report of the Director of Law and Property was submitted seeking approval to the draft Equality Scheme for the Council for the period from 2007 – 2010. Reference was made in the discussion to the approach taken by Dudley with regard to the provision of interpretation services and the documentation made available to ethnic minority groups, and to the importance of exit interviews with staff leavers.

RESOLVED

That the Draft Equality Scheme for 2007/10 be approved and that the Director of Law and Property, in consultation with Councillor Shakespeare, be authorised to approve the final version for publication by 30<sup>th</sup> April, 2007.

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128                    APPROVAL FOR ADOPTION OF THE 'PARKING STANDARDS AND TRAVEL PLANS' SUPPLEMENTARY PLANNING DOCUMENT

A report of the Director of the Urban Environment was submitted seeking approval for the formal adoption of the Council's Parking Standards and Travel Plans Supplementary Planning Document (SPD). A summary of consultations received to the draft SPD was attached to the report submitted.

RESOLVED

That the Parking Standards and Travel Plans Supplementary Planning Document be adopted.

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

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129                    APPROVAL FOR ADOPTION OF THE SUPPLEMENTARY PLANNING DOCUMENT FOR NEW HOUSING DEVELOPMENT – 'A GUIDE TO ESTABLISHING URBAN CONTEXT'

A report of the Director of the Urban Environment was submitted seeking approval for the adoption of a Council's Supplementary Planning Document on New Housing Development – 'A Guide to Establishing Urban Context'.

RESOLVED

That the Supplementary Planning Document on New Housing Development – 'A Guide to Establishing Urban Context' be adopted.

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

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130                    QUARTERLY CORPORATE PERFORMANCE MANAGEMENT REPORT

A report of the Chief Executive was submitted seeking consideration of the third Quarterly Corporate Performance Management Report for 2006/07. The report related to the performance of the Council for the period from 1<sup>st</sup> October to 31<sup>st</sup> December, 2006.

RESOLVED

- (1) That the Quarterly Corporate Performance Management Report for the period 1<sup>st</sup> October to 31<sup>st</sup> December, 2006, be received and its content approved.
- (2) That the information contained in the report be referred to Select Committees to consider specific issues within their terms of reference.

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**CAPITAL PROGRAMME MONITORING AND BIDS FOR EXTERNAL FUNDING**

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A joint report of the Chief Executive and the Director of Finance was submitted on progress on the implementation of the Capital Programme, proposed amendments to the Capital Programme and the approval of bids for external funding.

RESOLVED

- (1) That current progress with the 2006/07 Capital Programme, as set out in paragraph 4 and Appendix A of the report submitted to the meeting be noted.
- (2) That the Director of Adult Community and Housing Services be authorised to submit an application for Big Lottery funding for the extension/remodelling of Kingswinford Library, as set out in paragraph 10 of the report submitted to the meeting.
- (3) That in respect of Brierley Hill Regeneration:
  - the Director of the Urban Environment be authorised to submit an outline application to Advantage West Midlands (AWM) for funding; and
  - the Director of the Urban Environment be authorised to submit relevant full applications to AWM,as set out in paragraph 14 of the report submitted to the meeting
- (4) That the Council be recommended:

- (a) That the Disabled Facilities Grant and Housing Assistance programmes for 2007/08 be approved, as set out in paragraph 6 of the report submitted to the meeting.
- (b) That a budget of £1.071m be approved for the Kickstart programme for 2007/08, as set out in paragraph 7 of the report submitted to the meeting.
- (c) That the “Improving the Care Home Environment for Older People” grant allocation be noted, and the associated expenditure be included in the Capital Programme, as set out in paragraph 8 of the report submitted to the meeting.
- (d) That the Neighbourhood Learning in Deprived Communities funding be noted and the related expenditure be included in the Capital Programme, as set out in paragraph 9 of the report submitted to the meeting.
- (e) That subject to the funding application being successful, the project for the extension/remodelling of Kingswinford Library be approved and included in the Capital Programme, as set out in paragraph 10 of the report submitted to the meeting.
- (f) That, subject to the bid being successful, the Capital Expenditure element of the Gender Inequalities project be approved and included in the Capital Programme, as set out in paragraph 11 of the report submitted to the meeting.
- (g) That an element of the sale proceeds from land off Kirkstone Way be earmarked to fund Traffic Calming and Pedestrian Measures and that the Capital Programme be amended accordingly, as set out in paragraph 12 of the report submitted to the meeting.
- (h) That the acquisition of a new Transport Management Software System be approved and included in the Capital Programme, as set out in paragraph 13 of the report submitted to the meeting.

- (i) That in respect of Brierley Hill Regeneration, subject to funding applications being successful:
- The Director of the Urban Environment be authorised to accept any grant funding arising;
  - The Director of Law and Property be authorised to enter into negotiations to acquire one or more premises on terms to be negotiated and agreed by him up to the limit of the funding approved;
  - The Director of Law and Property be authorised to sign the necessary legal agreements with AWM;
  - The Director of the Urban Environment be authorised to enter into a Joint Venture Agreement between the Council, AWM and the preferred developers;
  - The Capital Expenditure element of the individual schemes be included in the Capital Programme,  
as set out in paragraph 14 of the report submitted to the meeting.

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

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RESIDENTIAL CARE OF PEOPLE WITH LEARNING DISABILITY

Councillor Mrs Walker declared a prejudicial interest in this item at this juncture, in view of her directorship of the Churches Housing Association, Dudley District, and left the room during consideration of this item).

A report of the Director of Adult, Community and Housing Services was submitted updating the Cabinet on the implementation proposals arising from the review of Residential Care for People with Disability, which had been approved by the Executive in November 2003. The report also sought approval for the re-provision of Grange House and matters associated therewith.

RESOLVED

- (1) That progress in relation to the sale of King's Road to the Churches Housing Association, Dudley District, be noted.
- (2) That the re-provision of Grange House with the development of Supported Living Options for the residents be approved.
- (3) That the Council be recommended that the use of the receipt from the disposal of Grange House, to fund supported housing for the residents, and further modernisation of Day Services, be approved.
- (4) That the proposed changes to Glebelands, to be agreed in partnership with the Churches Housing Association, Dudley District as the owners of the building, with part of the Unit to be developed into supported living, subject to further consultation with residents and their relatives, be supported.

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

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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 they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Local Government Act, 1972, as specified below and, 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>
Discretionary Compensation Arrangements – Redundancy and Early Retirement	1
Termination of Contracts on the Grounds of Redundancy – Primary Review	1
Directorate of Finance, ICT and Procurement – Human Resources Issues	1
Request for Voluntary Severance – Mr K G	1

DISCRETIONARY COMPENSATION ARRANGEMENTS –  
REDUNDANCY AND EARLY RETIREMENT

A joint report of the Director of Finance and Head of Personnel and Support Services was submitted on action proposed arising from the implications of the Age Discrimination Regulations on the Discretionary Compensation Arrangements for Redundancy and Early Retirement.

RESOLVED

- (1) That severance payment based on actual pay of the Statutory Redundancy Calculator x 2.2 be agreed for all age groups.
- (2) That employees over 50 years of age, who are eligible members of the Local Government Pension Scheme, have the opportunity to augment their pension with the amount of their severance pay which exceeds their statutory redundancy payment.
- (3) That as a general rule, there should be no pay in lieu of notice.
- (4) That the funding of early retirement costs be reviewed when the provision for early retirement is fully used, or at 31<sup>st</sup> March, 2008, whichever is the sooner.
- (5) That the '85 year rule' provision be incorporated into the Council's Scheme for dealing with Early Retirement Requests.

TERMINATION OF CONTRACTS ON THE GROUNDS OF  
REDUNDANCY (PRIMARY REVIEW)

A report of the Director of Children's Services were submitted seeking approval to terminate the contracts of employment of five members of school staff on grounds of redundancy.

RESOLVED

That the termination of the contracts of employment for the staff referred to in the report submitted to the meeting, on the grounds of redundancy, be approved.

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DIRECTORATE OF FINANCE, ICT AND PROCUREMENT – HUMAN RESOURCE ISSUES

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A report of the Director of Finance was submitted seeking approval to the disestablishment of a current senior management post, the voluntary redundancy of the post holder and the consequential restructuring of the senior management of the Directorate of Finance, ICT and Procurement.

RESOLVED

- (1) That the request for Voluntary Redundancy and Early Retirement from Mr A J M, with effect from 31<sup>st</sup> March, 2007, on the terms and conditions set out in the report submitted to the meeting be approved.
- (2) That the proposed restructuring of the senior management in the Finance, ICT and Procurement Directorate, as set out in Appendices B and C of the report submitted at the meeting, be approved.

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DIRECTORATE OF FINANCE, ICT AND PROCUREMENT – HUMAN RESOURCE ISSUE

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A report of the Director of Finance was submitted seeking approval of a request for voluntary severance from a member of staff within the Directorate of Finance, ICT and Procurement.

RESOLVED

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

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REQUEST FOR VOLUNTARY SEVERANCE

A joint report of the Chief Executive and Director of Adult, Community and Housing Services was submitted seeking approval to a request for voluntary severance from a member of staff in the Directorate of Adult, Community and Housing Services.

RESOLVED

That the request for Voluntary Severance by Mr K G be approved on the terms and conditions set out in the report submitted to the meeting.

The meeting ended at 6.55 p.m.

LEADER OF THE COUNCIL