

Minutes of the Cabinet

**Thursday, 31st October, 2019 at 6.00 pm
at the Council House, Priory Road, Dudley**

Present:

Cabinet Members

Councillor P Harley (Leader – 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 Bayton, K Casey, J Foster, P Lowe and S Ridney

Observer

Councillor S Keasey

Officers

K O'Keefe – Chief Executive, D Harkins – Chief Officer Health and Wellbeing, C Knowles – Interim Chief Officer Children's Services, M Rodgers – Chief Officer Housing, M Farooq – Lead for Law and Governance/Monitoring Officer, P Mountford - Head of Planning and Regeneration, R Cooper - Head of Financial Services, S Beckett - Head of Revenue and Benefit Services and S Griffiths – Democratic Services Manager

Also in Attendance

R Percival – Grant Thornton (External Auditor), H Turner – Chair of the Multi-Specialty Community Provider, N Bucktin – Dudley Clinical Commissioning Group

24 **Apologies for Absence**

Apologies for absence were received on behalf of Councillors B Gentle, J Martin, D Vickers and Q Zada.



25 **Declarations of Interest**

No Member made a declaration of interest in accordance with the Members' Code of Conduct in respect of any matter to be considered at this meeting.

26 **Minutes**

Resolved

That the minutes of the meeting held on 11th September, 2019, be approved as a correct record and signed.

27 **Annual Audit Letter 2018/19**

A joint report of the Chief Executive and the Chief Officer Finance and Legal Services was submitted on the External Auditor's Annual Audit Letter for 2018/19.

R Percival from Grant Thornton (External Auditor) addressed the Cabinet on the key points arising from the Annual Audit Letter and answered questions from Members. Particular reference was made to the need to maximise the Council Tax Base.

Resolved

That the report and the views of the External Auditor on matters in relation to the Annual Audit Letter 2018/19 be noted.

28 **Medium Term Financial Strategy**

A joint report of the Chief Executive and the Chief Officer Finance and Legal Services was submitted on the Medium Term Financial Strategy.

Cabinet Members and Officers responded to issues raised at the meeting. These related to the empty homes premium, the highways permit scheme, the recruitment of Police Community Support Officers, children's transport, delays in regard to Tipton Road children's home, school nursing and home care/extra care, improved better care funding and the establishment of a case officer in the Place Directorate. Written responses would be provided to Members where appropriate.

Specific issues arising from the Medium Term Financial Strategy would be considered by Scrutiny Committees in November 2019.

Resolved

- (1) That the actions of the External Auditors be noted.
 - (2) That the forecast variances to budget in 2019/20 and progress with the delivery of savings be noted.
 - (3) That the various issues and risks to be taken into account in finalising the budget proposals for 2020/21, and the Medium Term Financial Strategy, be noted.
 - (4) That the preliminary financial strategy be approved as a basis for scrutiny and consultation.
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29 **Review of Senior Management Structure**

A report of the Chief Executive was submitted on a review of the Council's senior management structure.

Resolved

- (1) That the post of Strategic Director People be deleted from the establishment.
 - (2) That the post of Chief Officer Transformation and Performance be deleted from the establishment.
 - (3) That an interim Assistant Director for Special Education Needs be established in the structure.
 - (4) That all Chief Officer posts be re-designated as Directors.
 - (5) That the Strategic Director Place/Deputy Chief Executive be re-designated as the Deputy Chief Executive.
 - (6) That the Chief Executive be authorised to take any necessary and consequential actions to finalise the structure and reporting lines.
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30 **Capital Programme Monitoring**

A joint report of the Chief Executive and the Chief Officer Finance and Legal Services was submitted on Capital Programme Monitoring.

Responses were given to various issues as summarised below:



- Reference was made to consultation with Ward Councillors concerning the location of CCTV cameras. Data could be forwarded to the Police and raised at Community Forums as necessary.
- The need for consultation on the designation of Metro stops was acknowledged.
- Reference was made to the potential to hold election counts within the new Dudley Leisure Centre to and to continue discussions with the Clinical Commissioning Group regarding health care facilities. A view was expressed that these facilities should be included in the design features of the new Leisure Centre building. The Leader and Chief Executive would be involved in ongoing discussions.
- The Cabinet Member for Housing, Communities and Residents Welfare undertook to provide a written response in relation to the £2.5m European Regional Development funding to deliver a project to reduce carbon emissions.
- A written response would be provided regarding schools that had applied for Healthy Pupil Capital Funding.
- The Chief Officer Regeneration and Enterprise was requested to organise a briefing for appropriate Cabinet/Shadow Cabinet Members regarding the Very Light Railway.
- In relation to the land at Saltwells Nature Reserve, the Leader indicated that a report would be submitted to the Place Scrutiny Committee for consideration.

Resolved

That the Council be recommended:

- (1) That current progress with the overall 2019/20 programme and most significant capital schemes be noted.
- (2) That, subject to consideration by the Place Scrutiny Committee, the acquisition of land at Saltwells Nature Reserve be agreed.
- (3) That the demolition of Woodside Library and Fire Station be included in the Capital Programme and the ordinary demolition up to £250,000 be funded by the Council.



31 **Council Tax Reduction Scheme**

A report of the Chief Officer Finance and Legal Services was submitted on the Council Tax Reduction Scheme.

The Council Tax Reduction Scheme would be the subject of consultation and consideration by the Corporate Scrutiny Committee on 21st November, 2019.

Resolved

That the proposals set out in paragraph 10 of the report be approved as a basis for consultation.

32 **Review of Housing Finance**

A joint report of the Strategic Director Place and the Chief Officer Finance and Legal Services was submitted on the review of housing finance.

The proposals in the report were subject to consultation and consideration by the Place Scrutiny Committee on 13th November, 2019.

Resolved

- (1) That the latest Housing Revenue Account budget forecast for 2019/20 and the revised Public Sector Housing capital programme for 2019/20 be noted.
 - (2) That the other proposals outlined in the report be approved as a basis for scrutiny.
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33 **Housing Asset Management Strategy 2019 to 2029**

A report of the Strategic Director Place was submitted on the review of the Housing Asset Management Strategy 2019 to 2029.

Responses were given to various issues as summarised below:

- The Cabinet Member for Housing, Communities and Residents Welfare responded to questions concerning the re-modelling of sheltered housing with grant funding.
- The strategy set the strategic framework for the next ten years, forming the basis for future decisions. The importance of ongoing consultation was recognised.



- Reference was made to the need to achieve value for money in respect of contracted out works. The Cabinet Member for Procurement, Transformation and Commercialisation reported that discussions were ongoing regarding the Housing Stores/Maintenance Contract.

Resolved

That the Housing Asset Management Strategy 2019 to 2029 be approved.

34 **Housing Allocation Policy**

A report of the Strategic Director Place was submitted on a review of the Housing Allocation Policy.

Resolved

- (1) That a formal review of the Council's Housing Allocation Policy be undertaken.
 - (2) That a Member/Officer Working Group be established to review the operation and outcomes of the current Allocation Policy and develop recommendations.
 - (3) That the Working Group comprise Councillors S Ali, J Cowell, M Evans, S Greenaway, P Miller, G Partridge, E Taylor and D Vickers together with Officers as referred to in the terms of reference.
 - (4) That recommendations developed by the Working Group be subject to statutory and wider consultation, and consideration by the Place Scrutiny Committee, prior to submission to the Cabinet for approval.
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35 **Dudley Local Development Scheme 2019 and Dudley Local Plan Update**

A report of the Strategic Director Place was submitted on the Dudley Local Development Scheme 2019 and Dudley Local Plan Update.

A view was expressed that it would be advantageous to report feedback to future meetings of Community Forums.

Resolved

- (1) That the revisions to the Local Development Scheme be approved.



- (2) That subject to the above, the Strategic Director Place be authorised, following consultation with the Cabinet Member for Regeneration and Enterprise, to make any minor changes to the Local Development Scheme that may be required prior to making it available to the public.
 - (3) That the update to the Local Plan Process be noted.
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36 **Update on the Dudley Multi-Specialty Community Provider**

A report of the Chief Officer Health and Wellbeing was submitted on an update in relation to the Dudley Multi-Specialty Community Provider (MCP).

Reference was made to specific issues concerning the MCP contract and procurement including break clauses, arrangements to review the contract, the delivery of key performance indicators and the overall governance arrangements. Specific reference was also made to health visitors, school nurse services, public health and the inclusion of health services within the new Dudley Leisure Centre.

Resolved

- (1) That progress with the development of the MCP be noted.
 - (2) That the process to integrate Dudley Council commissioned public health services be noted.
 - (3) That the risks associated with the delay of the MCP and the mitigating actions be noted.
 - (4) That consideration be given to the variation of existing contracts in order to allow further work with providers and stakeholders to implement the new integrated models for adults and children.
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37 **Annual Review of the Constitution**

A report of the Lead for Law and Governance (Monitoring Officer) was submitted on the annual review of the Constitution.

In relation to Council Procedure Rule 11 (Questions by Members), a view was expressed that written responses should be shared with other Members of the Council as appropriate.

A Member requested that a future review of the Constitution should include the process relating to Notices of Motion as referred to in Council Procedure Rule 12.



Resolved

The Council be recommended:

- (1) That the updated Council Procedure Rules be approved.
- (2) That the Member Officer Charter be incorporated in the Constitution to replace the former Protocol on Member/Officer Relations.
- (3) That Article 12 of the Constitution be amended to include reference to the role of the Deputy Chief Executive, the Deputy Monitoring Officer, the Deputy Chief Finance (Section 151) Officer and the Statutory Scrutiny Officer.
- (4) That the Petition Scheme be updated to ensure consistency with the Council Procedure Rules.
- (5) That the updated Development Control Committee delegations be approved and the Lead for Law and Governance be authorised to make any necessary or consequential changes to the Code of Practice for Members and Officers dealing with Planning Matters.

The meeting ended at 8.05pm

LEADER OF THE COUNCIL

