

Minutes of the Meeting of the Cabinet

Thursday, 27th June, 2019 at 6.00 pm
In Committee Room 2 at The Council House, Dudley

Present:

Cabinet Members

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

Opposition Group Members Nominated to attend the Cabinet

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

Observers

Councillors J Cowell, Z Islam and S Keasey

Officers

K O'Keefe – Chief Executive, A Lunt – Deputy Chief Executive/Strategic Director
Place, H Ellis – Interim Chief Officer Children's Services, I Newman – Chief
Officer Finance and Legal Services, D Harkins – Chief Officer Health and
Wellbeing, M Farooq – Lead for Law and Governance/Monitoring Officer,
N Powell - Head of Environmental Health and Trading Standards and S Griffiths –
Democratic Services Manager

1 **Apologies for Absence**

Apologies for absence from the meeting were received on behalf of Councillors
I Kettle and L Taylor.

2 **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.

3 **Minutes**

Resolved

That the minutes of the meeting of the Cabinet held on 20th March, 2019 be
approved as a correct record and signed.

4 **Capital Programme Monitoring**

A joint report of the Chief Executive and the Chief Officer Finance and Legal Services was submitted on the implementation of and proposed amendments to the Capital Programme. The report also included the 2018/19 outturn position.

Various issues, questions and concerns were raised as follows:

- With regard to multi-storey car parks, urgent work was necessary to address the findings of a detailed structural report. The implications for car-park users were acknowledged together with the need for a long-term strategy to be discussed on a cross-party basis.
- In relation to the former Dudley Museum and Enhancement to the Dudley Town Hall catering provision, the referral to the Place Scrutiny Committee had addressed some of the concerns regarding the business plan, however, further work was necessary during the implementation of the project.
- A range of infrastructure issues were raised concerning new housing developments, in particular school places, health and other key service provision. This would be kept under review with a view to resources being directed accordingly.
- Reference was made to the development of the Bean Road site and the Strategic Director Place undertook to discuss issues with the Ward Councillors.
- Feedback would be provided regarding the Corbyn Road extension in particular amendments made to the tender documents and the engagement of external consultants. All costs were scrutinised to ensure value for money.
- In connection with tackling roadside nitrogen dioxide, it was confirmed that Government funding had been secured for sites referred to in the report and work would commence in the coming months. Reference was made to issues with Halesowen Road and the need to undertake further work. Clarification was requested in writing as to when the Council had received confirmation that Halesowen Road had not been approved for Government funding and when this had been communicated to the appropriate Cabinet Member(s) and Ward Councillors.
- Reference was made to ongoing design issues relating to Leisure Centres. Further consultation would take place with appropriate Ward Councillors and other Members. This would include consideration of the design and facilities, together with the potential for the relocation of services and the sharing of facilities where possible. Further discussions would be requested with the Clinical Commissioning Group concerning health care provision.

- Reference was made to the School Condition Allocation for 2019/20 and the implications for schools in the north of the Borough.
- A report on the original cost of the Social Care ICT project would be provided to the shadow Cabinet Member for Health and Adult Social Care.
- Consultation had been undertaken regarding the Lister Road development and a range of comments and views had been taken into consideration. Particular reference was made to road safety concerns at the junction of Lister Road, New Road and Adshead Road.
- In relation to the Independent Living Programme, a breakdown was requested of the adaptations undertaken. It was acknowledged that the cost of adaptations was based on a schedule of rates and local contractors were employed as far as possible.
- Reference was made to the legitimate use of “Section 106” funding for the construction of affordable housing.
- With regard to the Low Carbon Place Strategy, clarification was requested as to how the approved £2.5m of funding was split between Council housing and buildings together with the associated timescales involved.
- In considering the commercial implications of the report, Officers were asked to ensure that local procurement opportunities were explored wherever possible.

An undertaking was given that responses would be provided to any questions or issues that had not been addressed at the meeting.

Resolved

- (1) That the Council be recommended:
 - (a) That the outturn position for 2018/19 be noted.
 - (b) That current progress with the most significant capital schemes be noted.
 - (c) That any expenditure which can be funded from “Section 106” developer contributions towards the provision of affordable housing, be included in the Capital Programme.
 - (d) That the expenditure of Parks Improvement funding be included in the Capital Programme.
 - (e) That the Saltwells Nature Reserve Wardens’ Base project be approved and included in the Capital Programme.

- (f) That the works to Ryemarket and Pool Road Multi-Storey Car Parks be approved and included in the Capital Programme.
 - (g) That the Tackling Roadside Nitrogen Dioxide budget be increased by £27,000 to reflect previous Department for Environment Food and Rural Affairs Air Quality funding.
 - (h) That the 2019/20 Schools Condition allocation be noted, and the associated expenditure, together with expenditure to be funded from any future Schools Condition allocations, be included in the Capital Programme.
 - (i) That the urgent amendments to the Capital Programme be noted.
- (2) That following consideration of the recommendations of the Place Scrutiny Committee, the decision in Minute No. 55 of the Council meeting held on 18th February, 2019 to approve the former Dudley Museum and Dudley Town Hall Catering Provision project and include it in the Capital Programme, be implemented.
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5 **Revenue Outturn 2018/19 and Medium Term Financial Strategy**

A joint report of the Chief Executive and the Chief Officer Finance and Legal Services was submitted on the provisional revenue outturn position for 2018/19. The report included details of:

- (a) the draft General Fund and Housing Revenue Account (HRA) outturns for 2018/19.
- (b) the effect of the General Fund outturn on General Balances at 31st March, 2019.
- (c) the position on General Fund earmarked reserves at 31st March, 2019.

Reference was made to the need to continue the collaborative and cross-party working on the Council's budget and the implications of the Government's Fair Funding review. Joint representations would continue in relation to Adult Social Care funding.

Resolved

That the report be noted.

6 **Food and Feed Service Plan 2019/20**

A report of the Strategic Director People was submitted on the Food and Feed Service Plan 2019/2020.

Resolved

That the Council be recommended to approve the Food and Feed Service Plan 2019/20.

7 Proposed Future Safeguarding Arrangements

A report of the Strategic Director People was submitted on the adoption of a new model for overseeing and assuring the safeguarding functions of the three statutory partners in Dudley Borough, namely Dudley Metropolitan Borough Council, West Midlands Police and the National Health Service.

The selection process for the Independent Chair of the Safeguarding Board would involve the Cabinet Member and statutory partners. It was acknowledged that there was considerable work in progress and Members confirmed the commitment to ensuring a seamless transition to the new working arrangements.

Resolved

- (1) That the national requirement for all local areas to submit their plans for new safeguarding arrangements by 29th June, and to have these in place by 29th September 2019 be noted.
- (2) That the significant work to develop new arrangements that has been undertaken across the system, through joint working between Council Officers and colleagues representing West Midlands Police and Dudley Clinical Commissioning Group (CCG), and the engagement of wider partners, including schools and the voluntary sector, from across Dudley Borough be noted.
- (3) That the all-age approach adopted, bringing the safeguarding arrangements for adults and children more closely together, on the basis that this offers scope for improving outcomes for Dudley residents, enhanced partnership across the safeguarding system, and better use of resources be approved.
- (4) That the joint report on Dudley Safeguarding People Partnership Arrangements which has been developed through extensive partnership working be approved.
- (5) That the establishment of the proposed new Dudley Safeguarding People Partnership Board, including the appointment of an independent Chair to proactively engage with and lead strategic partners be approved.
- (6) That the proposed approach for transitional arrangements from the Children's Services Improvement Board into the new integrated safeguarding arrangements be approved and the scope for closer alignment with the Dudley Community Safety Partnership ('Safe and Sound') be explored in due course.

- (7) That the Strategic Director People, following consultation with the Cabinet Members for Health and Adult Social Care and Children and Young People, be authorised to make such practical steps as shall be required to establish the new arrangements.
 - (8) That the new Black Country Child Death Overview Process arrangements, as developed and agreed by Black Country CCG Chief Nurses and Directors of Public Health, be approved.
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8 Community Infrastructure Levy (CIL) – Approval of 2018/19 Spend and Approval of Reviewed Spend Process

A report of the Strategic Director Place was submitted on proposals for the partial spend of Community Infrastructure Levy (CIL) receipts and the reviewed process for spending CIL receipts.

A view was expressed that, if approved works were not completed by specified deadlines, a report should be submitted to Members on the reasons why together with associated recommendations. The Strategic Director Place undertook to provide progress reports accordingly.

Reference was also made to the process for applications for CIL funding and the modified guidelines. Members expressed the view that the process should be simplified by working together with community groups. This principle should also be applied to the process for accessing funding from the Community Forums.

Resolved

- (1) That the reviewed process for spending CIL receipts, to include twice-yearly bidding and funding cycles together with the proposed timetable, be approved.
- (2) That the rolling forward of remaining CIL monies to the next financial year for consideration of spend be approved.
- (3) That a sum of up to £496 Capital and Revenue Infrastructure CIL receipts be transferred to Woodsetton Charitable Trust, following receipt of costings and completion for a replacement notice board and relocation to the junction of Setton Drive, Turlis Hill Road and Queens Road.
- (4) That a sum of £44,500 Capital and Revenue Infrastructure CIL receipts be transferred to Dudley Metropolitan Borough Council following receipt of detailed costings and completion of works for Round Oak Steelworks Memorial (Public Art) at Dudley Road (opposite the Fire Station).
- (5) That a sum of £200,000 Capital and Revenue Infrastructure CIL receipts be transferred to Dudley Metropolitan Borough Council following receipt of detailed costings and completion of works for a flood management and sustainable drainage scheme at Delph Road and Turners Lane.

- (6) That the Strategic Director Place submit regular monitoring reports and that recommendations be made to the Cabinet on any proposals to reallocate resources to alternative projects in the event that work is not completed by July, 2021.
 - (7) That the Place Scrutiny Committee be requested to consider the bidding and grant application processes for community group funding with a view to this being simplified wherever possible.
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9 **Future Council 2030**

A report of the Deputy Chief Executive was submitted on the progress of work to ensure that the Council had the organisational capability to ensure the successful delivery of the Borough Vision and Council Plan.

The report outlined key themes that had emerged from this work and sought approval to the approach for developing and implementing the programme of work to ensure that the organisation was fit for purpose. The Cabinet considered the development of a transformation programme to deliver the Future Council 2030 and Council Plan 2019/22 aspirations and outcomes.

Reference was made to the need to clarify the term 'affordable transport'. Comments were made on the evolving work, including the need for a detailed capability assessment to assess organisational capacity to implement the Borough Vision and Council Plan.

The Cabinet acknowledged the points raised and emphasised that this would be a cross-party, Member-driven process requiring significant commitment from Members, Chief Officers and partners. A capability assessment would assist to identify if the organisation had the necessary skills to deliver the required outcomes or if any additional support was required.

Work to develop implementation plans would need to include Key Performance Indicators and timescales to ensure that incremental changes were monitored and implemented for the benefit of residents. The next steps would involve detailed consideration of how priorities and objectives could be delivered. There was a shared commitment to promoting the Borough on a local, regional, national and international level.

Draft delivery plans would be reported to the Corporate Scrutiny Committee later in the year and discussions were ongoing with the Chief Executive. Key Performance Indicators would be built into each theme and be the subject of ongoing review.

Resolved

- (1) That the work undertaken to date to assess the organisational capability to deliver the Dudley Borough Vision and Council Plan be noted.

- (2) That the key themes identified within the report as the priority areas for further development be endorsed.
 - (3) That the background and learning in relation to the Transforming for the Future Programme be noted.
 - (4) That the proposed approach for developing and implementing the combined programme of work required to develop Future Council 2030 and refreshed transformation programme be approved.
 - (5) That the Deputy Chief Executive / Strategic Director Place be authorised to be the 'sponsor' for this work.
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10 **Member Officer Charter**

A report of the Chief Executive was submitted on the adoption of the Member Officer Charter, initially on a pilot basis, subject to annual review as part of the Constitution.

Resolved

- (1) That the Charter be amended to reflect the comment that 'Members are democratically elected politicians who give overall direction to the Council using their knowledge of the needs and aspirations of the communities they represent'.
 - (2) That the Council be recommended to adopt the amended Member Officer Charter on a pilot basis subject to consideration as part of the annual review of the Constitution in November, 2019.
 - (3) That, subject to the above, the Member Officer Charter be incorporated in the Constitution to replace the former Protocol on Member/Officer Relations.
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11 **Proposed Changes to the Structure and Governance of the Children's Corporate Parenting Board**

A report of the Lead for Law and Governance was submitted on changes to the structure and governance arrangements for the Children's Corporate Parenting Board to raise the profile of the Board within the local authority.

Resolved

That the Council be recommended to approve:

- (1) The establishment and structure of the Children's Corporate Parenting Board as a formal Committee of the Council.

- (2) The Membership of the Board to comprise 12 Members (six from each Group).
 - (3) The terms of reference and governance arrangements be included in the Constitution.
 - (4) Two programmed meetings of the Children's Corporate Parenting Board to be held each year.
 - (5) The dates of meetings of the Children's Corporate Parenting Board for the 2019/2020 municipal year be 2nd September, 2019 at 4pm and 25th March, 2019 at 4pm.
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12 **Questions by Members at Full Council – Review of Council Procedure Rule 11**

A report of the Overview and Scrutiny Management Board was submitted on the future procedure for dealing with Questions by Members at full Council.

Resolved

- (1) That the recommendations of the Overview and Scrutiny Management Board be endorsed and the revised procedure be adopted with effect from the Council meeting on 8th July, 2019.
 - (2) That the amendments to Council Procedure Rule 11 be submitted to full Council in due course as part of the annual review of the Constitution.
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13 **Appointment of Council Representatives to Other Bodies**

A report of the Lead for Law and Governance was submitted on the appointment of Council representatives to other bodies.

Resolved

That the report be noted.

The meeting ended at 7.40 p.m.

LEADER OF THE COUNCIL