

## MEETING OF THE EXECUTIVE

Wednesday, 17th March, 2004 at 6.00 p.m.

### PRESENT:-

Councillor Caunt (Leader of the Council) (Chair)  
Councillors Adams, Evans, Jones, Mrs Martin and Mrs Shakespeare;  
the following Minority Group Members nominated to attend meetings of  
the Executive: Councillors Ali, G H Davies, Ms Foster, Hanson, Ms  
Harris, Mrs Ridley and C L Woodall (Labour Group); Councillors  
Bramall, Burt and Mrs Patrick (Liberal Democrat Group), together with  
the Chief Executive, Director of Finance, Director of Housing, Director  
of Law and Property, Director of Social Services, Director of the Urban  
Environment, Assistant Director of Education and Lifelong Learning  
(Libraries) and Mr Sanders (Directorate of Law and Property).

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### MINUTES

#### RESOLVED

That the minutes of the Meeting of the Executive held on 11th  
February, 2004, be approved as a correct record and signed.

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### DECLARATIONS OF INTEREST

Declarations of a Personal Interest, in accordance with Members Code  
of Conduct were made by the following Members in respect of the  
issues indicated:

Councillor Ms Harris in respect of Agenda item nos. 8 (Neighbourhood  
Renewal Fund 2004-06) and 11 (Social Services Directorate – Autumn  
Delivery and Improvement Statement) in view of her office as Chair of  
the Dudley Beacon and Castle Primary Care Trust.

Councillor Mrs Ridley in respect of agenda item no. 8 (Capital  
Programme Monitoring) insofar as it related to the dance studio and  
refurbishment of administration areas at the Coseley School in view of  
her governorship of that school.

Councillor C L Woodall in respect of paragraph 5.4 of agenda item no.  
9 (Economic Strategy 2004/05) and paragraphs 2.24 and 2.39 of item  
10 (Revised Deposit Unitary Development Plan – Inspector's Report) in  
view of his membership of the Board of the Black Country South West  
Birmingham Regeneration Zone.

A declaration of Prejudicial Interest, in accordance with the Members' Code of Conduct was made by Councillor Ms Harris in respect of item 12 on the agenda (Mental Health Services in Dudley) in view of her office as Chair of the Dudley Beacon and Castle Primary Care Trust.

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110      APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received on behalf of Councillors Fraser-Macnamara, Lomax, Powell, Sparks and J Woodall.

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111      CHANGE IN REPRESENTATION OF MINORITY GROUP MEMBERS

It was reported that Councillor Mrs Ridgely was serving in place of Councillor Fletcher for this meeting of the Executive.

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112      CAPITAL PROGRAMME MONITORING

(At this juncture, on consideration of this report, Councillor Bramall declared a personal interest, in accordance with the Members' Code of Conduct, in respect of paragraphs 2.3.2 and 3.1.7 in view of his son's being a pupil at the Ridgewood School).

A joint report of the Chief Executive and Director of Finance was submitted indicating progress on the implementation of the Capital Programme and containing proposals in relation to certain amendments to the Programme.

RESOLVED

That the Council be recommended:

- (a) That the grant funding for Waste Minimisation and Recycling be accepted, subject to the Department for Environment, Food and Rural Affairs final terms and conditions, and that the capital elements of the scheme be included in the Capital Programme, as set out in paragraph 2.2.1 of the report submitted to the meeting.
- (b) That the scheme for a Basketball Court and Play Area Improvements at Withymoor Village, and its inclusion in the Capital Programme be approved, as set out in paragraph 2.2.2 of the report submitted to the meeting.

- (c) That the increase in the budget for the Transforming Your Space project by £28,000 be approved, as set out in paragraph 2.2.3 of the report submitted to the meeting.
- (d) That the Director of the Urban Environment be authorised to take all necessary steps to secure Advantage West Midlands and European Regional Development Fund funding to enable the Castle Hill project to proceed and also accept any resultant grant offer, and that the inclusion of the resultant expenditure in the Capital Programme, as set out in paragraph 2.2.4 of the report submitted to the meeting, be approved.
- (e) That the refurbishment and improvement projects at The Wordsley School and their inclusion in the Capital Programme be approved, as set out in paragraph 2.3.1 of the report submitted to the meeting.
- (f) That the Environmental Science Scheme at The Ridgewood 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.
- (g) That the Science and ICT scheme at the High Arcal School, and its inclusion in the Capital Programme be approved, as set out in paragraph 2.3.3 of the report submitted to the meeting.
- (h) That the allocation of Children's Centre funding to the schemes set out in paragraph 2.3.4 of the report submitted to the meeting and their inclusion in the Capital Programme, be approved.
- (i) That the funding for Out of School Childcare and Playgroup Conversion, and the inclusion of the associated expenditure in the Capital Programme be approved, as set out in paragraph 2.3.5 of the report submitted to the meeting.
- (j) That the revised funding for the Coseley School Dance Studio project be approved, and that the Capital Programme be amended accordingly, as set out in paragraph 2.3.6 of the report submitted to the meeting.

- (k) That the project for Refurbishment and Extension at Belle Vue Primary School, and its inclusion in the Capital Programme be approved, as set out in paragraph 2.3.7 of the report submitted to the meeting.
- (l) That the project for new Tutorial Rooms and Store Extension at the Woodsetton School, and its inclusion in the Capital Programme be approved, as set out in paragraph 2.3.8 of the report submitted to the meeting.
- (m) That the project for an extension to the Administration Area at Rufford Primary School, and its inclusion in the Capital Programme, be approved as set out in paragraph 2.3.9 of the report submitted to the meeting.
- (n) That the extra funding of £11,000 for the upgrading of the public waiting area at the Halesowen Magistrates Court be accepted and that the budget for the scheme be increased accordingly, as set out in paragraph 2.4.1 of the report submitted to the meeting.
- (o) That the Implementing Electronic Government funding be accepted, subject to its confirmation, and the inclusion of the associated expenditure in the Capital Programme be approved, as set out in paragraph 2.4.2 of the report submitted to the meeting.
- (p) That the urgent amendments to the Capital Programme and the reasons therefor, as set out in paragraphs 2.5.1 and 2.5.2 of the report submitted to the meeting, be noted.
- (2) That current progress with the 2003/04 Capital Programme, as set out in paragraphs 2.1 and Appendix 4 to the report submitted to the meeting, be noted.

A joint report of the Director of the Urban Environment and Director of Finance was submitted on the allocation of monies to the Council from the Local Transport Plan settlement for 2004/05 and seeking approval to the recommended detailed Highways Capital Programme for 2004/05.

In the discussion on this item, the Leader of the Council indicated that, in view of recent serious accidents at that location, he had issued an instruction to the Director of the Urban Environment that item 27 in the proposed local safety scheme programme for 2004/05, as set out in appendix 2 to the report now submitted, be implemented and funded separately from the programme.

In respect of item 11 in the proposed local safety scheme programme for 2004/05, the members of the St Thomas's ward in attendance advocated that the members be consulted before the proposals under that item were implemented.

#### RESOLVED

- (1) That the Council be recommended:
  - (a) That the Transport Capital Settlement for 2004/05 be noted and welcomed.
  - (b) That the contents of the report submitted to the meeting and the Transport Capital Funding as set out in Appendix 1 therein, be approved.
  - (c) That the programmes identified in Appendix 1 and referred to in paragraph 2.9 of the report submitted to the meeting be approved and that the Director of the Urban Environment be authorised to implement them accordingly.
  - (d) That the Lead Member for Transportation, in consultation with the Director of the Urban Environment, be authorised to progress the Minor Improvements Programme as funding permits including land and property purchase.
  - (e) That the Director of the Urban Environment continues to initiate studies into future minor improvement schemes and progresses the formulation of Demand Management initiatives including strategies for both car parking and highway improvements for the Borough and Rights of Way Improvement Plans.

- (f) That Decriminalised Parking Enforcement (DPE) be pursued and that Sandwell MBC be informed of this Authority's intention, in principle, to join in the composite procurement process and that a detailed report on DPE be presented to a future meeting of the Executive.
- (g) That the Director of Law and Property continues to retain land in the Council's ownership adjacent to the corridors previously identified for improvement in the West Midlands Multi Modal Study.
- (h) That the Lead Member for Transportation in consultation with the Director of the Urban Environment be authorised to make amendments to the programme of priorities shown in Appendices 2, 3, 4, 6, 7, 8 and 9 to the report submitted to the meeting.
- (i) That the Lead Member for Transportation in consultation with the Director of the Urban Environment be authorised to progress the Bus Showcase Programme once known, in the light of consultation and the availability of funding.
- (j) That the Lead Member for Transportation in consultation with the Director of the Urban Environment be authorised to identify, and where appropriate, implement any remedial works to local safety schemes of a minor nature, the introduction of antiskid material and provision of variable speed message signs and mobile speed camera sites as referred to in paragraph 2.9.4 of the report submitted to the meeting.
- (2) That the Ward Members be consulted before the Hall Street Scheme in Appendix 2 to the report submitted to the meeting is implemented.
- (3) That the action taken by the Leader in instructing the Director of the Urban Environment that item 27 in Appendix 2 to the report submitted to the meeting be implemented and funded separately, be confirmed.

A joint report of the Director of Finance and Director of Education and Lifelong Learning, as E Champion, was submitted, seeking approval to the ICT Strategy for 2004-2008.

A copy of the strategy was appended to the report now submitted.

RESOLVED

That the ICT Strategy for 2004-2008, as appended to the report submitted to the meeting, be approved.

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NEIGHBOURHOOD RENEWAL FUND 2004-06

A report of the Chief Executive was submitted seeking approval to the programme of expenditure proposed for the Neighbourhood Renewal Fund for 2004/05 and consequent implications for spending in 2005/06.

RESOLVED

- (1) That the programme of expenditure, as set out in Appendix 2 to the report submitted to the meeting, be approved.
- (2) That the Council be recommended that the capital element of £75,000 be included in the Capital Programme.

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ECONOMIC STRATEGY 2004/05

A report of the Director of the Urban Environment was submitted seeking approval to the Council's Economic Strategy for 2004/05. Particular reference was made in the discussion to the proposals regarding the development of King Street and Flood Street, Dudley, which was welcomed. Reference was also made to the impact on the local economy of the regeneration of Brierley Hill. In response to a comment made regarding Dudley being essentially a low wage economy, the Assistant Director of the Urban Environment (Economic Regeneration) referred to the objective in the Strategy to bring into the Borough higher paid, added value employment to diversify the economy.

RESOLVED

That the Economic Strategy for 2004/05 as attached to the report submitted to the meeting, be approved.

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THE REVISED DEPOSIT UNITARY DEVELOPMENT PLAN –  
INSPECTOR'S REPORT

A report of the Director of the Urban Environment was submitted seeking consideration of the recommendations of the Government Inspector appointed to hold the Inquiry into the objections and representations made in relation to specific policies contained in the Revised Deposit Unitary Development Plan for the Council and seeking agreement to the responses proposed to the recommendations.



In the discussion, in response to a request from the Leader of the Liberal Democrat Group, the Leader of the Council agreed to draw to the attention of the Government Inspector dealing with the planning application for the Dreadnought Steel Terminal at Pensnett, the recommendations of the Government Inspector on the Unitary Development Plan regarding that site.

RESOLVED

That the Council be recommended that the recommendations in the Revised Deposit Unitary Development Plan to which the inspector has proposed no modifications be endorsed and that the detailed responses set out in the attachment to the report submitted to the meeting be approved as the Council's response to the Inspector's recommendations.

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SOCIAL SERVICES DIRECTORATE'S AUTUMN DELIVERY AND IMPROVEMENT STATEMENT

A report of the Director of Social Services was submitted setting out the key messages from the Social Services Directorate's Autumn Delivery and Improvement Statement, as validated by the Social Services Inspectorate.

A summary of the statement, indicating key performance achievements and areas identified for attention by the Directorate's management team in relation to Adult Services and Children and Families' Services, was appended to the report now submitted. The full Statement had been made available for inspection in the Members' Library.

RESOLVED

- (1) That the Autumn delivery and improvement statement, as set out in Appendix A to the report submitted to the meeting be accepted.
- (2) That a presentation on the Annual Review Performance Letter, covering the period 2003/04 be submitted to the Executive in the Summer 2004.

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MENTAL HEALTH SERVICES IN DUDLEY

(Having declared a Prejudicial Interest in this item in accordance with the Members' Code of Conduct, Councillor Ms Harris withdrew from the meeting during consideration of the item).

A report of the Director of Social Services was submitted seeking agreement for the development of an integrated health and social care service for mental health in Dudley, in partnership with Dudley Beacon and Castle and Dudley South Primary Care Trusts. The report also sought agreement to the entering of detailed discussions with the Primary Care Trusts to plan the integration of mental health services.

#### RESOLVED

That the proposals contained in Section 3 of the report submitted to the meeting be approved viz:

- (1) That a joint Head of Mental Health and Social Care Services be appointed as soon as possible to lead and project manage the necessary work on integration of services.
- (2) That Dudley South Primary Care Trust becomes the lead commissioner for Mental Health Services, this arrangement to be formalised by the use of Health Act flexibilities.
- (3) That Dudley Beacon and Castle Primary Care Trust assume lead responsibility for the provision of management of mental health services in Dudley with clear accountability to the Council for the provision of social care from 1st April, 2005.
- (4) That the joint mental health service be located in Dudley Beacon and Castle Primary Care Trust; that the Head of Mental Health and Social Care Services be responsible to a Director at Board Level in the Primary Care Trust, with accountability being to the Assistant Director of Social Services of Dudley MBC for Social Care Issues.
- (5) That Joint Management Posts, which will have authority to manage both Social Care and Health staff, be introduced through the structure.
- (6) That a Manager with lead responsibility for professional social work issues be appointed in the integrated service.
- (7) That all current social services employees transfer to the new service as employees of the Council on a secondment basis, subject to Dudley MBC terms and conditions of employment.

- (8) That detailed proposals be drawn up by a steering group of senior officers of the Primary Care Trusts and the Council; that formal consultation takes place on the proposals and that a further report then be submitted to the Executive for consideration.
- (9) That a partnership agreement under the Health Act, 1999 be drawn up between the Council and the Dudley South and Dudley Beacon and Castle Primary Care Trusts to underpin governance arrangements and ensure clarity of accountability to the Council for the performance of Mental Health and Social Care Services.

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LIVEABILITY FUND AWARD

A report of the Director of Urban Environment was submitted indicating that the Council had been selected as a pilot authority for the Liveability Fund and seeking authority to enter into the necessary funding agreement with the Office of the Deputy Prime Minister.

RESOLVED

- (1) That the Director of Law and Property be authorised to enter into the necessary funding agreements for the Award.
- (2) That the ongoing maintenance implications of the project and the future pressure for growth within the Green Care revenue budget, be noted.
- (3) That the Council be recommended that the Capital element of the project be included in the Capital Programme.

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ANNUAL REPORT OF THE SELECT COMMITTEE ON COMMUNITY SAFETY

The draft annual report of the Select Committee on Community Safety for 2003/04 was submitted.

Reference was made in the discussion on the action taken by the Lead Member for Economic Vitality writing to the Lord Chancellor expressing concerns about sentencing policy, in the light of two recent local cases.

RESOLVED

- (1) That the draft Annual Report to the Council of the Select Committee on Community Safety for 2003/04 and its proposed work programme for 2004/05, as set out in the report submitted to the meeting, be noted.
- (2) That the action taken by the Lead Member for Economic Vitality in writing to the Lord Chancellor on sentencing policy in consequence of the two cases reported orally to the meeting, be noted.

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ANNUAL REPORT OF THE SELECT COMMITTEE ON THE ENVIRONMENT

The draft annual report of the Select Committee on the Environment for 2003/04 was submitted.

RESOLVED

That, subject to any comments made by the Select Committee on the Environment, at its meeting to be held on 25th March, 2004, the Annual Report of the Select Committee on the Environment for 2003/04 as set out in the report submitted to this meeting, be noted and referred to the Council, the report to the Council to include the proposed work plan for 2004/05 to be agreed by the Select Committee on the Environment.

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ISSUES ARISING FROM SELECT COMMITTEES

No issues were reported under this item.

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EXCLUSION OF THE PUBLIC

RESOLVED

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

Description of Item

Relevant Paragraph of Part I of Schedule 12A

Capital Programme Implementation

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CAPITAL PROGRAMME IMPLEMENTATION

A joint report of the Chief Executive and Director of Finance was submitted seeking approval to certain issues relating to the implementation of the Capital Programme.

## RESOLVED

- (1) That the Director of Law and Property be authorised to negotiate and enter into a lease of the property referred to in the report now submitted for accommodation for the Customer Access to Services project and that the Council be recommended that the refurbishment cost indicated in the report submitted to the meeting be included in the Capital Programme, as set out in paragraph 2.1.1 of that report.
- (2) That, in respect of Public Access Terminals the Director of Law and Property be authorised to negotiate and enter into the appropriate Licences to Occupy or other agreements on terms and conditions to be agreed by him, with the respective land owners as required and that the Council be recommended that the funding be added to the Capital Programme.

The meeting ended at 8.10 pm.

LEADER OF THE COUNCIL