URBAN ENVIRONMENT SCRUTINY COMMITTEE

THURSDAY 27TH JUNE, 2013

AT 6:00PM IN COMMITTEE ROOM 2 THE COUNCIL HOUSE DUDLEY

If you (or anyone you know) is attending the meeting and requires assistance to access the venue and/or its facilities, could you please contact Democratic Services in advance and we will do our best to help you

HELEN SHEPHERD ASSISTANT DEMOCRATIC SERVICES OFFICER Internal Ext – 5236 External – 01384 815236 E-mail – helen.shepherd@dudley.gov.uk

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IMPORTANT NOTICE MEETINGS IN DUDLEY COUNCIL HOUSE

Welcome to Dudley Council House

In the event of the alarm sounding, please leave the building by the nearest exit. There are Officers who will assist you in the event of this happening, please follow their instructions.

There is to be no smoking on the premises in line with national legislation. It is an offence to smoke in or on these premises.

Please turn off your mobile phones and mobile communication devices during the meeting.

Thank you for your co-operation.

Directorate of Corporate Resources

Law and Governance, Council House, Priory Road, Dudley, West Midlands DY1 1HF Tel: 0300 555 2345 www.dudley.gov.uk



Your ref: Our ref: Please ask for: Telephone No. Mr J. Jablonski (01384) 815243

19th June, 2013

Dear Councillor

<u>Urban Environment Scrutiny Committee</u> Thursday, 27th June, 2013 – 6.00PM

You are requested to attend a meeting of the Urban Environment Scrutiny Committee to be held on Thursday, 27th June, 2013 at 6.00pm in Committee Room 2 at the Council House, Dudley to consider the business set out in the agenda below.

Please note that it is proposed that an informal development session be held at the conclusion of formal business.

The agenda and public reports are available on the Council's Website www.dudley.gov.uk and follow the links to 'Councillors in Dudley' and the Committee Management Information System.

Yours sincerely

Director of Corporate Resources

AGENDA

APOLOGIES FOR ABSENCE

To receive apologies for absence from the meeting.

2. APPOINTMENT OF SUBSTITUTE MEMBERS

To report the appointment of any substitute members serving for this meeting of the Committee

3. DECLARATIONS OF INTEREST

To receive Declarations of Interest in accordance with the Members' Code of Conduct.

4. TERMS OF REFERENCE AND ANNUAL SCRUTINY PROGRAMME 2013/14 (PAGES 1 -8)

To consider the report of the Lead Officer and the Director of Corporate Resources .

5. FORWARD PLAN OF KEY DECISIONS (PAGES 9 – 13)

To consider the report of the Director of Corporate Resources

6. TO ANSWER QUESTIONS UNDER COUNCIL PROCEDURE 11.8 (IF ANY).

To: All Members of the Urban Environment Scrutiny Committee:

Councillors Ali, Burston, Duckworth, Hale, Hanif, Harley, J.Jones, Jordan, Sykes, K.Turner and Tyler.



<u> Urban Environment Scrutiny Committee – 27th June, 2013</u>

Report of the Lead Officer and the Director of Corporate Resources

Terms of Reference and Annual Scrutiny Programme 2013/14

Purpose of Report

 To note the terms of reference of the Committee and the items included in the Annual Scrutiny Programme for detailed consideration by this Scrutiny Committee during 2013/14.

Background

- 2. On 25th April, 2013, the Cabinet considered a report on a review of the Council's overview and scrutiny arrangements. The recommendations from Scrutiny Chairs were endorsed by the Cabinet and formally approved at the annual meeting of the Council on 16th May, 2013.
- 3. The principles of the new structure are to strengthen the Council's overview and scrutiny arrangements; to ensure proper democratic accountability and to promote confidence in the conduct of the Council's business. The new scrutiny arrangements are also set in the context of significant financial pressures faced by the Council and the need to focus limited resources in the most effective way.
- 4. The review was also based on the following principles, as agreed by Scrutiny Chairs:-
 - That the former informal "Chairs of Scrutiny Committees" meeting be formalised into an "Overview and Scrutiny Management Board".
 - That a revised structure of Overview and Scrutiny Committees be adopted, including Scrutiny Committees to carry out detailed scrutiny reviews and a separate Scrutiny Committee with a remit for Corporate Performance Management, Efficiency and Effectiveness.
 - That the role of Scrutiny Committees be developed further to comprise:-
 - The adoption of the "Parliamentary Select Committee" model by undertaking single item in-depth scrutiny investigations/inquiries with reports from the Scrutiny Chair being presented to the Cabinet/Council.

- Being more strategic and selective in selecting topics for scrutiny with Scrutiny Committees focussing on in-depth investigations. The Overview and Scrutiny Management Board will have a role in overseeing and coordinating the annual scrutiny programme.
- Enhancement of the role of Scrutiny Committees in policy development by carrying out the in-depth scrutiny reviews as referred to above.
- All scrutiny "Call-ins" to be determined by the Management Board (with provision for inviting statutory co-opted members in the case of Education matters).
- Cabinet Members/Chief Officers and others to attend scrutiny meetings to give evidence/reports if required by the Scrutiny Committee (given advance notice).
- The retention of statutory co-opted members on the Scrutiny Committee that considers "Education" matters (ie: Children's Services).
- The Chair of the Overview and Scrutiny Management Board to submit an annual report to the Council on corporate scrutiny activity.
- The Minutes of the Overview and Scrutiny Management Board and individual Scrutiny Committees to be submitted to Council.
- 5. The approved terms of reference of the Scrutiny Committee are set out in Appendix 1. The terms of reference of the Committee also gives a clear indication of the Cabinet portfolios and Directorate functions within the remit of the Scrutiny Committee.
- 6. Scrutiny Committees have discretion to set their own programme of meetings to carry out the reviews that are allocated to them. Meetings of the five Scrutiny Committees have also been scheduled in November, 2013 to undertake detailed scrutiny of the Council's revenue budget proposals.
- 7. In April, 2013, Scrutiny Chairs considered the development of a draft Annual Scrutiny Programme for the 2013/14 municipal year taking account of the views of Cabinet Members and Directors as part of their business planning cycle. The Overview and Scrutiny Management Board formally endorsed the Annual Scrutiny Plan at its meeting on 29th May, 2013. The items for detailed consideration by the Urban Environment Scrutiny Committee during 2013/14 are:
 - Parks, Nature Reserves and Open Spaces Strategy
 - Support to Local Businesses
 - Traffic Regulation Orders the process

- 8. Appendix 2 gives more detailed information on the topics set out in the Annual Scrutiny Programme for 2013/14 as referred to in paragraph 7 above.
- 9. Immediately following this first formal meeting of the new Scrutiny Committee, an informal development session will be held for members and officers to discuss the scope of the topics to be scrutinised; the process of gathering information (including the 'witnesses' to be invited to attend) and the timescales for carrying out the reviews (with timescales for both informal and formal meetings).
- 10. Under the Scrutiny Committee Procedure Rules, as contained in the Constitution, all Scrutiny Committees previously had the discretion to include a standard item entitled 'Public Forum' on the agenda to facilitate members of the public asking questions on any matter falling within the terms of reference of the Committee. This discretion remains under the revised Scrutiny arrangements and the Committee is invited to express views on whether such an item should be included on future agendas.
- 11. The revised scrutiny arrangements will be subject to ongoing review and further consideration by the Overview and Scrutiny Management Board during the municipal year.

Finance

12. The costs of operating the revised scrutiny arrangements will be contained within existing budgetary allocations.

Law

13. Scrutiny Committees are established in accordance with the provisions of the Local Government Act 1972 and the requirements of the Council's Constitution, which was adopted under the Local Government Act 2000, subsequent legislation and associated Regulations and Guidance.

Equality Impact

14. Provision exists within the recommended scrutiny arrangements for overview and scrutiny to be undertaken of the Council's policies on equality and diversity.

Recommendations

- 15. That the terms of reference of the Committee, as set out in Appendix 1, be noted.
- 16. That the issues contained in the Annual Scrutiny Programme for 2013/14, as referred to in paragraph 7 and Appendix 2, be noted.

- 17. That an informal development session be held for members and officers, at the conclusion of the formal business of this meeting, to discuss how they wish to progress the items for detailed consideration by the Committee during 2013/14.
- 18. That the Committee consider the possible inclusion of a "Public Forum" session as a standing item of business on the agenda for future meetings.

Philip Tart

Director of Corporate Resources

Ron Sims Lead Officer

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List of Background Papers

Reports and minutes of the Cabinet dated 25th April, 2013 Reports and minutes of the Council dated 16th May, 2013

Reports and minutes of the Overview and Scrutiny Management Board dated 29th May, 2013

Terms of Reference

Urban Environment Scrutiny Committee

In accordance with any relevant statutory requirements and the Annual Scrutiny Programme approved by the Overview and Scrutiny Management Board:-

- (a) To undertake in-depth scrutiny investigations, inquiries and reviews in accordance with the Annual Scrutiny Programme;
- (b) To contribute to policy development by carrying out the scrutiny of matters falling within the functions of the Directorate of the Urban Environment and the portfolios of the Cabinet Members for Environment and Culture, Regeneration and Transportation.

To submit reports and recommendations to the Cabinet and/or the Council on the outcomes of scrutiny investigations, inquiries and reviews.

To make recommendations to the Overview and Scrutiny Management Board on any proposed amendments to the Annual Scrutiny Programme.

Appendix 2

Urban Environment Scrutiny Committee						
Portfolio Area for Scrutiny		Cabinet Member for Environment & Culture Parks, Nature Reserves and Open Space Strategy				
Council Priorities	Council Plan:	'To protect, preserve & develop for appropriate use the unique heritage of the borough for this & future generations' & 'To preserve and improve the quality and biodiversity of the natural and built environment'				
Context		 DUE is responsible for the management and development of 1500ha of land, 28 self managed allotment sites and 4 directly managed sites (providing 1000 individual plots), 6 bowling greens, 1 croquet lawn, 55 full size, 6 junior and 27 mini football pitches, 14 changing rooms, 0.9ha Local Nature Reserves (LNR) per 1000 population (Natural England target is 1ha/ 1000 population, 17 Closed Churchyards, 41grazing fields (135.5 Ha) Significant amounts of external funding has been secured by the Council over the past 10 years via HLF, Liveability, Healthy Towns, Play Pathfinder, Transforming Your Space, S106, Environmental Trusts. Whilst all of this has significantly improved a number of sites there is still a lot of aspiration out there through the various Friends Groups who want more for their respective parks 				
Rationale		 Support towards a healthier community through Public Health and Wellbeing agenda Preservation of Green spaces and Open Spaces now and for future generations during a time of budget cuts Aspirations for green flag status Provision of recreational facilities to promote sports activities thereby supporting the Tackling Obesity Framework Key Objective Tier 1 Environment: Making it easier to make healthier choices Community Engagement well established through groups such as Friends of Park and Football Forum 				
What are we asking from the Scrutiny Committee?		 Scrutiny Committee to consider scope for a cohesive strategy for Parks, Nature Reserves and Open Space Strategy which takes into consideration the amenity value and integrates the borough's nature conservation assets within a strategic context 				

Urban Environment Scrutiny Committee							
Portfolio		Cabinet Member for Regeneration					
Area for		Support to Local Businesses					
Scrutiny							
Council Priorities	Council Plan:	'To create a thriving local enterprise economy' and 'To increase the number and diversity of businesses attracted to the borough'					
Context		 Removal of a regional framework through West Midlands Economic Strategy Linkages with the Black Country Local Enterprise Partnership and the core themes of competitiveness, and employment & skills Linkages with the Black Country Strategy for Growth and Competitiveness and the Black Country Joint Core Strategy (Core Strategy) Role of inward investment at a sub regional and regional level Initiatives supporting local businesses include: (1) Dudley Business First initiative with 600+ business support & inward investment enquiries answered since December 2011; (2) 'Business to Business element of Dudley Business First website which encourages inter company trading & developing the local supply network; (3) Dudley Business Loan Fund which since its launch in August 2012 has provided £234,000 in loans to 10 Dudley businesses which has safeguarded 61 jobs and created 20 new jobs 					
Rationale		 Links into the wider borough regeneration agenda including inward investment Supports the objectives in the borough's Economic Strategy and in particular the Business & Enterprise theme: 'To encourage the development of a dynamic and diverse business base and job opportunities through support to new and existing businesses in the Borough' 					
What are we asking from the Scrutiny Committee?		 Determining what the key outcomes are in terms of business support Merits of existing interventions and whether these should form a joined up approach to business support generally 					

Urban Environment Scrutiny Committee						
Portfolio Area for Scrutiny	Cabinet Member for Transport Traffic Regulation Orders (the process)					
Council Priorities Context	Council Plan:	 'Involve and engage people in a meaningful and timely way' Traffic & Road Safety Group manage temporary road closures and traffic management for emergencies, works and events. They also introduce permanent 				
		 Traffic Regulation Orders as part of the management of and use of the highway. In terms of Traffic Regulation Orders regarding on street enforcement there are nearly 1,000 with Traffic Regulation Orders. Each Traffic Regulation Order covers between 5 and 100 streets The Traffic & Road Safety Group have a TRO database which they maintain It is estimated that there are approximately 30 TRO's sealed each year and typically there are 70 TRO proposals progressed per annum The Group provide circa 100 Advisory Disabled Parking Places in front of customers' homes. Disabled Parking Place TROs cannot be provided at present, because they are resource-intensive. 220 new Disabled Parking Place TROs are requested annually To date 360 Disabled Parking Place TRO permits have been issued Each new Traffic Regulation Order can take up to 2 years to introduce 				
Rationale		 Posts have been lost and/or not replaced in the Traffic and Road Safety Group whilst demand for their services has increased Demand for TROs continues to exert service pressures on the Group The allocation of Disabled Parking Permits and Resident Parking Permits places an additional work load for the Group 				
What are we asking from the Scrutiny Committee?		 To provide a consistent approach by identifying an appropriate process for policy & strategy towards the delivery of TROs In line with the policy to prioritise as appropriate 				



<u>Urban Environment Scrutiny Committee – 27th June, 2013</u>

Report of the Director of Corporate Resources

Forward Plan of Key Decisions

Purpose of Report

 To consider the Forward Plan of Key Decisions for the four-month period commencing 1st June, 2013, and make any recommendations as to items to be scrutinized to the Overview and Scrutiny Management Board.

Background

- 2. The Access to Information Procedure Rules set out in Part 4 of the Constitution include a requirement for a Forward Plan to be prepared by the Leader covering a period of four months.
- 3. Attached as an Appendix is the Forward Plan covering the four-month period from 1st June, 2013. The Forward Plan sets out information on key decisions that are likely to be taken by the Council, Cabinet, a Cabinet Member or Chief Officers in the period covered by the Plan.
- 4. The Forward Plan is available on the Internet via the Committee Management Information System (CMIS).
- 5. The Forward Plan is reported to all ordinary meetings of the Cabinet and will also be reported to the Overview and Scrutiny Management Board in future. Increasing accessibility to the Forward Plan will assist the process of overview and scrutiny of key decisions.
- 6. The Overview and Scrutiny Management Board at its meeting held on 29th May,2013 considered the Forward Plan and agreed that it be referred to the Council's five Scrutiny Committees with a request that they inform the Board of any items that they would wish to scrutinise so that further consideration can be given to this matter by the Board at a future meeting.

Finance

- 7. The financial implications associated with individual key decisions will be included in reports submitted on each individual item.
- 8. A key decision is defined as an executive decision which is likely:-

(a) to result in the Council incurring expenditure, or the making of savings, which are £250,000 or more (revenue or capital); or

(b) to be significant in terms of its effects on communities living or working in one or more wards in the Borough.

Law

9 The requirement to produce a forward plan is set out under the Access to Information Procedure Rules in Part 4 of the Constitution.

10. The Constitution is adopted by the Council pursuant to the requirements of the Local Government Act 2000.

Equality Impact

11. The equality impact of specific key decisions will be referred to in individual reports on the items concerned.

Recommendation

12. That consideration be given to the Forward Plan of Key Decisions with a view to making any recommendations to the Overview and Scrutiny Management Board as to items to be scrutinised.

Director of Corporate Resources

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List of Background Papers

The Constitution

Forward Plan of Key Decisions

Decisions due to be made during the four month period from 01 Jun 2013

Decision No Directorate	Project Name	Key Decision	Decision Period Meeting Date	Reports, Appendices & Background Papers	Consultation Details	Decision Taker	Contact Name
0506 Corporate Resources	Localism Act 2011	To consider the ongoing implications of the Localism Act 2011 on the governance arrangements adopted by Dudley MBC.	March 2013 - October 2013	Localism Act 2011 and any guidance issued by the Secretary of State	Cabinet Members, The Audit and Standards Committee, other Committees depending on the implications of the Act; any other consultation as may be required by the legislation.	Cabinet; Full Council	Philip Tart Director of Corporate Resources (Phone: 01384 815300)
0546 Urban Environment	Publication of the Community Infrastructure Charging Schedule	To approve the Publication of the Community Infrastructure Charging Schedule for statutory public consultation and subsequent submission to the Secretary of State for Independent Examination.	Cabinet September 2013	Community Infrastructure Charging Schedule	Key internal officers and Cabinet Member for Regeneration. Draft document will be available to view prior to the Cabinet meeting.	Cabinet	Annette Roberts Directorate of the Urban Environment (Phone: 01384 - 814172)
0551 Corporate Resources	Localised Council Tax Rebate Scheme	Adoption of our local scheme to replace the current national council tax benefit scheme alongside a 10% reduction in expenditure.	June 2013	Local Government Finance Bill and any associated secondary legislation; and guidance issued	Key internal stakeholders (elected members, directorates, business units, etc), major preceptors, the public, the voluntary sector, other interested parties.	Cabinet; Full Council	Mike Williams Assistant Director, Corporate Resources (Phone: 4970)
0574 Corporate Resources	Acceptance of Tenders or Quotations	Agreement, in consultation with the Cabinet Member for Finance, to accept Tenders or Quotations for the Supply of Goods, Provision of Services or Works (or the Disposal of Goods) with a value in excess of £250,000 per annum - following a procurement exercise by the Directorate of Corporate Resources (Procurement, Contract Management and Credit Services Division). Decisions will be taken throughout the year in accordance with tendering programme. Items will be considered in private session to avoid the disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 relating to the financial or business affairs of any particular person (including the authority).	April 2013 - March 2014	Summary of Tender Evaluation Report by Head of Procurement; Associated documents and reports prepared by Head of Procurement;	Key stakeholders (directorates, business units, schools etc) participating within the resulting contract are included in the tendering/evaluation processes. Appropriate Legal and Financial advice is also taken. The Director of Corporate Resources is required to consult the Cabinet Member for Finance on proposed contract awards - this occurs through correspondance and discussion as required. Contracts of this value are tendered and awarded in accordance with EU Procurement Directives which	Philip Tart	Philip Tart Director of Corporate Resources (Phone: 01384 815300)

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Forward Plan

Forward Plan of Key Decisions

Decisions due to be made during the four month period from 01 Jun 2013

Decision No Directorate	Project Name	Key Decision	Decision Period Meeting Date	Reports, Appendices & Background Papers	Consultation Details	Decision Taker	Contact Name
					require advance publication of proposed contracts and the outcome of the tender exercise following a contract award.		
0575 Corporate Resources	Monitoring and Review of Capital and Revenue Expenditure or Income	To consider issues which have a significant impact upon the Capital or Revenue Expenditure and/or Income of the Council including those issues arising from the monitoring, review and implementation of the approved Revenue Budget and Capital Programme. [This is a standing item at each Cabinet meeting and the Decision Taker will be the Cabinet and then the Council, or individual members/officers in accordance with relevant delegations].	April 2013 - March 2014	Periodic and ad-hoc reports	Consultation appropriate to individual proposals.	Cabinet; Full Council	John Everson Technical Accountant, Corporate Resources (Phone: 01384-814806)
0576 Corporate Resources	Spending Projections 2013/14	To report details of the projected outturn for 2013/14 and to recommend amendments to the revenue budget, funded from General Balances if necessary.	April 2013 - March 2014	Report of the Treasurer	Council Directors	Cabinet; Full Council	lain Newman Treasurer (Phone: 01384-814802)
0577 Corporate Resources	Waiver of Contract Standing Orders	Waiver of Contract Standing Orders by the Cabinet Member for Finance in appropriate circumstances. Items will be considered in private session to avoid the disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 relating to the financial or business affairs of any particular person (including the authority).	April 2013 - March 2014	Returned tender documents/Council's Standing Orders; Records; maintained by the Chief Executive; Reports/correspondence by the; Director of Corporate Resources	The Scheme of Delegation requires the Cabinet Member for Finance to consult the Treasurer. Where approporiate Stakeholders with an interest in the contract(s) will also be consulted as part of the contract evaluation exercise.	Cllr Peter Lowe	lain Newman Treasurer (Phone: 01384-814802)
0578 Urban Environment	Dudley Local Enterprise Zone (LEZ)	To approve the management plan for the Dudley LEZ scheme.	Cabinet September 2013	Cabinet Report - Proposed Dudley Local Enterprise Zone - 14th March; 2012; Black Country Local Enterprise Partnership - Submission to DCLG; for a Black Country Enterprise Zone - August 2011	Consultation with property owners will be undertaken in December 2012. Consultation has taken place with the Dudley Business Group on the 19th December, 2012.	Cabinet	Phil Coyne Assistant Director, Economic Regeneration & Transportation (Phone: 4004)

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Forward Plan of Key Decisions

Decisions due to be made during the four month period from 01 Jun 2013

Decision No Directorate	Project Name	Key Decision	Decision Period Meeting Date	Reports, Appendices & Background Papers	Consultation Details	Decision Taker	Contact Name
Adult, Comm & Hous.Services	Exceptions to the Council's Housing Allocations Scheme (Special Cases)	Individual decisions may be made in regard to the housing applications of people with exceptional circumstances not catered for within the Council's Housing Allocations Scheme. Items will be considered in private session to avoid the disclosure of exempt information as defined in paragraph 2 of part 1 of schedule 12a to the Local Government Act 1972 relating to information likely to reveal the identity of an individual.	February 2013 - March 2014	Individual reports; Lettings Policy	Individual cases are not consulted upon. The Council Housing Allocations scheme is subject to statutory consultation with registered providers and informal and formal consultation with other stakeholders.	Andrea Pope-Smith	Diane Channings Assistant Director of Housing (Housing Management) (Phone: (01384) 815063)
0586 Corporate Resources	Revenue Budget Strategy 2014/15	To consider the Revenue Budget Strategy for 2014/15 and future years.	June 2013 - February 2014	Report(s) of the Chief Executive,; Treasurer and Director of Corporate Resources	Public consultation - possible use of Citizen's Panel and Internet. Consultation with representatives of the Non-Domestic Ratepayers.	Cabinet	lain Newman Treasurer (Phone: 01384-814802)
0587 Corporate Resources	Review of Housing Finance	To approve the revised Housing Revenue Account budgets for 2013/14 and updates to the 30 year Housing Revenue Account Business Plan. To approve the amendments to the Public Sector Housing Capital Programme for 2013/14 to 2017/18.	Cabinet June 2013		Corporate Board, Directorate of Adult, Community and Housing Services Senior Management Team. Corporate Resources (Finance).	Cabinet	Catherine Ludwig Housing Finance Manager, Directorate of Finance, ICT etc (Phone: 01384 815075)
0591 Urban Environment	20mph zone priorities	To consider the outcome of consultation into the process and to agree priorities for further investigation.	Cabinet June 2013	Revised draft protocol for the selection of sites for 20mph zones	Detailed schemes would be subject to full public consultation in line with Council protocol for consultation as part of the ongoing programme development.	Cabinet	Martyn Holloway DUE

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