

# **COMMITTEE AND SUB- COMMITTEE MINUTES**

**FEBRUARY 2013  
TO  
MARCH 2013**

**AND  
DELEGATED DECISION  
SUMMARIES**

**(see delegated decision summaries page for  
details of how to access decision sheets)**



## LIST OF MEETINGS

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Coseley East and Sedgley	11/02/2013	CESCF/1	CESCF/3
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Netherton, Woodside and St Andrews and Quarry Bank and Dudley Wood	12/02/2013	NWSAQBDWC F/1	NWSAQBDW CF/4
Gornal and Upper Gornal and Woodsetton	13/02/2013	GUGWCF/1	GUGWCF/3
Norton, Pedmore and Stourbridge East and Wollaston and Stourbridge Town	13/02/2013	NPSEWSTCF/1	NPSEWSTCF/ 4
Belle Vale, Halesowen North, Halesowen South and Hayley Green and Cradley South	13/02/2013	BVHNHSHGCS CF/1	BVHNHSHGC SCF/3
Kingswinford North and Wall Heath, Kingswinford South and Wordsley	19/02/2013	KNWHKSWCF/ 1	KNWHKSWC F/3
Amblecote, Cradley and Wollescote and Lye and Stourbridge North	19/02/2013	ACWLSNCF/1	ACWLSNCF/4
Brierley Hill and Brockmoor and Pensnett	20/02/2013	BHBPCF/1	BHBPCF/4

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Meeting of the Cabinet	20/03/2013	C/50	C/57
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**ACTION NOTES OF THE MEETING OF COSELEY EAST/SEDGLEY  
COMMUNITY FORUM**

held at 6.30 pm on Monday 11<sup>th</sup> February, 2013  
at the Coseley School, Henne Drive, Coseley

**PRESENT:-**

Councillor G Davies (Chair)  
Councillor Caunt (Vice Chair)  
Councillors Evans, Ridney and Mrs Westwood

**Officers:-**

Mr B Clifford (Lead Officer to the Forum) (Assistant Director, Health Reform Programme Lead – Directorate of Adult, Community and Housing Services) and Mr J Jablonski (Directorate of Corporate Resources)

Together with nine members of the public.

1 **INTRODUCTIONS BY THE CHAIR**

The Chair welcomed everyone to this the first meeting of the Coseley East/Sedgley Community Forum and in his remarks commented on the purpose of the new Community Forums set up by the Council. Following the making of other general announcements the local councillors and council officers introduced themselves.

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2 **APOLOGY FOR ABSENCE**

An apology for absence was submitted on behalf of Councillor Mottram.

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3 **LISTENING TO YOU – QUESTIONS AND COMMENTS FROM LOCAL RESIDENTS**

The following queries/complaints were raised:-

<u>Nature of Query/Complaint</u>	<u>Referred to</u>
1. What plans does the Labour Party have as concerns Coseley/Regeneration/New Build/Housing more especially the Mount Pleasant School and its future	Director of the Urban Environment
2.(a) Parking Scheme – Gough Road – Any start date?	Director of the Urban Environment

- |     |  |                                   |
|-----|--|-----------------------------------|
| (b) | What is the programme for cleaning storm water gullies – heavy rain fall causing flooding in low dips and roads more often in relation to Dark House Lane/Gough Road and adjoining streets   | See above                         |
| 3.  | Horrendous smell from Ezee Fil (business in Dark House Lane) causes issues for church activities at Dark House. Also can be smelled in Keats Drive/Siddons Road/Legge Lane etc. Previously reported and did seem to improve but recently reoccurred. | Director of the Urban Environment |

Other Issues Raised:-

- Proposed reintroduction of playing fields in the Wallbrook area and related issues of parking congestion when football matches were being played
- Introduction of wheelie bins in those areas of Coseley that had previously not had them
- Current position regarding the former Coseley baths site
- Information given in respect of Police issues in particular meetings of the PACT the next one of which was to be held on 28<sup>th</sup> February
- Thefts of lead to schools in the Coseley area and the implications of this with a view to publicising these matters

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4

WORKING WITH YOU – TOPICS RAISED BY LOCAL COUNCILLORS

No additional matters were commented on by local councillors.

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5

AREA GRANTS

A report of the Lead Officer was submitted on an application for funding received from Sedgley and District Community Association.

**AGREED TO RECOMMEND –**

That the Director of Corporate Resources approve the making of a grant in the sum of £5000 to Sedgley and District Community Association for building work and to install new guttering and relocation of the sink in the store room.

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DATE, TIME AND VENUE OF NEXT MEETING

Noted that the next meeting of the Community Forum would be on Tuesday.  
16<sup>th</sup> April 2013 at 6.30 pm at St Andrews Church, Bilston Street, Sedgley

The meeting ended at 7.06 pm



**ACTION NOTES OF THE MEETING OF CASTLE AND PRIORY, ST  
JAMES'S AND ST THOMAS'S COMMUNITY FORUM**

Monday, 11<sup>th</sup> February, 2013 at 6.30 p.m.  
at St Thomas's Community Network, Beechwood Road, Dudley

**PRESENT: -**

Councillor K Finch (Chair)  
Councillor A Ahmed (Vice-Chair)

Councillors K Ahmed, Ali, Arshad, M Aston, A Finch and Waltho

**OFFICERS:**

Mr M Bowsher (Lead Officer to the Forum), Quality and Commissioning –  
Directorate of Adult, Community and Housing Services and Mrs K Griffiths –  
Directorate of Corporate Resources

together with eighteen Members of the public

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1. **APOLOGY FOR ABSENCE**

An apology for absence from the meeting was received on behalf of  
Councillor Roberts.

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2. **INTRODUCTIONS BY THE CHAIR**

The Chair welcomed everyone to the first meeting of the Castle & Priory, St  
James's and St Thomas's Community Forum and in his remarks  
commented on the purpose of the new Community Forums set up by the  
Council. Following the making of other general announcements the local  
councillors and council officers introduced themselves.

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3. **LISTENING TO YOU: QUESTIONS AND COMMENTS FROM LOCAL  
RESIDENTS**

A number of questions and comments were raised by local residents in  
relation to the following:-

**Nature of questions/comments**

**Referred to**

- (1) The footpath outside number 106 Buffery  
Road requires repair work. It was noted  
that the issue had been raised a number  
of times with Dudley Council Plus,  
however, a response had not yet been  
received.

Director of the Urban  
Environment for a  
written response.

(2a)	Following the aftermath of the bad weather/snow, what action has the Local Authority taken in relation to school closures and what lessons have been learnt? Councillors acknowledged that this was a major concern and needed to be addressed and assured the Forum that the issue was currently being investigated.	Director of the Urban Environment for a written response.
(2b)	What forms of consultations have taken place with school following the school closures and could the local community be involved more?	Director of the Urban Environment for a written response.
(3)	Noisy and dangerous manhole cover on Birmingham Road opposite Highfield Road in the outside lane of the Birmingham Road heading towards Dudley.	Director of the Urban Environment for a written response.
(3a)	Toilet facilities in Dudley Town Centre – could these be opened on a Sunday?	Director of the Urban Environment for a written response.
(3b)	Fly tipping, general rubbish dumping and dog fouling is taking place on Council land beside Corporation Road. Could this land be fenced off? It was noted that the issue had been raised a number of times with Dudley Council Plus, however, a response had not yet been received.	Director of the Urban Environment for a written response.
(4a)	Corbyn Road/Middlepark Road/Ashenhurst Road – roads and two speed humps on Corby Road need repairing.	Director of the Urban Environment for a written response.
(4b)	Fly tipping in between numbers 109 and 111 Middlepark Road, causing rat infestation. Could this issue be investigated and cleared? It was noted that the issue had been raised previously, however, no action had been taken.	Director of the Urban Environment for a written response.
(5a)	Illegal parking around Russells Hall area, in particular, Bushyfields Road, Overfield Road, Middlepark Road and Pearce Close. Could this be investigated?	Director of the Urban Environment for a written response.

- |      |  |   |
|------|--|---|
| (5b) | Pedestrian crossing at Russells Hall Hospital does not give enough time for people to cross the road safely. Could this be investigated? It was noted that the issue had been raised previously, however, no action had been taken.          | Director of the Urban Environment/Director of Children's Services for a written response. |
| (5c) | When are plastic recycling bins going to be issued in the Russells Hall area?  | Director of the Urban Environment/Director of Children's Services for a written response. |
| (6a) | Closure of Kates Hill Surgery with consequent obligatory dispersal of 1,500 patients. Has the Health Scrutiny Committee done enough to look after the rights of residents to continuity of care and quality of care?                         | Director of Adult, Community and Housing Services for a written response.                 |
| (6b) | What is the Council doing to specifically defend the health of residents in the St Thomas's ward?  | Director of Adult, Community and Housing Services for a written response.                 |
|      | The Cabinet Member for Adult and Community Services, together with the Deputy Leader of the Council expressed their disappointment at the decision to close Kates Hill Surgery, and assured the Forum that this issue would be investigated. |   |
| (7)  | Dudley Mosque Appeal – date and time was requested, whether it was going to be open to the public and also whether representatives would be given the opportunity to speak at the Appeal.  | Director of Corporate Resources for a written response.                                   |

Other Issues Raised:-

- Car parks in general need to be cleared of snow in future.
- The Centre for Equality and Diversity referred to the consultation on the Community First Plan and encouraged local residents to attend workshops and get involved to ensure local issues are incorporated in the Plan. It was noted that the event would be publicised and circulated shortly.
- Dudley Group of Hospitals - mention was made to the recent report in which it stated that a number of Hospitals would be investigated due to the high number of deaths.

- Dudley Health Trainer Programme was promoted and awareness was raised in relation to Healthwatch and the services that Priory Pharmacy provided.
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4. WORKING WITH YOU – TOPICS RAISED BY LOCAL COUNCILLORS

- Councillor A Finch referred to the Bedroom Tax and asked that information be circulated to residents.

It was noted that a dedicated hotline was available to any resident who wished for more information. It was also noted that publicity was currently being worked on.

- Councillor A Finch referred to the Summer Road Estate Office and requested an update on the position.
  - Councillor A Finch referred to the condition of the roads on the Castle and Priory Ward and requested an update on the situation.
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5. AREA GRANTS

A report of the Lead Officer was submitted on two applications for funding.

AGREED TO RECOMMEND:-

- (1) That consideration of the application by Time Step Community Hub in the Castle and Priory Ward for the sum of £4,680 to purchase six months unit rental within the Plaza Mall in Dudley Town Centre with the aim of hosting more easily accessible “drop-in” sessions to communities, be deferred to enable further investigations to be carried out.
  - (2) That the Director of Corporate Resources approve the making of a grant in the sum of £500 to St James’s Road Neighbourhood Watch in the St James’s Ward for the continued hire of the Dudley United Reformed Church Hall, administration support and security items.
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6. DATE, TIME AND VENUE OF NEXT MEETING

Noted that the next meeting of the Community Forum would be on Tuesday 16<sup>th</sup> April, 2013 at 6.30pm at a venue to be confirmed.

The meeting ended at 8.00 pm

**ACTION NOTES OF THE MEETING OF NETHERTON, WOODSIDE AND  
ST ANDREWS/QUARRY BANK AND DUDLEY WOOD  
COMMUNITY FORUM**

Held at 6.30 pm on Tuesday 12<sup>th</sup> February, 2013 at Netherton Arts Centre,  
Northfield Road, Netherton

**PRESENT:-**

Councillor Zada (Chair)  
Councillors Cowell, Duckworth, Sparks and Wood

**Officers**

Mr M Williams (Lead Officer to the Forum) (Assistant Director, Environmental Management – Directorate of the Urban Environment) and Mr J Jablonski (Directorate of Corporate Resources)

Together with eighteen members of the public.

**1                    INTRODUCTIONS BY THE CHAIR**

The Chair welcomed everyone to this the first meeting of the Netherton, Woodside and St Andrews/Quarry Bank and Dudley Wood Community Forum and in his remarks commented on the purpose of the new Community Forums set up by the Council. Following the making of other general announcements the local councillors and council officers introduced themselves.

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**2                    APOLOGY FOR ABSENCE**

An apology for absence was submitted on behalf of Councillor Cotterill.

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**3                    LISTENING TO YOU – QUESTIONS AND COMMENTS FROM LOCAL RESIDENTS**

The following written queries/complaints were raised:-

**Nature of Query/Complaint**

**Referred to**

- |    |  |                                 |
|----|--|---------------------------------|
| 1. | Why is no consideration given to Tenants and Residents Associations when fixing the date of meetings given that we have to notify the dates of our meetings to the Council and this Forum clashes with two Tenant and Resident Association meetings. | Director of Corporate Resources |
|----|--|---------------------------------|

2.	Fly tipping of garden waste down the bank (off Quarry Road) also other waste in this conservation area	Director of the Urban Environment
3.	Developments on re-opening of Black Horse playing field after issues with changing rooms	Director of the Urban Environment
4(a)	Speed camera at Cinder Bank has been removed	Director of the Urban Environment
4(b)	Litter problem following the promotion of the litter picker in Netherton to another area of the borough	Director of the Urban Environment
4(c)	Whether the Council still owned the former estate office in Buffery Road	Director of the Urban Environment
4(d)	The provision of toilet facilities in Netherton	Director of the Urban Environment/ Netherton Regeneration Group at a forthcoming meeting
4(e)	Pot holes in road ways	Director of the Urban Environment
5.	The drains in Netherton area in particular Upton Street, Church Road, St John's Street	Director of the Urban Environment
	Reference also made to a drain in New Road	

Other Issues Raised Orally:-

1.	Query regarding the number of black sacks issued to residents	Lead Officer to arrange for checks to be undertaken
2.	Signage regarding the titanic anchor	Netherton Regeneration Group - currently raising money in this regard
3.	Query raised regarding the operation of the drainage wagons	Lead Officer to respond to the questioner

4. Pot holes generally

Residents with any other concerns regarding pot holes were asked to see the Lead Officer to the Forum at the conclusion of the meeting

Other Issues Raised:-

- Appropriate alternative arrangements, following an assessment ,could possibly be put in place should residents for example those who were elderly have difficulty in accommodating wheelie bins.
- That currently there was no intention to charge for green bin collections
- That arising from comments made it was reported that highway maintenance was a priority in particular dealing with potholes especially given the exceptional weather conditions during the last year. Overall the priorities were roads, potholes and the reconstruction programme. Whilst principal roads were a priority all roads were listed and if deterioration had occurred to a significant degree, the particular road in question would receive a higher rating for action.

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4

WORKING WITH YOU – TOPICS RAISED BY LOCAL COUNCILLORS

- (a) Councillor Duckworth referred to a number of complaints that he had received regarding the lack of gritting in various areas.
- (b) Councillor Sparks referred to
  - (a) A proposal by Centro to introduce car park charges at Cradley Heath station and requested that representations be made to Centro to the effect that car park charges should not be introduced.
  - (b) Again in relation to Cradley Heath station and the introduction of a reduced service by Chiltern railways due to the new express service using trains of a length that could not be accommodated at Cradley Heath station due to the type of platform in use at the station. He requested that representations again be made to Centro to the effect that services provided by Chiltern railways be maintained and that any technical difficulties be overcome to achieve this.

- (c) In respect of pot holes and the recent inclement weather whether officers were proactively checking on roads rather than waiting for problems to be identified to them.  
Particular reference was made to Halesowen Road. In response to this query it was reported that officers had been out checking on roads and that if any road presented a particular concern members were asked to report it.

In response to the other two points raised the Lead Officer undertook to contact relevant colleagues so that representations could be made to Centro on the matters raised.

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5

#### AREA GRANTS

A report of the Lead Officer was submitted on an application for funding received from the friends of Netherton Park.

Councillor Duckworth did not take part in the consideration of this matter as he is a member of the Friends of Netherton Park.

#### AGREED TO RECOMMEND

That the Director of Corporate Resources approve the making of a grant in the sum of £750 to the Friends of Netherton Park to enable them to purchase equipment to clear and maintain the Wild Life Area of Netherton Park.

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6

#### DATE, TIME AND VENUE OF NEXT MEETING

Noted that the next meeting of the Community Forum would be held on Wednesday, 17<sup>th</sup> April, 2013 at 6.30 pm at the Savoy Centre, Northfield Road, Netherton.

It was further noted that in the forthcoming municipal year venues in other parts of the wards would be used for the holding of Community Forums.

The meeting ended at 7.15 p.m.



**ACTION NOTES OF THE MEETING OF GORNAL/UPPER GORNAL AND  
WOODSETTON COMMUNITY FORUM**

**HELD AT 6.30PM ON WEDNESDAY 13<sup>TH</sup> FEBRUARY, 2013**

**AT THE UPPER GORNAL METHODIST CHURCH, KENT STREET, SPILLS MEADOW,  
DUDLEY**

PRESENT:-

Councillor Casey (Chair)  
Councillor Branwood (Vice Chair)  
Councillors Mrs Ameson, Aston, S Turner and Wright

Officers:-

Mr D Lowndes (Lead Officer to the Committee) (Assistant Director Culture and Leisure) – (Directorate of the Urban Environment) and Miss K Fellows (Directorate of Corporate Resources).

Together with eight members of the public

**1 INTRODUCTIONS BY THE CHAIR**

The Chair welcomed those present to the meeting and Members introduced themselves. The Chair outlined the purpose of the Forum meeting.

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**2 LISTENING TO YOU: QUESTIONS AND COMMENTS FROM LOCAL RESIDENTS**

The following queries/complaints were raised:-

<u>Nature of Query/Complaint</u>	<u>Referred to</u>
1. Can local residents receive communications from the Council in relation to forthcoming issues that they may become involved with. There was a suggestion that issues and the Forums should be publicised in Dudley Together.	Chief Executive
2(a) Concerns in relation to the condition of the roads and the potholes in roads within the Sedgley area.	Director of the Urban Environment
2(b) Could a snow-clearing programme be put in place to clear snow from local shopping areas and precincts.	Director of the Urban Environment

- |      |   |                                   |
|------|---|-----------------------------------|
| 2(c) | Could the grit bin outside the Upper Gornal Methodist Church be re-filled and maintained.   | Director of the Urban Environment |
| 3.   | A request that a snow moving scheme be implemented by the Council with the appointment of volunteer champions to clear driveways and paths for local residents who required and requested assistance. | Director of the Urban Environment |

Other issues raised:-

- That planning applications that affected the local area could be raised and discussed at future meetings of the Forum
- In relation to the recent weather conditions support was given to the suggestion that pavements should be cleared within local shopping areas.
- In relation to the introduction of wheelie bins within the Borough, those who required assisted collections could still apply to the Council for these and those residents who resided in flats and terraced houses would still receive black refuse bags

3. WORKING WITH YOU: TOPICS RAISED BY LOCAL COUNCILLORS

No additional matters were commented on by local councillors.

4 AREA GRANTS

A report of the Lead Officer was submitted on an application for funding that had been received following the last meeting of the North Dudley Area Committee from Upper Gornal Methodist Church for the sum of £5,000 which had been approved following consultation with the Chair/Vice Chair and Ward Members.

The Lead Officer also referred to the application for funding that had been received from the Oval Tenants and Residents Association which was referred to in the report submitted.

**AGREED TO RECOMMEND**

That the Director of Corporate Resources approve the making of a grant in the sum of £2,397.60 to Oval Tenants and Residents Association for the costs of replacement of a 60 metre section of fencing which formed the boundary on Eve Lane and grazing land on Swanbrook Valley.

5 DATE, TIME AND VENUE OF NEXT MEETING

Noted, that the next meeting of the Community Forum would be on Wednesday 17<sup>th</sup> April, 2013 at 6.30pm at the Baggeridge Welfare Club, 1 The Straits, Lower Gornal.

The meeting ended at 7.30pm

**ACTION NOTES OF THE MEETING OF NORTON/PEDMORE AND  
STOURBRIDGE EAST/WOLLASTON AND STOURBRIDGE TOWN COMMUNITY  
FORUM**

Held at 6.30pm on Wednesday 13<sup>th</sup> February, 2013  
at St Michael and All Angels Church Hall, Maynard Avenue, Norton

**PRESENT:-**

Councillor Attwood (Chair)  
Councillor Wilson (Vice-Chair)

Councillors Elcock, Hale, Kettle, Rogers, Sykes

**OFFICERS:-**

Mrs S Holmyard (Lead Officer to the Forum), (Assistant Director of Planning and Environmental Health) - (Directorate of the Urban Environment) and Miss H Shepherd – Directorate of Corporate Resources

Together with 13 members of the public

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**1     APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were submitted on behalf of Councillors L Jones and Marrey.

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**2     INTRODUCTIONS BY THE CHAIR**

The Chair welcomed everyone to the first meeting of the Norton, Pedmore and Stourbridge East, Wollaston and Stourbridge Town Community Forum and in his remarks commented on the purpose of the new Community Forums set up by the Council. Following the making of other general announcements the local councillors introduced themselves.

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**3     LISTENING TO YOU - QUESTIONS AND COMMENTS FROM LOCAL RESIDENTS**

A number of questions and comments were raised by local residents in relation to the following:-

**Nature of questions/comments**

**Referred to**

- |   |   |
|---|---|
| (1) Collapsed wall at Red Hill. The issue had been reported and works had commenced. However, it was considered to now be causing major traffic issues especially for buses in Cranbourne Road. | Director of the Urban Environment for a written response. |
|---|---|

- |      |   |   |
|------|---|---|
| (2)  | Several residents raised issues in relation to the road and pavements in Cranbourne Road, Stourbridge due to the closure of Red Hill and buses using it as an alternative route, causing vehicles to mount the footpath to enable them to pass. It was noted that this issue had also been raised direct with the Directorate of the Urban Environment. | Director of the Urban Environment for a written response.                         |
| (3a) | Lack of road signage on the Stourbridge ring road/Church Street, Stourbridge, alerting motorists to the diversions/road works at Red Hill.  | Director of the Urban Environment for a written response.                         |
| (3b) | Who will be the delegated trustees for the Ernest Stevens Trust, now that Stourbridge Area Committee no longer exists.  | Director of Corporate Resources for a verbal or written response.                 |
| 3(c) | Drainage at The Bell Hotel, Stourbridge. Rainwater down pipes are not attached to any drainage system so water is falling directly on to the footpath.  | Director of the Urban Environment for a verbal or written response                |
| (4a) | Council Lettings Policy and the validation of respected tenants. Issue raised in relation to the requirement of a bank/building society providing a reference on the new application form, which they are refusing to complete.   | Director of Adult, Community & Housing Services for a verbal or written response. |
| (4b) | All Members of the Forum requested that they be provided with a copy of the new lettings policy pack.   | Director of Adult, Community & Housing Services for a written response.           |
| (4c) | Drainage on Norfolk Road, Stourbridge. The road had recently been resurfaced, but the surface levels were incorrect causing water to congregate in the centre of the carriageway.   | Director of the Urban Environment for a verbal or written response.               |
| (5)  | Requesting a dropped kerb in front of 14 Maynard Avenue and if the Directorate of Adult, Community and Housing Services could provide financial assistance with this.   | Director of Adult, Community and Housing Services to provide a written response.  |

#### Other issues raised:-

- Potholes in the following areas:-
    - Norton Road, Stourbridge
    - At the junction of Pedmore Lane and Gauden Road, Stourbridge
    - The top of The Broadway, Norton
    - 2 large potholes in Heath Street, Stourbridge
    - Hagley Road, Stourbridge near to The Foley Arms
  - Community Forum Funding applications and how these would now be approved and what the current balance available was.
  - Possible discrepancy in the allotted Community Forum Funding balance and the position with regard to the annual payment of £10,000 that had previously been approved by the former Stourbridge Area Committee for refurbishment and ongoing maintenance of Mary Stevens Park gates.
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#### 4 WORKING WITH YOU - TOPICS RAISED BY LOCAL COUNCILLORS

Councillor Kettle raised concerns in relation to the trees in Stevens Road, Stourbridge. It was stated that this issue had previously been raised and ward members would be alerted to tree works planned in advance.

Councillor Elcock informed the Forum that a survey had been distributed to residents asking for suggestions as to where the preferred location of a 'teen shelter' and new benches within the Swanpool Park would be situated and that ballot boxes had been placed in three different locations in the area. He also stated that an open day had been arranged on the park for Saturday 23<sup>rd</sup> February, 2013. All were welcome to attend.

Councillor Mrs Rogers requested an update in relation to the re-construction of a wall in South Road/Charles Road, Stourbridge and when these works would be completed. Councillor Hale responded and stated that he had been informed that works would be completed by 18<sup>th</sup> March, 2013.

Members raised concerns in relation to blocked drains/gullies and flooding issues in the following areas:-

- Highpark Avenue/Bridgnorth Road
- Outside the Plough & Harrow Public House, Worcester Lane
- Eggington Road, junction with Merriden Avenue
- Area at the rear of The Crown Inn, Hagley Road, Oldswinford

Councillor Elcock raised concerns in relation to speeding traffic in Studley Gate, Stourbridge. Police present agreed to monitor the situation.

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5    AREA GRANTS

The Lead Officer gave a verbal update to Members stating that no new applications had been received and highlighted the remaining balances available for the Forum.

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6    DATE, TIME AND VENUE OF NEXT MEETING

Noted that the next meeting of the Community Forum would be on Thursday 18<sup>th</sup> April, 2013 at 6.30pm at Stourbridge Town Hall, Crown Centre, Crown Lane, Stourbridge.

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The meeting ended at 8.10 pm.

**ACTION NOTES OF THE MEETING OF BELLE VALE, HALESOWEN  
NORTH, HALESOWEN SOUTH, HAYLEY GREEN AND CRADLEY SOUTH  
COMMUNITY FORUM**

held at 6.30 pm on Wednesday 13<sup>th</sup> February, 2013  
at the Earls High School, Furnace Lane, Halesowen.

**PRESENT:-**

Councillor Burston (Chair)  
Councillor Taylor (Vice-Chair)

Councillors Nicholls, Russell, Bills, Hill, Vickers, H.Turner and K.Turner

**Officers:-**

Mr P Coyne (Lead Officer to the Forum - Assistant Director, Economic Regeneration and Transportation), Mr S Griffiths and Miss L Mason (both Directorate of Corporate Resources)

Together with twelve members of the public.

1 **INTRODUCTIONS BY THE CHAIR**

The Chair welcomed everyone to the first meeting of the Belle Vale, Halesowen North, Halesowen South, Hayley Green and Cradley South Community Forum and in his remarks commented on the purpose of the new Community Forums set up by the Council. Following the making of other general announcements the local councillors and council officers introduced themselves.

2 **APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf of Councillors James, Woodall and Mrs. Shakespeare.

3 **LISTENING TO YOU – QUESTIONS AND COMMENTS FROM LOCAL RESIDENTS**

The following queries/complaints were raised:-

<u>Nature of Query/Complaint</u>	<u>Referred to</u>
1. The issue of parking in the road around Highfield Lane, Halesowen.	Director of the Urban Environment for a written response.



#### Other Issues Raised:-

- Speeding around Portsdown Road AND Lutley Lane, Halesowen. Responses were given in respect of concerns about how often the light-up speed control sign was triggered and the use of technology for enforcement purposes.
- Issue of safety in relation to the gulley by Red Leasowes and the Hare and Hounds Public House. The Police were aware of various issues and appropriate action had/would be taken.
- Regarding the Council Tax Freeze, responses were given by Members on the reasons for this. A decision would be made by the council on 4<sup>th</sup> March 2013.
- The state of the site of the Button Factory, Stourbridge Road. Noted that a notice had been sent to owners to undertake clearing work on the site due to complaints from local residents.

#### WORKING WITH YOU – TOPICS RAISED BY LOCAL COUNCILLORS

In the context of an update on policing issues, Councillor Bills raised the issue of dog fouling and the issue of inconsiderate parking. People were encouraged to report relevant issues and anti-social behaviour to the police and relevant agencies.

Councillor Bills raised the issue of inconsiderate parking. Members were asked to report such instances to the police.

Councillor K Turner raised the issue of the 20mph speed limit around schools. A member of the public suggested such a limit be implemented by Hasbury School as the road was dangerous. The Director of Urban Environment would be asked for a timetable for the implementation of 20mph zones around school in the area in line with the previous Council's resolution. It was raised that there are currently discussions with CENTRO regarding the bus lanes around Halesowen.

Councillor Burston raised the issue of a request from a private company to buy the car park below Maybrook House. The Lead Officer would advise members of the position on this.

Councillor K Turner raised the issue of the Halesowen Area Action Plan and commented that further developments needed to be done to the other parts of Halesowen.

Councillor K Turner also raised the issue of potholes in the area, specifically in Wassell Road, Halesowen.

5

AREA GRANTS

A report of the Lead Officer was submitted on three applications for funding.

It was noted that the applications received from St Margarets Well Surgery, and Halesowen Royal British Legion would be deferred for consideration at the next Community Forum meeting.

AGREED TO RECOMMEND –

That the Director of Corporate Resources approve the making of a grant in the sum of £4,595.20 to the Ups and Downs group to cover toys and trips provided to Families with Children with Down Syndrome.

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6

DATE, TIME AND VENUE OF NEXT MEETING

Noted that the next meeting of the Community Forum would be held on Thursday 18<sup>th</sup> April, 2013 at 6.30pm at Lutley Community Centre, 31 Brookwillow Road, Halesowen.

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The Meeting ended at 7.35pm

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**ACTION NOTES OF THE MEETING OF KINGSWINFORD NORTH AND  
WALL HEATH/KINGSWINFORD SOUTH AND WORDSLEY COMMUNITY  
FORUM**

Tuesday, 19<sup>th</sup> February, 2013 at 6.30 p.m.  
at Holy Trinity Church Hall, Wordsley

**PRESENT: -**

Councillor D Blood (Chair)  
Councillor P Miller (Vice-Chair)

Councillors Mrs Billingham, Mrs Boleyn, P Harley, Mrs Simms and Tyler

**OFFICERS:**

Mr I Newman (Lead Officer to the Forum), Treasurer and Mrs L Jury – Both  
Directorate of Corporate Resources

together with 16 Members of the public

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1. **APOLOGY FOR ABSENCE**

Apologies for absence from the meeting were received on behalf of  
Councillors Hemingsley and Jones.

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2. **INTRODUCTIONS BY THE CHAIR**

The Chair welcomed everyone to the first meeting of the Kingswinford North  
and Wall Heath/ Kingswinford South and Wordsley Community Forum and  
in his remarks commented on the purpose of the new Community Forums  
set up by the Council. Following the making of other general  
announcements the local councillors and council officers introduced  
themselves.

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3. **LISTENING TO YOU: QUESTIONS AND COMMENTS FROM LOCAL  
RESIDENTS**

A number of questions and comments were raised by local residents in  
relation to the following:-

**Nature of questions/comments**

**Referred to**

(1) The future of New Bradley Hall  
Residential Home was questioned and in  
response it was noted that the budget to

Director of Adult,  
Community and Housing  
Services for a written

	be submitted to full Council on 4th March did not include any proposal for closure of the home.	response.
(2)	Concern raised regarding the poor state of repair of the Borough's roads, especially pot-holes that have emerged on the Kingswinford Road, outside Russells Hall Hospital. All roads and footpaths need work to be undertaken.	Director of the Urban Environment for a written response.
(2i)	People parking cars are trashing Grass verges in Standhills Road and Earls Street. What can be done to reinstate the grass verges to a good level and stop any further deterioration. Photographs are available and we would welcome a visit from the Council.	Director of the Urban Environment for a written response.
(3)	Why have the meetings with the bus users ceased? In reply it was noted that these meetings have just been reintroduced.	Councillor Harley to send a list of meeting dates and venues to the questioner.
(3i)	Concern regarding the level and stability of soil in the quarry at Wall Heath backing onto Blaze Park Road.	Lead Officer in liaison with Director of Urban Environment to correspond with the relevant local Authority regarding this matter.
(3ii)	Update on proposal to build a new quarry in Wall Heath.	A verbal answer was given at the meeting.
(3iii)	Proposal to bestow the Honorary Freeman of the Borough to Tommy Mundon.	Proposal to be discussed at Political Party Group meetings.
(4)	Who is responsible for gritting the driveway at New Bradley Hall Residential Home? The Council have previously been contacted regarding this issue and a grit bin was installed. However, staff at the home had now been advised by the Union not to grit the drive or shovel away snow.	Director of Adult, Community and Housing Services to liaise with Director of the Urban Environment for a written response.

#### Other Issues Raised:-

- In today's climate of financial constraints, proposal to cut the number of serving Councillors instead of services.
- PC Ravenscroft gave a verbal update on the new structure of the Neighbourhood Team and crime figures within the area. Reference was also made to the PACT meetings that any residents can attend. The next meeting is 12<sup>th</sup> March at Kingswinford Community Centre, then 23<sup>rd</sup> April and 22<sup>nd</sup> May.
- Memorial for Round Oak Steel Workers.

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#### 4. WORKING WITH YOU – TOPICS RAISED BY LOCAL COUNCILLORS

- Councillor Miller referred to the increase in dog-fouling in his Ward, in particular Barnett Lane/Cot Lane and especially outside schools. An increase in enforcement action to be taken was requested. In response, the launch of a new initiative to report persistent offenders was noted along with a scheme that had been undertaken in Liverpool that had seen a decrease in fouling.

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#### 5. AREA GRANTS

A report of the Lead Officer was submitted on an application for funding from 4 US Project in the Wordsley Ward.

##### AGREED TO RECOMMEND:-

- (1) That consideration of the application by the 4 US Project for the sum of £3,552 to enable them to purchase furniture and equipment for the group who support people with learning disabilities, be deferred for a statement for support of the work of the group to be requested from Adult Services and further investigations to be undertaken.

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#### 6. DATE, TIME AND VENUE OF NEXT MEETING

Noted that the next meeting of the Community Forum would be on Tuesday 23<sup>rd</sup> April, 2013 at 6.30pm at a venue to be confirmed.

The meeting ended at 8.30pm.

**ACTION NOTES OF THE MEETING OF AMBLECOTE, CRADLEY AND  
WOLLECOTE, LYE AND STOURBRIDGE NORTH COMMUNITY FORUM**

Held at 6.30pm on Tuesday 19<sup>th</sup> February, 2013  
At Lye Community Centre, Cross Walks, Lye.

**PRESENT:-**

Councillor Herbert (Chair)  
Councillor Perks (Vice-Chair)

Councillors Body, Crumpton, Hanif, Lowe Partridge.

**OFFICERS:-**

Miss J Porter (Lead Officer to the Forum - Director of Children's Services) - Miss L  
Mason and Mrs K Griffiths – (both Directorate of Corporate Resources)

Together with 16 members of the public.

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**1     APOLOGY FOR ABSENCE**

An apology for absence from the meeting was submitted on behalf of Councillor Mrs.  
Martin.

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**2     INTRODUCTIONS BY THE CHAIR**

The Chair welcomed everyone to the first meeting of the Amblecote, Cradley and  
Wollescote, Lye and Stourbridge North Community Forum and in her remarks she  
commented on the purpose of the new Community Forums set up by the Council.  
Following the making of other general announcements the local councillors  
introduced themselves. The Chair also asked the members of the public to introduce  
themselves.

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**3     LISTENING TO YOU - QUESTIONS AND COMMENTS FROM LOCAL RESIDENTS**

A number of questions and comments were raised by local residents in relation to  
the following:-

**Nature of questions/comments**

**Referred to**

- |   |   |
|---|---|
| (1)     Resident asked what the plans were for the<br>Chorus Office Block, Lye.   | Director of the Urban<br>Environment for a written<br>response. |
| (2)     Resident wanted to know whether Lye<br>Cricket/Football club is being sold, and what the<br>plans for this site were. | Director of the Urban<br>Environment for a written<br>response. |

(3)	Several residents commented on the severity of the overhanging trees in Cemetery Road. Residents commented on the danger of these especially when Lorries drive down the road.	Director of the Urban Environment for a written response.
(3a)	Several residents wanted to know why the proposal for the 'no right turn' alteration for the Junction of Cemetery Road and Pedmore road was never put into force.	Director of Urban Environment for a written response.
(3b)	Residents also stated that there was a proposal for Cemetery Road (between Pedmore Road, and Stourbridge Road) to be marked as 'unsuitable for heavy vehicles'. Residents would like to know why this was never actioned.	Director of the Urban Environment for a written response.
(4)	Issue regarding water pooling in Birmingham Street. Resident explained that water flow from Stepping Stones will occasionally freeze. This caused a bad accident recently.	Director of the Urban Environment for a written response.
(4b)	There is no signage from Foster Road East onto the Stourbridge Ring Road, which makes it dangerous for vehicles who do not know that you cannot pull out of here, as there are only 'no entry' signs at the end.	Director of the Urban Environment for a written response.
(4c)	Who are the delegated trustees for the Ernest Stevens Trust and what will the procedure be to apply for funds from allocations?	Director of the Corporate Resources for a written response.
(5)	An issue was raised in relation to the Bowling Clubs at Wollescote Hall Park relating to Equality and Diversity.	Director of Urban Environment for a written response.
(5a)	Does the work being carried out on the building above the One Stop Shop, Turners Lane, require planning permission. There has not been any notices posted in the area.	Director of the Urban Environment for a verbal or written response.
(6)	Resident raised concerns regarding lack of speed limit signs when turning from Thorns Road onto Caledonia, as Thorns Road is a 40mph limit, and Caledonia is only 30mph.	Director of the Urban Environment for a verbal or written response.
(7)	It has been requested that bags of rubbish be removed from various properties in the Colley Gate/Windmill Hill area. <ul style="list-style-type: none"> <li>• Outside the Second Hand Shop, Colley Gate</li> <li>• At the side of the flats, Windmill Hill</li> <li>• At the side of the hairdressers (Cut Above the Rest), Windmill Hill</li> </ul>	Director of the Urban Environment for a verbal or written response.

(7b)	Resident would like to know why the wall has been removed at the side of Vakas Balti.	Director of the Urban Environment for a verbal or written response.
(7c)	Resident has asked for some action to be taken in relation to the dangerous wall by Saporita Pizza, Windmill Hill.	Director of the Urban Environment for a verbal or written response.
(7d)	Resident has asked if anything can be do to smarten up the dilapidated house on the corner of Highfield Road.	Director of the Urban Environment for a verbal or written response.

Other issues raised:-

- A brief update on crime statistics in the area was given.
- Problems at Anchor Bridge/Station Bridge, Withymoor, of people drinking around these areas, residents do not feel that there was any Police presence in this area.
- Bollards at 7 Dwellings Bridge have been removed which is leaving the area open to settlers.
- Problems around Widows Pub, Barratt Lane, with Anti-Social Behaviour and noise pollution. The problems occur after hours. Noted that this pub had applied for a license to extend its hours, and that this had been successfully opposed.
- When buses turn out of Stourbridge Bus station onto Foster Street East, there has been a sculpture erected of a Glass blower which obstructs the view causing danger.
- Several residents raised issues with the public toilets in Stourbridge bus station now being for Drivers only, and that the public toilets are now elsewhere and have to be paid for. Residents were aware that the original toilets were built with EU funding and were not happy that the public must now pay for other facilities. Chair agreed to look into this matter and email members of the forum with a response.
- A member of the public suggested dates for future meetings of the Community Forums be put on the public noticeboard by Bottom Bell Pub.
- Withymoor Cycle track was badly maintained and needs sweeping due to broken glass, bottles and cans being discarded there.
- An issue of security at Wollescote Park was raised, and whether the guard at the Hall can be used to identify such matters.



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#### 4 WORKING WITH YOU - TOPICS RAISED BY LOCAL COUNCILLORS

Councillor Body raised the issue of derelict shops in the Colley Gate area, near the Labour Club, which were left vacant without any fees being paid. He indicated that he would raise the issue of a regeneration plan for Colley Gate at the next forum meeting.

Councillor Perks commented on the introduction of Wheeley bins for general waste and explained the help available for anybody who may struggle with them subject to an assessment by the appropriate team.

Councillor Perks explained there would hopefully be a new service in the area whereby the public could take unwanted items such as bathroom suites, bikes, furniture, and they would be sold on for charity.

Councillor Perks raised the possibility of having Dave Wesson, Street Cleansing Manager, to speak at the next Forum.

Councillor Body informed the Forum that he would be raising money for Homer Hill Park/St Peter's Church. The public could vote for the colour he is having his hair dyed for a fee. It would be shaved off at a later date.

Councillor Crumpton raised the planning application for the new Extra Care Housing facility that had recently been approved.

Councillor Crumpton raised the issue of encouraging more community engagement and explained what a success the 'Community Champions' scheme had been. He also encouraged involvement with DCVS, Providence Methodist Church and Foodbank.

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#### 5 AREA GRANTS

The Lead Officer gave a verbal update to Members stating that no new applications had been received and highlighted the remaining balances available for the Forum.

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#### 6 DATE, TIME AND VENUE OF NEXT MEETING

Noted that the next meeting of the Community Forum would be held on Tuesday 23<sup>rd</sup> April, 2013 at 6.30pm at Amblecote Church Hall, Vicarage Road, Amblecote.

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The meeting ended at 8.35 pm.

## **ACTION NOTES OF THE MEETING OF BRIERLEY HILL/BROCKMOOR & PENSNETT COMMUNITY FORUM**

HELD AT 6.30PM ON WEDNESDAY 20<sup>TH</sup> FEBRUARY, 2013

AT THE NINE LOCKS COMMUNITY CENTRE, HILL STREET, BRIERLEY HILL

PRESENT:-

Councillor Jordan (Chair)  
Councillors Foster, Harris and J Martin.

Officers:-

Ms D Channings (Acting Lead Officer to the Forum) (Assistant Director, Housing Services) – (Directorate of Adult, Community and Housing Services) and Miss K Fellows (Directorate of Corporate Resources).

Together with twenty members of the public

### **1 APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were submitted on behalf of Councillors Islam and M Wilson.

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### **2 INTRODUCTIONS BY THE CHAIR**

The Chair welcomed those present to the meeting and Members introduced themselves. The Chair outlined the purpose of the Forum meeting.

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### **3 LISTENING TO YOU: QUESTIONS AND COMMENTS FROM LOCAL RESIDENTS**

#### Nature of Query/Complaint

#### Referred to

- |   |  |
|---|--|
| 1. Please could you advise of any funding that would be available to erect a monument to commemorate the production of the Simon hydraulic Platforms and Simon Snorkal Firefighting and Rescue appliances in Dudley to be erected at Queens Cross or Pensnett and any financial assistance that could be provided to maintain the monument. | Chief Executive and Director of the Urban Environment. |
| 2. Could the trees that are overhanging the car park at the Nine Locks Community Centre, Hill Street, Brierley Hill be pruned.  | Director of the Urban Environment.                     |

- |      |  |   |
|------|--|---|
| 3.   | The road markings on Swan Lane and Hawbush Road, Brierley Hill are unclear as far as priorities are concerned with motorists ignoring the give way markings which could result in an accident. Could these markings be changed/re-addressed. | Director of the Urban Environment.                |
| 4(a) | Trees in the garden of a resident in Albert Street, Pensnett have been fenced off reducing the garden space. Could the trees be felled to provide the full garden space for the family.  | Director of the Urban Environment.                |
| 4(b) | A Tree in the garden of a resident in Albert Street Pensnett is overgrown and reducing light to the property. Could the tree be felled.  | Director of the Urban Environment.                |
| 4(c) | What is the Council's re-housing policy and criteria. Is it correct that those residing in private accommodation would not meet the criteria.  | Director of Adult, Community and Housing Services |
| 5.   | The lights on the crossroads of Bank Street and Venture Way, Brierley Hill do not allow pedestrians to cross. Could the lighting system be investigated.   | Director of the Urban Environment.                |
| 6.   | What is the time frame for the new wheelie bin system to be implemented within the Borough.  | Director of the Urban Environment.                |
| 7.   | What is the Council's policy when caravans are parked on driveways and their tow bars overhang the pavement resulting in obstructions for pedestrians.   | Director of the Urban Environment.                |
| 8.   | Could a grit bin be installed at High Oak shopping centre.   | Director of the Urban Environment.                |
| 9.   | The path and steps leading from Addison Road to Hawbush Road, Brierley Hill adjacent to St Paul's Church require attention to prevent accidents occurring.   | Director of the Urban Environment.                |

#### Other issues raised:-

- That work would be undertaken with the Cabinet Member for Environment and Culture to develop a public art policy in order to gain recognition for the history and memories of the local area
- A new website was being created in order to record memories in relation to the Round Oak Steel Workers.
- Work was continuing in order to erect a memorial to the Round Oak Steel Workers and funding would for this would continue to be investigated.
- An alternative title for this Forum would be investigated in order that it would not be confused with the Brierley Hill Community Forum.
- The problematic tipping in Albert Street, Pensnett would be investigated by the Director of the Urban Environment.
- That the traffic lighting in Brierley Hill and the High Street had been raised and was currently under review
- There was a system in place that continued to deal with stray horses within the Borough.
- That those seeking funding for memorials within the area could liaise with Brierley Hill Civic Society.
- That the Cabinet Members for Transportation and Community Safety and Environment and Culture would continue to re-visit the policies for dealing with the welfare of animals and liaison was continuing in relation to forming a Friends of the Nature Reserve Group.
- Could the public be vigilant when using cash machines as some in Kingswinford had been targeted and customers details were being obtained without their knowledge and funds were being withdrawn from their accounts.
- That a review was being undertaken in relation to snow clearing operations within the borough.

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#### 4 WORKING WITH YOU: TOPICS RAISED BY LOCAL COUNCILLORS

No additional matters were commented on by local councillors.

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#### 5 COMMUNITY FORUM GRANTS

The Assistant Director of Housing Services reported that both the Brierley Hill and Brockmoor /Pensnett Wards had a current allocation of £5,640 respectively.

6. DATE, TIME AND VENUE OF NEXT MEETING

Noted, that the next meeting of the Community Forum would be on Wednesday 24<sup>th</sup> April, 2013 at 6.30pm at the Brockmoor Primary School, Belle Isle, Brockmoor, Brierley Hill.

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The meeting ended at 8.10pm

## **HEALTH AND ADULT SOCIAL CARE SCRUTINY COMMITTEE**

Tuesday, 26<sup>th</sup> February, 2013 at 6.00 p.m.  
in Committee Room 2 at the Council House, Dudley

### **PRESENT:-**

Councillor Ridney (Chair)  
Councillor K Finch (Vice-Chair)  
Councillors Cowell, Elcock, Harris, Hemingsley, Mrs Rogers, Vickers and C Wilson

### **Officers**

Steve Griffiths, Democratic Services Manager (Acting as Lead Officer to the Committee for this meeting) and Maggie Venables, Assistant Director of Adult, Community and Housing Services

### **Also in Attendance**

Pauline Sharratt – Assistant Director of Children's Services  
Judith Shorrocks – Directorate of Children's Services  
Alison Tennant – Dudley Clinical Commissioning Group  
Laura Broster – Dudley Clinical Commissioning Group  
Marsha Ingham – Dudley and Walsall Mental Health Partnership NHS Trust  
Rosie Musson - Dudley and Walsall Mental Health Partnership NHS Trust  
Derek Eaves – Dudley Group of Hospitals NHS Foundation Trust  
Liz Abbiss – Dudley Group of Hospitals NHS Foundation Trust  
Emma Wilkins – West Midlands Ambulance Service NHS Foundation Trust  
Vickie Whorton – West Midlands Ambulance Service NHS Foundation Trust

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### **30      APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of Councillors Kettle and Mrs Roberts, Mohammed Farooq, Aaron Sangian and Dr David Hegarty.

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### **31      MINUTES**

#### **RESOLVED**

That the minutes of the meeting of the Committee held on 12<sup>th</sup> November, 2012 be approved as a correct record and signed.

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### **32      PUBLIC FORUM**

No issues were raised under this agenda item.

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33      CHANGE IN ORDER OF BUSINESS

With the consent of the Committee, the Chair indicated that Agenda Item No. 7 (National Childbirth Trust – Antenatal Classes) would be considered as the next item of business.

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34      NATIONAL CHILDBIRTH TRUST (NCT) – ANTENATAL CLASSES

The Committee considered a report of the Accountable Officer, Dudley Clinical Commissioning Group (CCG), on changes to the commissioning of National Childbirth Trust (NCT) Parentcraft antenatal classes in the Borough.

The report outlined the background to the discussions leading to the commissioning of the original NCT pilot in 2009, subsequent contractual arrangements and recommendations for future service provision. The report also included recommended actions to ensure that the service was fully evaluated and that a partnership approach be taken to agree future Parentcraft service provision.

The NCT contracts had expired on 20<sup>th</sup> December, 2012 and it had been agreed that the Primary Care Trust and Dudley MBC would not renew the contracts with NCT until performance data was available to demonstrate the success of the service. Dudley MBC had subsequently decided not to renew the NCT contract and the Assistant Director of Children's Services had provided the Committee with a briefing note detailing the circumstances whereby the local authority could not identify the NCT contract as a priority service for continuation.

The report indicated that meetings would take place between officers of the Council and the CCG to consider the joint way forward. NCT had confirmed that the CCG had commissioned them to deliver more classes up to the end of March, 2013 subject to venues being identified. It was accepted that there were a number of learning points in connection with this contract relating to structural changes in the NHS and the future joint commissioning of services.

The Committee emphasised the importance it placed on antenatal services and expressed concern about the availability and access to services and the targeting of support to vulnerable families, particularly if the classes were subject to a charge by NCT. Officers indicated that the NCT contract was only a small part of the overall service delivery and had not been wholly successful in accessing vulnerable groups. Other initiatives with NCT, such as the training of peer mentors, and a more targeted approach had been taken in areas with high levels of deprivation.

The CCG indicated that a maternity review would be undertaken, including an evaluation of the targeting of service provision for vulnerable groups. The Committee expressed concern that the NCT pilot had not reached the vulnerable families as intended and that in future greater consideration be given as to how to reach those groups through a range of community facilities with service provision being better designed to reflect the needs and lifestyles of the groups to which support was being offered. The Committee also highlighted the learning points concerning joint commissioning to ensure that the responsible agencies communicated more effectively and worked together to provide the right services to meet the needs of all individuals and families in need of support.

Officers at the meeting noted the views of the Committee on the need to improve communication and working together, particularly in the context of the major ongoing changes affecting health services. This necessitated a more robust approach to commissioning and presented significant opportunities for all partners to achieve common service-delivery aims by working together more effectively in the future.

#### RESOLVED

That the report and ongoing review activity, as set out in the report and updates provided to the Committee, be noted and that a further report be submitted to a future meeting of the Committee on the outcome of the ongoing service review affecting the provision of antenatal services in the Borough.

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#### 35 NATIONAL HEALTH SERVICE (NHS) QUALITY ACCOUNTS 2012/13

The Committee considered a report of the Lead Officer reviewing the progress of key NHS providers in Dudley against improvement priorities set out in their 2011/12 NHS Quality Account and giving consideration to emerging priorities for the forthcoming year.

The Quality Accounts submitted to the meeting included locally agreed priorities for improvement based on an ongoing dialogue with patients and the public to ensure that local relevance was maintained. The Committee considered progress against the improvement issues for each NHS provider and discussed various associated issues as set out below.

##### West Midlands Ambulance Service NHS Foundation Trust

Reference was made to the major transformation activity and the greater focus on community service provision. Officers explained reasons as to why the target concerning trained paramedics on ambulances had not been met and made reference to work with the Clinical Commissioning Group such as the 'GP in a car' and 'falls car' initiatives. Overall the ambulance service was meeting its local targets on response times to attend incidents.



The Committee also discussed issues relating to parking in Burton Road, the delivery of patients to the walk in centre, liaison with the falls service provided by the local authority, regional work in connection with mental health services and the potential implications of the introduction of the 111 service. The Committee reiterated the need for WMAS to work with all partner organisations with the ultimate aim of improving service delivery to local residents.

#### The Dudley Group of Hospitals NHS Foundation Trust

Reference was made to the roll-forward of the priority areas of patient experience, pressure ulcers, infection control, nutrition and hydration. Targets would be reviewed locally in the light of experience, however, it was noted that the targets on infection control were now being set nationally by the Department of Health. Officers outlined measures being taken to control infections in response to concerns expressed locally and nationally.

The Committee discussed specific issues concerning the measuring of targets for nutrition and hydration. Whilst recognising the importance of targets, Members also referred to the quality of patient care and how the performance measures were used to make a practical difference to the quality of care. Concerns were also expressed as to how the performance data was collected. It was suggested that future reports could include practical examples to demonstrate improvements in the patient experience.

#### Dudley and Walsall Mental Health Partnership NHS Trust

Reference was made to the ongoing progress of identifying future priorities in the national/regional context in consultation with staff, service users, carers and other partners. The priorities associated with patient safety, clinical effectiveness and patient experience would be reviewed in the context of further information received.

In relation to patients who self harmed, the first priority was patient safety by dealing with any physical injuries and subsequent consideration to mental health issues and future coping strategies. The Committee made reference to significant challenges associated with patients with a 'dual diagnosis' or multiple problems such as eating disorders, self-harming, alcohol problems or substance misuse. Whilst recognising these complex and challenging issues, officers recognised there were opportunities for partners and agencies to take a 'joined up' and holistic approach.

In receiving the Quality Accounts from the NHS providers, the Committee noted differences in the presentation of the information, however, Members recognised the common theme of continuous improvement and achieving better outcomes for patients and service users, particularly in the context of major changes affecting the NHS and other partner organisations.

#### RESOLVED

- (1) That the review of progress against the improvement priorities based on the information presented in the report and verbal submissions to the Committee be noted.

- (2) That the NHS providers take account of the comments of Members in relation to planned priorities for improvement in 2013/14 with the aim of ensuring they are representative of the quality of services provided and cover identified areas of importance to local people.
  - (3) That the views expressed at the meeting be reflected in the formal commentary on the finalised Quality Accounts expected in April, 2013.
  - (4) That the thanks of the Committee be extended to the representatives of the key NHS providers for their attendance, submissions and contributions to this meeting and the ongoing work of the Scrutiny Committee.
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36 QUESTIONS UNDER COUNCIL PROCEDURE RULE 11.8 AND QUESTIONS ON INFORMATION ITEMS

No questions were raised under this agenda item. The Chair invited Members of the Committee to contact the Scrutiny Officer should they wish to raise any matters arising from business that was deferred as a result of the cancellation of the previous meeting.

The meeting ended at 8.00 p.m.

CHAIR

**REGENERATION, CULTURE AND  
ADULT EDUCATION SCRUTINY COMMITTEE**

Wednesday, 6<sup>th</sup> March, 2013  
at 6.00 pm in Committee Room 2 at the Council House, Dudley

**PRESENT:-**

Councillor Tyler (Chair)  
Councillor K. Turner (Vice Chair)  
Councillors Attwood, Blood, Body, Caunt, G. Davies, Hale, Herbert, Ridney and Wright

**Officers**

Assistant Director, Housing Strategy and Private Sector (Lead Officer to the Committee); Change Architect (Directorate of Adult, Community and Housing Services); Assistant Director, Culture and Leisure, Assistant Director, Economic Regeneration and Transportation and Head of Economic Development( all Directorate of the Urban Environment) and Mr. J. Jablonski (Directorate of Corporate Resources)

**Also in Attendance**

Councillor Harley

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35. **APOLOGY FOR ABSENCE**

An apology for absence for the meeting was submitted on behalf of Councillor A. Ahmed.

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36. **SUBSTITUTE MEMBER**

It was reported that Councillor Ridney had been appointed as a substitute member for Councillor A. Ahmed for this meeting of the Committee only.

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37. **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.

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38. MINUTES

RESOLVED

That the minutes to the meeting of the Committee held on 15<sup>th</sup> January, 2013, be approved as a correct record and signed.

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39. PUBLIC FORUM

No matters were raised under this item.

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40. PROGRESS REPORT - DUDLEY BOROUGH ECONOMIC DEVELOPMENT STRATEGY

A report of the Director of the Urban Environment was submitted on an annual progress report on the Dudley Borough Economic Development Strategy, for the period 2012/13.

Following a presentation of the content of the report, and Appendix 1 to the report submitted, by the Head of Economic Development, Members asked a number of questions and made comments in relation to the content of the report and its Appendix and the following particular matters were raised:-

- That in relation to the redevelopment of Dudley Marketplace, it was noted that a full application for ERDF funding had been submitted and that a decision should be known by April, enabling a start on site in June.
- That in respect of the Crown Centre development in Stourbridge, it was noted that there were no proposals for on-street parking and that the car parking would be managed by way of a car park management plan (required by a planning condition for the development) which would need to be implemented prior to the opening of the new store.
- That in response to a question regarding the percentage of total jobs in manufacturing, indicated in Appendix 1 to the report submitted, the Head of Economic Development would inform Members of the Committee by e-mail on whether the percentage shown was a declining figure, when compared with previous years.
- That in connection with a funding project that he was involved in, Councillor Turner requested that the Assistant Director, Economic Regeneration supply him with a list of all businesses in the Borough so that he could make them aware of this funding opportunity.

- That in view of the impending changes to the way in which Scrutiny Committees would operate from May, 2013 it was suggested that the Economic Development Strategy be one of the single topic scrutiny items for consideration by the relevant Scrutiny Committee.
- That in respect of any tendering process regarding potential occupiers for the former Carvers Café development, Councillor Herbert requested information as to how these properties were advertised and the number of expressions of interest that were received following such advertising.  
The Assistant Director, Economic Regeneration and Transportation would arrange for the information to be sent to her.
- Noted that the existing linkages between the Directorate of Adult, Community and Housing Services and the Directorate of the Urban Environment would be strengthened regarding the optimising of opportunities for local people to develop and improve their skills and obtain jobs in areas and communities that were recognised as being disadvantaged in economic and social terms.
- That the Assistant Director, Economic Regeneration and Transportation forward to Councillor K. Turner, details of the help and encouragement that the Council gave to new businesses.
- That when looking at the statistics for the working age population in Dudley, it was considered that the aim of the Economic Development Strategy should be to provide jobs in the Borough so that the economic and financial advantages were retained within the Borough.

#### RESOLVED

1. That the information contained in the report, and Appendix 1 to the report, submitted on the progress report in respect of the Dudley Borough Economic Development Strategy for the period 2012/13, be noted and that the relevant officers respond direct to the Members concerned regarding comments raised as indicated above; and
2. That Members notify the Assistant Director, Economic Regeneration and Transportation direct regarding any further comments on the process for developing the next Economic Development Strategy commencing in April, 2014.

#### 41. MEASURES TO IMPROVE TOWN CENTRES VITALITY: PORTAS PILOT PROJECT

A report of the Director of the Urban Environment was submitted updating the Committee on the pilot project set up to improve vitality in the Borough's centres. Appendix 1 to the report contained a summary of the recommendations of the Portas Report and Appendix 2 to the report contained details of the Town Team Action Plan which essentially translates elements of the Portas project as part of a "pilot" approach in Dudley Town Centre.

Arising from a presentation of the content of the report, and its appendices, by the Head of Economic Development, Members asked a number of questions and made comments with particular reference to:-

- That a key feature of any regeneration should be an improvement in the provision of residential housing and in this connection it was reported that there were plans to improve the residential offer in the town centre.
- That the progress in respect of the project and the Town Team Action Plan could be a possible single scrutiny item for consideration at a future meeting of the relevant Scrutiny Committee.
- It was noted that the 12<sup>th</sup> recommendation contained in Appendix 1 regarding the restrictive aspects of the "Use Class" system to make it easier to change the uses of key properties on the High Street was one directed at Central Government and not Local Authorities, as they did not have the power to do this.
- Regarding recommendation 21 contained in Appendix 1, it was considered that the use of voluntary purchases, the preferred method of acquiring properties by the Borough, as opposed to the use of Compulsory Purchase Order powers should continue to be pursued.
- That Councillor Herbert be provided with further information in relation to recommendation 24 (Neighbourhood Plans) and whether any were being prepared in Dudley. The Assistant Director, Economic Regeneration and Transportation would provide Councillor Herbert with further information.

#### RESOLVED

That the information contained in the report, and Appendices 1 and 2 to the report, submitted on the pilot project set up to improve vitality in the Borough's centres, be noted and that the relevant officers action the relevant points detailed above, arising from questions/comments made by Members on this matter.

42. CONSIDERATION OF INDICES OF MULTI DEPRIVATION AND THE PROVISION OF ADULT EDUCATION

A report of the Director of Adult, Community and Housing Services was submitted on the nature of Adult Learning provision with priority groups and in priority areas. Appendix 1 to the report illustrated the key areas of multiple deprivation in the Borough and Appendix 2 to the report showed a demographic breakdown of the Borough's priority groups in the population and the percentage of people from the priority groups participating in adult learning.

Arising from a presentation of the content of the report, and its Appendices, by the Change Architect, Ms. K. Millin, Members asked a number of questions and made comments with particular reference to:-

- The numbers moving on to volunteer opportunities, where "Live 4 Less" courses were being delivered and the numbers achieving employment through the Work Club initiative. The Change Architect would respond direct to Councillor Herbert with the information requested and to all members of the committee regarding the "Live 4 Less" courses.
- That, in response to a question asked, the Change Architect would arrange for a copy of a map containing the location of the venues at which courses were delivered to be placed in the Members Room.
- That should any Members know of people who would benefit from the work of the Adult and Community Learning Team, they were asked to contact the Head of the Adult and Community Learning Team, whose details were given at the end of the report submitted.
- That information about the First Steps programme be forwarded to Councillor Ridney
- That information regarding existing contacts and ways in which such contacts might be improved between the Adult and Community Learning Team and Tenants and Residents Associations be forwarded to the Chair of the Committee by the Change Architect.

RESOLVED

That the information contained in the report, and Appendices to the report, submitted about the nature of Adult Learning provision with priority groups and in priority areas in the Borough, be noted, together with the issues raised and the progress made to work with priority groups of Dudley Adult Learners.

43. STRAY AND ILLEGALLY GRAZING HORSES - UPDATE

A report of the Director of the Urban Environment was submitted updating Members on the implementation of the Stray and Illegally Grazing Horses policy. A copy of the Council's agreed approach to dealing with this issue was set out in Appendix 1 to the report submitted.

The Assistant Director, Culture and Recreation in his presentation of the content of the report referred, in particular, to the recent activity undertaken as set out in paragraphs 13 to 20 of the report.

RESOLVED

That the information contained in the report, and Appendix 1 to the report, submitted on the update on the implementation of the Stray and Illegally Grazing Horses policy, be noted.

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44. COMMENTS MADE BY THE CHAIR

The Chair referred to the forthcoming departure from the Council of Kate Millin, Change Architect, Directorate of Adult, Community and Housing Services, and, on behalf of the Committee, thanked her for all the work she had done on behalf of the Committee.

The Chair also commented that this was the last scheduled meeting of the Committee in the current Municipal Year and thanked all concerned for their work in connection with the Committee.

The meeting ended at 7.43 p.m.

CHAIR



**COMMUNITY SAFETY AND COMMUNITY SERVICES**  
**SCRUTINY COMMITTEE**

Thursday 14<sup>th</sup> March 2013 at 6 pm  
In Committee Room 2, The Council House, Dudley

**PRESENT:-**

Councillor Kettle (Chair)  
Councillor Branwood (Vice Chair)  
Councillors Burston, Caunt, Cotterill, K Finch, Harley, J Martin, Ms  
Nicholls, Perks and Russell

**OFFICERS**

Assistant Director of Corporate Resources (Customer Services)  
(Directorate of Corporate Resources) (Lead Officer to the Committee), the  
Drugs and Alcohol Action Team Manager, (Chief Executive's Directorate),  
Assistant Director of Culture and Leisure (Directorate of the Urban  
Environment), Head of Service, Youth Offending Service, (Directorate of  
Children's Services), and Miss K Fellows, (Directorate of Corporate  
Resources)

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32

**APOLOGY FOR ABSENCE**

An apology for absence was submitted on behalf of Councillor Burston

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33

**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  
the meeting.

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34

**MINUTES**

**RESOLVED**

That the minutes of the meeting of the Committee held on the 17<sup>th</sup>  
January, 2013, be approved as a correct record and signed.

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35

**PUBLIC FORUM**

No matters were raised under this Agenda item.

## SECTION 17 – CRIME AND DISORDER ACT, 1998

A report of the Director of the Urban Environment was submitted on the work that the Directorate of the Urban Environment was involved in that contributes towards fulfilling the obligations of Section 17 of the Crime and Disorder Act 1998.

Arising from the presentation of the report submitted Members asked questions and made comments and the Assistant Director of Culture and Leisure responded as follows:-

- In relation to Culture and Leisure Services, that the holiday activity programmes would be unaffected by the budget and full programmes would continue at all leisure centres and parks.
- That a review was being undertaken in relation to park rangers as the Department of Health grants that funded 50% of these posts would expire at the end of 2013/2014 and discussions and options were being investigated with Public Health in relation to retaining park rangers.
- That the bike ability cycle training to pupils who attend primary and secondary schools within the borough would continue.
- In relation to the street and green care budgetary cuts and how these cuts would impact upon the services provided, the Assistant Director of Leisure and Culture undertook to provide members with a written response in relation to this question.
- The Assistant Director of Culture and Leisure undertook to provide a written response to members in relation to the fly tipping incidents and fixed penalty notices issued for those incidents which occurred in 2011/12, as it appeared that although these incidents had risen to 1500, the number of flytipping incidents actioned and the total number of enforcement actions had reduced when compared to previous years.
- That a written response would be provided in relation to the 3500 items of counterfeit goods with a market value in excess of £1.1 million as it appeared that each of the goods seized would have had a market value of £300. This appeared to the questioner to be a high value should the majority of the goods seized have been fake items.
- In relation to the Council's Trading Standards services and whether this was to be amalgamated with both Sandwell and Walsall Councils, a written response would be provided to Members as to whether this proposal was to take place.
- Members raised concerns in relation to the possible amalgamation of

the Council's Trading Standard services with Sandwell and Walsall Councils and the fact that this may impact upon service standards and dilute the services provided currently.

- A written response would be provided to members in relation to the performance of street lighting to include outage and whether there was a seasonal demand for this.
- In responding to a question regarding highway maintenance and the turn around time for repairing pot holes, the Assistant Director of Culture and Leisure advised that risk assessments would be carried out in relation to pot holes which would be repaired upon the basis of where they were situated and the danger posed to road users.
- In relation to the healthy hubs sites and the success that these had had and the improvements that they had made in relation to anti-social behaviour in the five areas targeted, the Assistant Director of Culture and Leisure advised that the hubs were placed in very different areas with differing starting points in terms of problems within those areas. He referred to the work that had been conducted with the Police and the Coffee in the Dark project which had helped reduce anti-social behaviour and he also outlined the success at Jubilee Park in Coseley in terms of reducing anti-social behaviour there.
- The Assistant Director of Culture and Leisure undertook to provide members with the evaluation that had been prepared by Worcestershire University in relation to the impact that the Healthy Towns Programme had had on anti social behaviour.
- Members raised concerns that the report outlined the activities of the whole of the Directorate of the Urban Environment and that one officer was in attendance to respond to questions and this had resulted in questions having to be answered by written response rather than on the evening of the meeting. Members agreed that not all officers or senior officers of the Directorate would be expected to attend a meeting in the future, however further officer representation would be required in order that the report could be scrutinised affectively.

Following further discussion it was

#### RESOLVED

- (1) That the Assistant Director of Culture and Leisure be requested to provide members written responses to the questions outlined above.
- (2) That the information contained in the report and appendices to the report, submitted on the work that the Directorate of the Urban Environment is involved in that contributed to fulfilling the obligations of Section 17 of the Crime and Disorder Act 1998, be noted.

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- (3) That in view of the concerns raised further consideration of the Section 17 – Crime and Disorder Act 1998 report be deferred to a future meeting of the Committee in order to be affectively scrutinised.

The meeting ended at 6.40 pm

CHAIR

## **ENVIRONMENT SCRUTINY COMMITTEE**

Monday, 18<sup>th</sup> March, 2013 at 6.00 p.m.  
in Committee Room 2, The Council House, Dudley

### **PRESENT:-**

Councillor Hanif (Chair)  
Councillor Mrs. Shakespeare (Vice-Chair)  
Councillors M. Aston, Boleyn, Duckworth, A. Finch, Harley, James, Jordan,  
J. Martin and K. Turner

### **Officers:-**

Assistant Director (Customer Services) (Directorate of Corporate Resources)  
(As Acting Lead Officer to the Committee); Assistant Director, Housing  
Strategy and Private Sector; Head of Service, Private Sector Housing; Head  
of Service, Housing Options; and Head of Housing Management (North) (all  
Directorate of Adult, Community and Housing Services); Assistant Director  
(Environmental Management); Head of Environmental Health and Trading  
Standards and Waste Operations Manager (all Directorate of the Urban  
Environment) and Mr. J. Jablonski (Directorate of Corporate Resources)

### 30. **APOLOGY FOR ABSENCE**

An apology for absence from the meeting was submitted on behalf of  
Councillor Mrs. Turner.

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### 31. **APPOINTMENT OF SUBSTITUTE MEMBER**

It was noted that Councillor K. Turner had been appointed as a Substitute  
Member for Councillor Mrs. Turner for this meeting of the Committee only.

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### 32. **DECLARATIONS OF INTEREST**

No Member made a declaration of interest in accordance with the Members'  
Code of Conduct.

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### 33. **MINUTES**

#### **RESOLVED**

That the Minutes of the meeting of the Committee held on the 5<sup>th</sup>  
November, 2012, be approved as a correct record and signed.

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34. PUBLIC FORUM

No matters were raised under this Agenda Item.

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35. TRADE WASTE RECYCLING

A report of the Director of the Urban Environment was submitted on proposals to increase trade waste recycling.

Arising from a presentation of the content of the report submitted by the Assistant Director, Environmental Management, Members asked a number of questions and made comments with particular reference to:-

- Details of the 53 schools that had taken up the offer of free recycling collections following the summer school holiday break. The Assistant Director undertook to e-mail the information to Members of the Committee.
- That of the 53 schools involved, some had previously had recycling collections from the Council others had not. This information could also be supplied.
- That as further publicity was given to the scheme, it was considered that more of the 109 schools in the borough would become involved.
- That the Trade Waste Collections were part of a three year plan, with a focus on smaller businesses, to be rolled out from the end of 2014/15.
- Overall, the enhanced services were expected to bring the recycling figure for the Council up to 40% from 35% with a long-term aim of achieving 50%.
- That there was the potential for the enhanced service to businesses to generate income whilst the issue of sharing services with other Local Authorities could also be considered.

RESOLVED

That the information contained in the report, and as reported at the meeting, on future service development proposals for Trade Waste Collections and recycling, be noted.

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36. AN UPDATE ON AIR QUALITY WITHIN DUDLEY METROPOLITAN BOROUGH

A report of the Director of the Urban Environment was submitted updating the Committee on the current situation in respect of Air Quality within the Borough addressing a number of areas of work, as set out in the report.

Following a presentation of the content of the report by the Head of Environmental Health and Trading Standards, Members asked questions and made comments with particular reference to:-

- Regarding the number of electric vehicle charging points at new developments within the Borough, it was noted that, as yet, only a few had been provided and that in response to this, it was considered that the officers should proactively seek to increase the number of such charging points. In this connection, the new Tesco development at Stourbridge was mentioned. The Head of Environmental Health and Trading Standards would investigate whether it would be possible to provide electric vehicle charging points in this new development.
- Regarding the reference to an independent review of the waste collection fleet operated by the Council, to identify fuel cost optimisation and to minimise emissions to air, it was considered that other fleet operations run by the Council should be investigated as it was considered that the waste collection fleet had already achieved these aims. The Head of Environmental Health and Trading Standards would liaise with the Assistant Director, Environmental Management and arrange for a reply on this matter to be sent to Councillor Harley.
- In response to comments made regarding areas where there had been a reduction in emissions, it was noted that various areas had achieved a reduction in emission but that some areas were still above the required level. It was further noted that the aim was to concentrate on areas where people were in contact with high levels of pollution.

**RESOLVED**

That the information contained in the report submitted, and as reported at the meeting, on the progress made with air quality monitoring and compliance with the Air Quality Action Plan, be noted and that support be given for continued monitoring in 2013/2014 together with continued work to reduce air pollution in accordance with the aims of the Air Quality Action Plan and in partnership with the other six West Midlands Metropolitan Authorities.

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37. REGULATION OF THE PRIVATE RENTED SECTOR

A report of the Director of Adult, Community and Housing Services was submitted on a current position statement relating to the regulation of private rented housing. The aim of the report was to provide basic information to Members on this sector of housing. Attached as Appendices 1 and 2, was information in respect of the regulation activities carried out by the Council's Private Sector Housing Section in the private rented sector since 2008 and details of the primary and secondary legislation in this area, respectively.

Arising from a presentation of the report by the Head of Service, Private Sector Housing, particular comments were made on certain on the statistics contained within Appendix 1, relating to the pre-enforcement action that had been taken against private landlords and the number of prosecutions taken, in particular, the four prosecutions shown for 2012/13. A number of Members considered that the number of prosecutions taken was a low number and requested further comparative information on this.

A Member also wished to place on record her thanks to the Directorate for the assistance given when dealing with a number of cases in which she had been involved.

RESOLVED

- (1) That the information contained in the report, and Appendices 1 and 2 to the report submitted, be noted and that the Head of Service, Private Sector Housing, be requested to arrange for all Members of the Committee to receive comparative data on the number of prosecutions taken by neighbouring authorities in the sub-regional and regional area.
- (2) That the Private Sector Housing Assistance Policy, including the Charging Policy, be referred to this Committee's Housing Working Group for further consideration.

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38. HOUSING FRAUD

A report of the Director of Adult, Community and Housing Services was submitted on work being undertaken in Housing Services on the prevention and detection of Housing Fraud. Attached as Appendices 1 and 2 to the report were copies of the Housing - Counter-Fraud Policy, and a report of the Audit Commission entitled "Protecting the Public Purse 2012", respectively.

Arising from a presentation of the report by the Head of Housing Management (North), Members asked a number of particular questions and comments to which responses were given, as follows:-



- That the report was too narrow in its focus in that the total number of fraud cases within the Council overall over the last 12 months should have been dealt with and fraud generally considered.

A report on what fraud had occurred, areas of potential fraud and the steps being taken to combat it, was required.

In response it was reported that the report submitted was based on the request made by Members regarding tenancy fraud and that a detailed report on fraud generally was submitted to the Audit and Standards Committee.

- Concerns were raised by a Member regarding alleged cases of fraud in the Castle and Priory Ward, reported to Housing Services over the last eight years on which, apparently, no action had been taken.

In response it was reported that cases referred had been investigated but that recording methods did not allow officers to readily identify from the reasons tenancies had ended which ones had resulted from detection of housing fraud. A list of addresses would ideally be required for a manual check to be undertaken of the house files to provide the basic data requested.

The appointment of a Fraud Officer and other initiatives, including the introduction of the Counter-Fraud Policy, from February, 2012, would enable Social Housing Fraud cases to be more clearly identified in the future.

Arising from the above, further concerns were raised by a Member at the apparent lack of appropriate record-keeping and suggested that the Director of Adult, Community and Housing Services be requested to provide a full response on this to Members of the Committee.

- That currently data was not available on how long a fraud investigation took. However, given the work that had and would be undertaken in the future, such information would become available.
- That Housing Services did work with other agencies on appropriate cases to identify and combat fraud.
- That Housing Services were pro-active in tackling fraud, for example, by signing up to the National Fraud Initiative.
- That the Council's Fraud Hotline continued to be promoted.
- That follow-up action was taken on tenancies, including post-tenancy checks.

- That the Tenancy Fraud Officer, funded from the Housing Revenue Account, had started work today and that the outcome of a funding bid for a second Tenancy Fraud Officer, to be appointed for a temporary period of no more than two years, was awaited.
- That in response to a query made, it was noted that Housing Managers still had a crucial role to play in tackling fraud.
- That arrangements should and would be made to ensure that Members referring cases of alleged fraud were kept up-to-date as to progress on such cases.
- That the Council's Fraud Hotline had been in operation since November, 2011.
- Business cards for staff had also been produced, signs would be placed on repair vans and the usual media channels would be used to promote fraud awareness.

In this connection, the Head of Housing Management North, undertook to e-mail the name and contact details of the Fraud Officer to all Members of the Council and would arrange for the business cards to be distributed to Members.

Arising from the comments made and in response to comments made, the Assistant Director, Housing Strategy and Private Sector, commented that the issue of fraud generally could possibly be one of the topic areas for the appropriate Scrutiny Committee to review under proposed new scrutiny arrangements from May, 2013. He undertook to raise this at a forthcoming meeting where the issue of topic areas was to be discussed.

He would also speak to the Director of Adult, Community and Housing Services on the concerns raised by Members and would recommend to her that arrangements be made for a check of house files, so that the information for the period over the last ten years, in particular, with regard to Castle and Priory Ward, but also in respect of the remainder of the Borough, was made available to Members regarding numbers of tenancy fraud cases during that period.

He further stated that Dudley was regarded as a leader, amongst adjoining Local Authorities, in the way it dealt with tenancy fraud.

#### RESOLVED

That the information contained in the report, and Appendices 1 and 2 to the report submitted, on progress made to date on the prevention and detection of housing fraud be noted and that the officers indicated above be requested to arrange for the various actions indicated to be carried out.

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39. REVIEW OF ALLOCATIONS AND TENANCY POLICY

A report of the Assistant Director, Housing Services was submitted on the outcome of consultation issues arising from the Localism Act, the revised Code of Guidance and Allocations and Welfare Reform. Consideration had been given to the various issues raised in the report by the Committee's Housing Working Group and the outcome of their deliberations was set out in the report submitted.

Arising from the presentation given on the content of the report by the Head of Service, Housing Options, some Members expressed particular views on the following issues:-

- That contrary to the outcome of the discussion at the Housing Working Group as recorded in paragraph 7 of the report, it was proposed that a requirement that people should have lived in the Borough for a period of five years before joining the waiting list, should be implemented. It was also considered that the onus for proving residency should rest with the applicant and not the Council. This matter was put to the vote and the proposal was not agreed.
- That arising from comments made, the Head of Service, Housing Options, would look further at the issue of notifying people quickly as to when they were allocated a property.
- A Member disagreed with the wording of the last sentence in paragraph 24 of the report regarding the use of flexible (fixed term) tenancies, as considered by the Housing Working Group, and considered that a decision should be made to have five year fixed year tenancies.
- Arising from further consideration given to this issue, it was moved and seconded that the content of the report, as written, be accepted. On being put to the vote, it was:-

**RESOLVED**

That the information contained in the report submitted be noted, the views expressed by the Housing Working Group endorsed and that Members' views, as appropriate, be reported to the Cabinet Member for Housing, Libraries, Archives and Adult Learning to consider the immediate changes and further work to be undertaken.

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40. COMMENTS BY THE CHAIR

As this was the last scheduled meeting of the Committee in the current Municipal Year, the Chair thanked Members and Officers for their hard work in connection with the work of the Committee.

The meeting ended at 8.35 p.m.

CHAIR

## **AUDIT AND STANDARDS COMMITTEE**

Thursday, 14<sup>th</sup> February, 2013 at 6.00 p.m.  
in Committee Room 3, The Council House, Dudley

### **PRESENT:-**

Councillor Zada (Chair)  
Councillor Arshad (Vice-Chair)  
Councillors Branwood, Burston, Cowell, Hill, Taylor, Tyler and Mrs. Westwood.

### **Officers**

Director of Corporate Resources, Treasurer, Head of Audit Services, Head of Accountancy, Audit Manager and Principal Auditors (All Directorate of Corporate Resources); Director of Adult, Community and Housing Services, Assistant Director, Housing Strategy and Private Sector and Review and Improvement Consultant (All Directorate of Adult, Community and Housing Services); Assistant Director, Quality and Partnership, Assistant Director, Education Services, Assistant Director, Children and Families, Divisional Lead, Safeguarding and Review and Divisional Manager - Business Support (All Directorate of Children's Services) and Mrs K Taylor (Directorate of Corporate Resources).

### **Also in Attendance**

Mr S Turner (Audit Manager) (Grant Thornton)

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### **DECLARATIONS OF INTEREST**

Councillor Zada declared a non-pecuniary interest, in accordance with the Members' Code of Conduct, in Agenda Item 14 – Annual Audit Report in Relation to Children's Services, in view of him being a Governor at the Northfield Road Primary School, and an employee of the Black Country Partnership Foundation Trust in respect of Children's Services.

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### **CHANGE IN ORDER OF BUSINESS**

Pursuant to Council Procedure Rule 13(c) it was:-

### **RESOLVED**

That the remaining items of business be considered in the following order:-

Agenda Item No's 13, 14, 15, 4, 5, 6 7, 8, 9 and 10.

EXCLUSION OF THE PUBLIC

That the public be excluded from the meeting for the following item of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Local Government Act, 1972, as indicated below: and that in all the circumstances, the public interest in disclosing the information is outweighed by the public interest in maintaining the exemption from disclosure.

<u>Description of Item</u>	<u>Relevant Paragraph of Part I of Schedule 12A</u>
Annual Audit Report in relation to the Directorate of Adult, Community and Housing Services	2 and 7
Annual Audit Report in relation to the Directorate of Children's Services	2 and 7
Audit Services Interim Performance Report	2 and 7

ANNUAL AUDIT REPORT IN RELATION OF THE DIRECTORATE OF ADULT, COMMUNITY AND HOUSING SERVICES

A report of the Treasurer was submitted on the audit work undertaken in the Directorate of Adult, Community and Housing Services for the financial year 2011/12 and incorporating details of the more important findings as indicated in Appendices 2 and 3 to the report submitted.

Arising from consideration of the report, and Appendices to the report, submitted Members asked a number of questions and made comments which were responded too, in particular in respect of the management responses highlighted in the report.

In response to concerns raised in regard to monitoring staff timesheets, in particular the possibility of implementing timesheets against a rolling programme in order to set a realistic target, the Head of Audit Services undertook to investigate further in consultation with the Assistant Director, HR and Organisational Development. It was important that in a time of reducing resources that all Officers demonstrated a pragmatic approach to improving systems.

In responding to a question, the Director of Adult, Community and Housing Services undertook to provide Councillor Taylor with the further details requested at the meeting in relation to the introduction of a policy for deceased clients balances.

It was noted that the Chair considered that although the report was positive, improvements would need to be made in order to reduce the number of breaches and unimplemented recommendations in the future. The Director of Adult, Community and Housing Services assured the Committee that the findings of the audit were taken seriously and any concerns or issues would be addressed.

#### RESOLVED

That the findings of the 2011/12 audit work be accepted.

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#### ANNUAL AUDIT REPORT IN RELATION OF THE DIRECTORATE OF CHILDREN'S SERVICES

A report of the Treasurer was submitted on the audit work undertaken in the Directorate of Children's Services for the financial year 2011/12 and incorporating details of the more important findings as indicated in Appendices 2 and 3 to the report submitted.

Arising from consideration of the report, and Appendices to the report, submitted concerns were raised about the number of unimplemented recommendations for the Directorate and Schools. The Head of Audit Services informed the Committee that during 2011/12, there were a large number of audits undertaken, which had resulted in additional recommendations, and that management letters had been sent to Head Teachers highlighting the findings of the audit.

Following concerns raised, the Assistant Director, Quality and Partnership informed the Committee that the findings of the audit had been a reflection of the amount of pressure within the Directorate in view of the reductions in the budget and staff, and the increase in demands.

Members asked a number of questions and made comments which were responded too, in particular in respect of the management responses highlighted in the report.

The Head of Audit Services informed the Committee that a further report would be submitted to the April meeting to provide a progress report on action taken by the Directorate.

In responding to a question, the Assistant Director, Quality and Partnership undertook to provide Councillor Taylor with the further details requested at the meeting in relation to the supplier details of the purchases of alcoholic beverages.

It was noted that the Chair considered that although the Directorate had a challenging year the Directorate had still provided a good service, and that improvements would need to be made in order to reduce the number of breaches and unimplemented recommendations in the future.

RESOLVED

That the findings of the 2011/12 audit work be accepted.

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31

AUDIT SERVICES INTERIM PERFORMANCE REPORT

A report of the Treasurer was submitted on an update on Audit Services performance and other related information.

Arising from the presentation of an updated report and Appendix to the report, which had been circulated at the meeting, the Head of Audit Services stated that Audit Services had completed 71% of the audit plan against a target of 70%.

In responding to a question by a member, the Head of Audit Services provided a breakdown of efficiency savings in respect of Value for Money.

Arising from the content of the report, the Chair commented on the very good report, in particular on the significant improvement in relation to finalising audit reports within six weeks of the draft report being issued.

Arising from a discussion on the level of assurance provided by Audit, the Head of Audit Services informed the Committee that the Annual Plan report due to be submitted to the April meeting would include a report on assurance mapping. This would provide details on how Audit Services plans fit into an overall corporate assurance model.

RESOLVED

That the information contained in the report, and Appendix A to the report, submitted, be noted.

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32

MINUTES

RESOLVED

That the minutes of the meeting held on 20<sup>th</sup> September, 2012 be approved as correct records and signed.

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33

ANNUAL AUDIT LETTER 2011/12

A joint report of the Chief Executive and the Treasurer was submitted on the Audit Commission's Audit Letter for 2011/12. A copy of the letter was appended to the report submitted.



Mr S Turner, Audit Manager, was in attendance at the meeting and presented the report and appendices to the report submitted, and issued an unqualified opinion.

It was noted that Mr Turner had transferred to Grant Thornton UK LLP following their appointment as the Council's external auditor.

RESOLVED

That the information contained in the report, and Appendices to the report, submitted on the Annual Audit Letter 2011/12 be noted.

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34                      EXTERNAL AUDITOR REPORT: CERTIFICATION WORK 2011/12

A report of the Treasurer was submitted on the external auditor's Annual Report on Certification of Claims and Returns for 2011/12. A copy of the Annual Report was attached as an Appendix to the report submitted.

Mr Turner was in attendance at the meeting and commented in particular that the Council continued to submit claims and returns on time; however improvements were required in areas such as the teacher's pension return and the housing and council tax benefit claim.

RESOLVED

That the information contained in the report, and Appendices to the report, submitted on the Annual Report on Certification of Claims and Returns for 2011/12 be noted.

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35                      GRANT THORNTON – FEE LETTER 2012/13

A report of the Treasurer was submitted on the planned audit fee for 2012/13 by the Council's external auditor, Grant Thornton. A copy of the letter was attached as an Appendix to the report submitted.

RESOLVED

That the information contained in the report, and Appendices to the report, submitted on the audit fee for 2012/13 be noted.

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36                      REVIEW OF RISK MANAGEMENT ACTIVITIES IN 2012 AND PRIORITIES FOR 2013/14

A report of the Treasurer was submitted on the key developments in the Council's risk management and insurance activities in the preceding 12 months and the key priorities for 2013/14.

In presenting the report submitted the Head of Accountancy informed the Committee that two new Corporate risks had been added since the report presented to the Committee in February, 2012, in respect of the risk of fraud across all areas of its operations and the transfer of Public Health responsibilities to the Council.

RESOLVED

That the information contained in the report, and Appendix 2 to the report, submitted be noted and that the Risk Management Strategy and Guidance, set out in Appendix 1 to the report submitted, be approved..

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37

TREASURY MANAGEMENT REPORT

A report of the Treasurer was submitted on treasury activity during the financial year 2012/13, up to December, 2012, and also seeking approval of the Treasury Strategy Statement 2013/14.

Arising from the presentation of the report, and the Appendices to the report, the Head of Accountancy stated that a training session on Treasury Management would be arranged for members of the Committee. Members commented that it would be beneficial to arrange the training session in early summer so as to allow more members to attend the training given that the membership of the Committee may change in May, 2013.

RESOLVED

That, subject to the approval of Council:-

1. (a) Treasury Management activities in 2012/13, as outlined in the report submitted be noted.
- (b) The Treasury Strategy 2013/14, attached as Appendix 2 to the report submitted, be approved.
- (c) The Treasurer be authorised to effect such borrowings, repayments and investments as were appropriate and consistent with the approved Treasury Strategy and relevant guidance.

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38

ANNUAL REPORT OF THE COMMITTEE ON STANDARDS IN PUBLIC LIFE 2011/12

A report of the Monitoring Officer was submitted on the annual report of the Committee on Standards in Public Life 2011/12.

Arising from the presentation of the report and Appendices to the report, submitted, the Director of Corporate Resources referred to Appendix 2 of the report submitted which highlighted the proposed changes of the seven principles of public life to be updated in the Members' Code of Conduct

## RESOLVED

1. That the Annual Report of the Committee on Standards in Public Life, attached as Appendix 1 to the report submitted, be noted.
2. That the Council be recommended to authorise the Director of Corporate Resources to update the Members' Code of Conduct and any other references in the Constitution or associated documentation to include the revised wording of the seven principles in public life, attached as Appendix 2 to the report submitted.

The meeting ended at 8.00 p.m.

CHAIR

## **DEVELOPMENT CONTROL COMMITTEE**

Monday, 18<sup>th</sup> February, 2013 at 6 pm  
in Committee Room 2, The Council House, Dudley

### **PRESENT:-**

Councillor Harris (Chair)  
Councillor Roberts (Vice-Chair)  
Councillors Casey, Herbert, S. Turner, Mrs. Westwood, C. Wilson, Wright  
and Zada

### **OFFICERS:-**

Mr. J. Butler, Mr. T. Glews, Mr. N. Howell, Mrs. H. Martin, Mr. D. Owen and  
Ms. H. Yorke (all Directorate of the Urban Environment), Mrs. G. Breakwell  
and Mr. J. Jablonski (Directorate of Corporate Resources)

65

### **DECLARATIONS OF INTEREST**

In accordance with the Members' Code of Conduct, non-pecuniary interests  
were made by the following:-

Councillor C. Wilson in Planning Application No. P12/1588 (Heath House  
Ounty John Lane, Pedmore, Stourbridge) as he knew the applicants.

Councillor Wright in Planning Application No. P12/1447 (Site of Former  
Cradley High School, Homer Hill Road, Cradley, Halesowen) as he is a  
tenant of Midland Heart, the applicant.

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66

### **MINUTES**

#### **RESOLVED**

That the minutes of the meeting of the Committee held on 28<sup>th</sup>  
January, 2013, be approved as a correct record and signed.

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67

### **PLANS AND APPLICATIONS TO DEVELOP**

A report of the Director of the Urban Environment was submitted on the following plans and applications to develop. In addition, where appropriate, details of the plans and applications were displayed by electronic means at the meeting. In addition to the report submitted, notes known as Pre-Committee notes had also been circulated updating certain of the information given in the report submitted. The content of the notes were taken into account in respect of the applications to which they referred.

The following persons referred to had indicated that they wished to speak at the meeting and, unless indicated, spoke on the planning applications:-

Plan No. P12/1447 - Councillor Body, Ward Member, and Mr. H. Bloomer objectors and Ms. Louise Brooke-Smith an agent.

Plan No. P12/1529 - Ms. S. Ramsey - applicant.

Plan No. P12/1587 - Mr. J.H. Waterfield - an objector and Mr. Rowland - applicant.

- (i) Plan No. P12/1447 - Site of Former Cradley High School, Homer Hill Road, Cradley, Halesowen - Hybrid Application for: Part A: Full Planning Permission for the Development of 120 Apartment Retirement Village with Communal Facilities and Associated Parking in a part single and part three-storey building. Part B: Outline Application for the Erection of Eleven Dwellings (access and landscaping to be considered).

Decision: Approved, subject to conditions numbered 1 to 36 in respect of Part A: Extra Care Facility and conditions numbered 1 to 15 in respect of Part B: Housing; all as set out in the Pre-Committee notes circulated at the meeting.

- (ii) Plan No. P12/1529 - 16/18 Hagley Road, Stourbridge - Change of Use from Insurance Offices (B1) to Private Day Nursery (D1)

Although recommended for refusal, Members gave particular consideration to information set out in the Pre-Committee notes, containing a letter from the applicant, regarding proposed arrangements for staff car parking and the applicant's acceptance of a condition limiting any approval granted to three years so that the matter could be reviewed in the light of experience. A number of members were minded to approve the application, subject to seeing the conditions to be imposed.

Decision: Deferred, so as to enable the Officers to report back to the next meeting of the Committee with conditions in respect of this application.

- (iii) Plan No. P12/1587 - Residential building plot adjacent to 49 Ruiton Street, Lower Gornal, fell one maple tree, prune hazel trees

Decision: Approved, subject to conditions numbered 1 and 2, as set out in the report submitted, together with an additional condition, numbered 3, as follows:-

3. A replacement tree shall be planted between the beginning of November and the end of March, within one year of felling (and replanted if necessary) and maintained until satisfactorily established. The size, species and location of the replacement tree shall be given in writing to the Local Planning Authority prior to the felling of the tree to which this application relates.

- (iv) Plan No. P12/0666 - Morrisons Supermarket, Stallings Lane, Kingswinford - Demolition of Existing Industrial Unit, Petrol Filling Station and Food Store. Erection of new Food Store (A1), Petrol Filling Station and Associated Car Parking and Delivery Areas

Decision: Approved, subject to conditions numbered 1 to 3, 9, 12, 16-23, 28-31, 33, 42-45, as set out in the report submitted, together with amended conditions numbered 4 to 8, 10, 11, 13, 14, 15, 24 to 27, 32, 34 to 39, 40 and 41, and additional conditions, numbered 46 and 47, as follows

4, 5, 6, 13, 15, 24, 26, 27 and 41 - inclusion of the following wording: (save for the demolition of the existing industrial unit).

7, 8, 10 and 11 - inclusion of the following wording: no development shall begin (save for the demolition of the existing industrial unit) until....

14 - Development shall not commence until a construction dust management plan has been submitted to and approved in writing by the Local Planning Authority. The plan should set out those measures to be employed to minimise dust impact during the site preparation and construction phase of the development. All works which form part of the scheme shall be implemented throughout the site preparation and construction phase of the development.

25 - At least 10% of the energy supply of the development shall be secured from de-centralised and renewable or low-carbon energy sources (as described in the glossary of Planning Policy Statement: Planning and Climate Change (December, 2007)). Prior to the occupation of the store, works detailed within the approved Renewable Energy Strategy shall be implemented in full in accordance with the Strategy and retained as operational thereafter, unless otherwise agreed in writing with the Local Planning Authority.

32 - Within twelve weeks of the building being brought into use, a final Certificate shall be issued certifying that BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme) rating "Very Good or above" has been achieved for this development.

34-39 - conditions amended so that the details only need to be submitted prior to the commencement of development (save for the demolition of the existing industrial unit) rather than the commencement of the tree clearance.

40 - Unless otherwise agreed in writing, the development shall not commence until the detailed design of the highway improvements on Stallings Lane, associated section of new public highway, temporary works required to facilitate these improvements and timescales for the works have been submitted for approval. The development should not commence trading until the highway scheme has been approved in writing and implemented in accordance with the agreed details.

46 - No work involving ground disturbance or demolition shall begin until the developer has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation (WSI), which has first been submitted to and approved in writing by the Local Planning Authority.

47 - For a period not exceeding six months from the date of occupation, no deliveries shall be made to the site before the hours of 0600 nor after 2300. At the end of the six month period from the date of occupation, no deliveries shall be made to the site before the hours of 0600 nor after 2200.

(v) Plan No. P12/1514 - 11 Sulgrave Close, Dudley: Fell one Horse Chestnut Tree

Decision: Approved, subject to Conditions numbered 1 and 2 as set out in the report submitted.

- (vi) Plan No. P12/1519 - Stambermill House, Cemetery Road, Lye - Fell one Holly Tree, Corsican Pine Tree and one Laburnum Tree. Raise Crown to two Corsican Pine Trees and one Beech Tree. Crown thin one Corsican Pine Tree. Crown lift one Yew Tree. Pollard one Lime Tree. Raise Canopy and Crown Reduce four Lime Trees. Grind out Stumps to two Lime Trees and Remove Secondary Limb to one Sorbus and one Ash Tree. Crown Lift one Scotts Pine to six metres

Decision: Approved, subject to the condition set out in the Report Submitted.

- (vii) Plan No. P12/1521 - Former Cox Hire Limited, Land at Birmingham Street, Stourbridge - Erection of Hotel (C1) and Pub/Restaurant (A4), New Access off Birmingham Street with Associated Parking and Landscaping

Decision: Approved, subject to Conditions numbered 1 to 3, 5 to 27 and 29 to 40, as set out in the Report Submitted together with amended Conditions numbered 4 and 28, as follows:-

4 - Landscape plans (including an establishment and maintenance programme, taking into account appropriate improvements for nature conservation shall be submitted and approved by the Local Planning Authority (in consultation with "Transition Stourbridge") before any development commences. All works must be carried out in accordance to the approved plans and programmes.

28 - No development shall commence until details of nature conservation enhancement works have been submitted to and approved in writing by the Local Planning Authority (in consultation with "Transition Stourbridge"). The nature conservation enhancement works shall thereafter be provided in accordance with the approved details prior to first occupation of the development and be maintained for the life of the development.

- (viii) Plan No. P12/1524 - 62 The Broadway, Norton - Fell one Eucalyptus Tree

Decision: Approved, subject to conditions numbered 1 and 2, as set out in the report submitted.

- (ix) Plan No. P12/1574 - 22 Westcroft Road, Sedgley - Fell one Pine Tree

Decision: Approved, subject to the conditions numbered 1 and 2, set out in the report submitted.



- (x) Plan No. P12/1588 - Heath House, Ounty John Lane, Pedmore - Fell two Beech Trees and one Prunus. Prune one Eucalyptus, one Conifer and remove deadwood from two Cherry Trees. Reduce Canopy by 25% to one Beech Tree. Crown lift lower branches to one Beech Tree and one Beech Tree
- Decision: Approved, subject to the condition set out in the report submitted.
- (xi) Plan No. P12/1437 - 2 Blackthorne Close, Dudley - Erection of Wooden Gazebo in Rear Garden (Retrospective)
- Decision: That the application be approved.
- (xii) Plan No. P12/1562 - 62 Sandringham Road, Wordsley - single Storey Side/Rear Extension, First Floor and two Storey Side Extension and New Front Entrance Porch. Pitched Roof over Existing Garage and Single Storey Rear Extension (Retrospective) (Resubmission of Approved Application No. P12/0595)
- Decision: Approved, subject to conditions numbered 1 and 2, as set out in the report submitted.
- (xiii) Plan No. P12/1602 - 41 Dorchester Road, Pedmore - two Storey Rear and Single Storey Side/Rear Extensions
- Decision: Approved, subject to conditions numbered 1 to 3, as set out in the report submitted.

A report of the Director of the Urban Environment was submitted on the New Housing Development Supplementary Planning Document (SPD) Revised 2013.

RESOLVED

That the information contained in the report submitted, on the New Housing Development Supplementary Planning Document (SPD) Revised 2013, be noted.

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PLANNING APPLICATION P08/0890 - ERECTION OF NEW DWELLING  
AND TWO STOREY REAR EXTENSION TO 21 SPRING STREET, LYE

A report of the Director of the Urban Environment was submitted on a request received to enter into a Deed of Revocation in respect of the Section 106 Agreement associated with Planning Application P08/0890 and to pursue the outstanding Section 106 financial contributions.

RESOLVED

That, for the reasons set out in paragraph 7 of the report submitted, a Deed of Revocation to the Section 106 Agreement associated with Planning Application P08/0890 be not entered into and that the outstanding Section 106 financial contributions be pursued.

The meeting ended at 8.22 p.m.

CHAIR

## **DEVELOPMENT CONTROL COMMITTEE**

Monday 11<sup>th</sup> March, 2013 at 6.00 pm  
in Committee Room 2, The Council House, Dudley

### **PRESENT:-**

Councillor Harris (Chair)  
Councillor Roberts (Vice-Chair)  
Councillors Herbert, J Martin, S Turner, Mrs Westwood, C Wilson, Wright  
and Zada

### **OFFICERS:-**

Mr J Butler, Mr T Glews, Mrs H Martin, Mr Owen, Mr P Reed, Mrs S  
Willets (all Directorate of the Urban Environment), Mrs G Breakwell and  
Mrs M Johal (Directorate of Corporate Resources)

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#### 70      **APOLOGY FOR ABSENCE**

An apology for absence from the meeting was submitted on behalf of  
Councillor Casey.

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#### 71      **APPOINTMENT OF SUBSTITUTE MEMBER**

It was reported that Councillor J Martin had been appointed as a substitute  
member for Councillor Casey for this meeting only.

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#### 72      **DECLARATIONS OF INTEREST**

Councillor Wright declared a non-pecuniary interest in Planning Application  
No P12/1598 (Land Between Black Country Living Museum and Dudley  
Zoological Gardens) in view of him being a Trustee of the Black Country  
Living Museum.

Councillor Zada declared a non-pecuniary interest should any reference be  
made to the National Health Service as he is an employee.

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#### 73      **MINUTES**

##### **RESOLVED**

That the minutes of the meeting of the Committee held on 18<sup>th</sup>  
February, 2013, be approved as a correct record and signed

subject to an amendment being made to Minute No 67(ii) Plan No P12/1529 to replace the second paragraph with the following wording:-

Decision:

- (1) That the application be approved.
- (2) That Officers report back to the next meeting of the Committee with the conditions in respect of this application.

---

74

#### PLANS AND APPLICATIONS TO DEVELOP

A report of the Director of the Urban Environment was submitted on the following plans and applications to develop. In addition, where appropriate, details of the plans and applications were displayed by electronic means at the meeting. In addition to the report submitted, notes known as Pre-Committee notes had also been circulated updating certain of the information given in the report submitted. The content of the notes were taken into account in respect of the applications to which they referred.

The following persons referred to had indicated that they wished to speak at the meeting and, unless indicated, spoke on the planning applications:-

Plan No P12/1396 – Due to illness Councillor Hale did not attend to speak at the meeting and submitted a statement on behalf of the objectors for consideration – Councillor Sykes – on behalf of the applicant.

Plan No P12/1511 – Mr James – an objector and Avtar Gill – GP Chartered Surveyors – an agent/applicant

Plan No P12/1565 – Mr John Newey on behalf of the Agent

Plan No P12/1573 – Mr Nigel Gough – an agent/applicant

- (i) Plan No P12/1396 – 17 Dorset Road, Wollaston, Stourbridge –  
Erection of Raised Platform to Front Garden  
(Retrospective)

Decision: That the application be approved.

- (ii) Plan No P12/1511 – Nexia House, The Broadway, Dudley –  
Conversion of Vacant Office Block to 12 No Apartments

Decision: Approved, subject to conditions, numbered 1 to 13 (inclusive), as set out in the report submitted.

- (iii) Plan No P12/1565 – Summit Garage, 415 Himley Road, Lower Gornal, Dudley – Display of Internally Illuminated Pylon Sign  
(Resubmission of Part Refused Application P12/0434)
- 

The Committee noted the comments made by Mr Newey in that the garage was a family business and that approval of the sign would be beneficial to the business and that it would brighten up the area.

In considering the application a Member referred to the report and stated that there had been no public consultation and he was of the opinion that residents should be given the opportunity to submit their views. Other comments made by Members included that there was no reason as to why the application should be refused and that the sign suited the area and was not out of character. Some concerns were raised about the size of the sign and that it was an illuminated sign.

The Committee noted comments made by Mr Butler in that the location of the garage was near to a busy crossroads and junction, which had a high level of traffic, and there were concerns that the sign would distract drivers.

Decision:

- (1) That the application be approved subject to the display sign not being illuminated.
- (2) Conditions numbered 1 to 8, as follows:-
  1. This consent shall remain for a period of 5 years from the date hereof.
  2. The development hereby permitted shall be carried out in accordance with the following approved plans: Plan A and B.
  3. No advertisement shall be sited or displayed so as to:
    - (a) Endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
    - (b) Obscure or hinder the ready interpretation of any traffic sign, railway signal or aid to navigation by water or air; or
    - (c) Hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle;

4. Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
5. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
6. Where an advertisement is required to be removed under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, the site shall be left in a condition that does not endanger the public or impair visual amenity.
7. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
8. The sign hereby approved shall not be illuminated for the lifetime of the development.

- (iv) Plan No P12/1573 – 2 Tamar Rise, Stourbridge – Erection of 1 No Maisonette Comprising 2 No Flats with Associated Car Parking

Decision: Refused, for the reason as set out in the report submitted.

- (iv) Plan No P12/1529 – 16/18 Hagley Road, Stourbridge – Change of use from Insurance Offices (B1) to Private Day Nursery (D1)

Decision: Approved, subject to conditions, numbered I to III (inclusive), as set out in the report submitted, together with amended conditions, numbered IV and VI, as follows:-

- IV Development shall not begin until a detailed scheme for the management of the parking vehicles, means of vehicular access and the management of pedestrian access and egress has been submitted to and approved in writing by the Local Planning Authority, and no buildings shall be occupied until the management plan has been implemented in accordance with the approved details and shall thereafter be maintained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.
- VI At no time shall the doors upon the front elevation (east) be utilised for access or egress other than for emergency purposes.

- (vi) Plan No P12/1598 – Land Between Black Country Living Museum and Dudley Zoological Gardens, Dudley – Creation of New Park Providing 600 Parking Spaces and Coach Parking Facilities with Associated Secondary Access off the Main Access Road, Provision of a Surfaced Recreational Route Linking Existing Tourist Attractions, Erection of a Visitor Hub, Provision of a New Visitor Entrance to Dudley Zoological Gardens, Associated Infrastructure Works and Diversion of a Public Right of Way
- 

Decision: Approved, subject to the following:-

- (1) The applicant being invited to make an application to the Secretary of State, under Section 247 of the Town and Country Planning Act 1990 to close, create and improve highways as shown on Drawing No M072-26 and M072-21 to enable development authorised by planning permission to take place; the full costs and works to the Local Authorities' satisfaction shall be met by the developer.
- (2) Conditions, numbered 1 to 22 and 24 to 47 (inclusive), as set out in the report submitted, together with a replacement condition, numbered 23, as follows:-

23. Prior to the commencement of physical works on site a method statement describing measures that the scheme will put in place for the recording, protecting and enhancing of geological features exposed or created by the works shall be submitted to and approved by the Local Planning Authority. Early liaison with the Keeper of Geology is advised prior to drafting such a document or its submission to the Authority.

This Method Statement for geological heritage should, as a minimum, permit access by the borough geologist and his team at appropriate times during construction to record and sample any geological features exposed by the works and should include the possibility for these to be retained in the finished scheme if deemed to be of exceptional national or international importance.

- (vii) Plan No P13/0078 – Blackbrook Valley South of Saltwells Inns, Saltwells Lane, Quarry Bank – Fell 1 Ash Tree
- 

Decision: Approved, subject to the condition, numbered 1, as set out in the report submitted.

- (viii) Plan No P13/0125 – Pasture Cottage, Racecourse Lane, Norton, Stourbridge – Fell 1 Conifer Tree

Decision: Approved, subject to the condition, numbered 1, as set out in the report submitted.

- (ix) Plan No P13/0018 – 56 Greenhill Road, Halesowen – Two Storey Side and Single Storey Side/Rear Extensions (Following Demolition of Existing Garage) (Resubmission of Refused Application P12/1371)

Decision: Approved, subject to conditions, numbered 1 to 3 (inclusive), as set out in the report submitted, together with an additional condition, numbered 4, as follows:-

4. The extension shall not be occupied until three spaces, each measuring 2.5m x 5.3m have been laid out within the site for the parking of vehicles. The spaces shall provide permeable surfacing or sustainable on-site drainage and shall be maintained for the life of the development.

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75 DRAFT “PLANNING FOR HEALTH SUPPLEMENTARY PLANNING DOCUMENT” – APPROVAL TO CONSULT

A report of the Director of the Urban Environment was submitted on the draft purpose and context of the Planning for Health Supplementary Planning Document.

RESOLVED

That the information contained in the report submitted, on the draft Planning for Health Supplementary Planning Document, be noted.

The meeting ended at 7.55 pm.

CHAIR



## **DISCIPLINARY/DISMISSAL/GRADING APPEALS COMMITTEE**

Wednesday 6th March, 2013, at 10.00 a.m.  
in Committee Room 3

### **PRESENT**

Councillor J Martin (Chair)  
Councillor Hale (Vice-Chair)  
Councillors Marrey, Ms Nicholls and Mrs Rogers, together with Mrs M Worton – Change and Strategy Head of Service, Miss S Riaz – Solicitor for the Council, Mr M Farooq – Assistant Director of Corporate Resources and Miss K Fellows (all Directorate of Corporate Resources)

### **ALSO IN ATTENDANCE (AS INDICATED)**

An Assistant Director of Corporate Resources and Mrs LS  
Ms A Whittington – (Representative of UNISON)

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#### 11. **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were submitted on behalf of Councillors A Aston, Mrs P Martin and J Woodall.

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#### 12. **DECLARATIONS OF INTEREST**

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

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#### 13. **MINUTES**

RESOLVED

That the minutes of the meeting of the Committee held on 2<sup>nd</sup> October, 2012, be approved as a correct record and signed.

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#### 14. **EXCLUSION OF THE PUBLIC**

RESOLVED

That 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 Part I of Schedule 12A to the Local Government Act, 1972, as indicated below, and in all circumstances the public interest in disclosing the information is outweighed by the public interest in maintaining the exception from disclosure:-

<u>Description of Item</u>	<u>Relevant Paragraph of Part I of Schedule 12A</u>
Appeal by Mrs LS	1

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15. APPEAL BY MRS LS

The Committee considered an appeal on behalf of Mrs LS against her dismissal from the employment of the Council. The Council's procedure was followed.

The Human Resources Advisor to the Committee outlined the procedure to be followed.

Mrs LS was in attendance at the meeting together with Ms A Whittington (UNISON representative), who presented the case on behalf of Mrs LS.

There followed an initial adjournment in order for the Council's Statement of Facts to be confirmed between Mrs LS and her representative and the Solicitor for the Council.

The meeting was re-convened when the Appellant's representative confirmed that the Council's Statement of Facts was agreed.

The Appellant's representative summarised Mrs LS's case and responded to questions.

The Council's representative, Ms S Riaz summarised the Council's case and called an Assistant Director of Corporate Resources, Directorate of Corporate Resources as a witness who read her witness statement and responded to questions from the representative for Mrs LS, the Council's representative, Committee Members and the Legal and Human Resources advisors to the Committee.

Mrs LS responded to questions from the Council's representative, the Human Resources representative and Committee Members.

The Appellant's representative and the Council's representative then summed up their respective cases.

Following the summing up of their cases by the respective parties, the parties left the meeting at which point the Committee continued its deliberations.

Arising from detailed consideration given to the written and oral evidence presented it was:-

RESOLVED

That the Committee unanimously determined that the allegation of gross misconduct by Mrs LS is proven and that the decision to dismiss her be upheld.

The meeting ended at 2.30pm

CHAIR

DDGA/9

## **SPECIAL MEETING OF LICENSING AND SAFETY COMMITTEE**

Wednesday, 20th February, 2013 at 5.00 pm  
in Committee Room 3, The Council House, Dudley

### **PRESENT:-**

Councillor Bills (Chair)  
Councillor Cowell (Vice-Chair)  
Councillors Mrs Ameson, Mrs Aston, Blood, K Finch, James, Perks,  
Taylor and J Woodall.

### **Officers**

Mr T.Holder (Solicitor), Mrs L. Rouse (Licensing Clerk) and Mr J Jablonski  
(Democratic Services) (all Directorate of Corporate Resources)

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#### 17                    **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were submitted on behalf of  
Councillors Roberts and Russell.

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#### 18                    **DECLARATIONS OF INTEREST**

No Member made a declaration of interest in accordance with the  
Members' Code of Conduct.

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#### 19                    **MINUTES**

##### **RESOLVED**

That the minutes of the Special Meeting of the Committee held on  
19th December 2012, be approved as a correct record and  
signed.

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#### 20                    **REVISION OF LICENCE FEES**

A report of the Director of Corporate Resources was submitted on the  
proposed revision of fees for licences and consents, other than those  
where the fees are imposed by statute in respect of liquor licensing,  
gambling machine permits and lotteries and amusements.

During the consideration of this matter the Chair agreed to raise with the Assistant Director, Law and Governance, concerns raised by Councillor James regarding street trading consents.

RESOLVED

That approval be given to an increase of 2%, with effect from 1<sup>st</sup> April, 2013, in respect of fees for licences and consents, other than those where the fees are imposed by statute in respect of liquor licensing, gambling machine permits and lotteries and amusements, as set out in column (2) of Table A of the report submitted.

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The meeting ended at 5.20 pm

CHAIR

## **SPECIAL MEETING OF LICENSING AND SAFETY COMMITTEE**

Thursday, 7<sup>th</sup> March 2013 at 6.00 p.m.  
in Committee Room 3, The Council House, Dudley

### **PRESENT:-**

Councillor Bills (Chair)  
Councillor Cowell (Vice Chair)  
Councillors Mrs. Ameson, M Aston, Blood, K Finch, Roberts, Russell,  
Taylor and Woodall.

### **Officers:-**

Mr T Holder (Solicitor), Ms N Bangar (Solicitor) and Mr. J. Jablonski  
(Democratic Services) (All Directorate of Corporate Resources).

### **Also in attendance**

Representatives from West Midlands Police – S Nixon, W Smith, R  
Steele and N Woods.

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#### 21 **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were submitted on behalf of  
Councillors James and Perks.

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#### 22 **DECLARATIONS OF INTEREST**

Councillor Cowell declared a non-pecuniary interest in Agenda Item 4 –  
Alcohol Consumption in Public Places – Quarry Bank area – as she was  
a Ward Member for the area.

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#### 23 **MINUTES**

##### **RESOLVED**

That the minutes of the Special Meeting of the Committee held  
on 20<sup>th</sup> February, 2013, be approved as a correct record and  
signed.

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## ALCOHOL CONSUMPTION IN PUBLIC PLACES – QUARRY BANK AREA

A report of the Director of Corporate Resources was submitted on the consultation undertaken and the publishing of a notice in a local newspaper arising from the decision of this Committee at its meeting held on 19<sup>th</sup> December, 2012, to approve, in principle, the introduction of a Designation Order for the Quarry Bank area where the consumption of alcohol would be prohibited other than within the curtilage of licensed premises.

Appendix 1 to the Report submitted was a copy of a plan indicating the original proposed designated area, as previously reported to the Committee.

Attached as Appendix 2 to the report was a copy of the draft Designation Order.

Paragraphs 6 to 8 of the report submitted detailed the action taken arising from the decision made at the meeting of the Committee held on 19<sup>th</sup> December, 2012, and in particular referred to the 84 responses that had been received arising from the publication of the notice and other steps taken to publicise this matter. Of the 84 responses 82 supported the proposal.

Paragraph 8 of the report also set out representations made to extend the proposed designated area, however, no action was proposed on this as under the legislation the Council can only include an area if there was sufficient evidence from the Police to link the consumption of alcohol with anti-social behaviour or disorder.

It was noted that the cost of the consultation and public notices in the press would be met from existing resources whilst the costs of street signage would be met by the Police.

Arising from the consideration given to this matter, during which particular thanks were given to the Police for their assistance in publicising the matter by delivering letters to properties in the proposed designated area fully explained the proposal and inviting any comments or objections, it was:-

**RESOLVED**

That the Quarry Bank (Alcohol Consumption in Designated Public Place) Order 2013 be approved for the area indicated on the plan and in the draft Designation Order attached as Appendices 1 and 2 to the report submitted and that the Director of Corporate Resources be authorised to take all necessary action connected with the making of the Order as indicated in paragraphs 16 to 21 of the Report submitted.

The meeting ended at 6.08 p.m.

CHAIR



## **LICENSING SUB-COMMITTEE 1**

Tuesday 12<sup>th</sup> March, 2013 at 10.00am  
in The Council Chamber, The Council House, Dudley

### **PRESENT:-**

Councillor Bills (Chair)  
Councillors Blood and Taylor

### **Officers**

Mr R Clark (Legal Advisor), Mrs L Rouse (Licensing Officer) and Miss L Mason (Directorate of Corporate Resources).

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#### **54. APOLOGY FOR ABSENCE**

An apology for absence from the meeting was submitted on behalf of Councillor Woodall.

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#### **55. APPOINTMENT OF SUBSTITUTE MEMBER**

It was noted that Councillor Taylor had been appointed as a substitute member for Councillor Woodall, for this meeting of the Sub-Committee only.

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#### **56. DECLARATIONS OF INTEREST**

No Member declared an interest in accordance with the Members' Code of Conduct.

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#### **57. MINUTES**

##### **RESOLVED**

That the minutes of the meeting held on 5<sup>th</sup> February, 2013, be approved as a correct record and signed.

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#### **58. APPLICATION FOR A LICENSED PREMISES GAMING MACHINE PERMIT – THE CORN EXCHANGE, AMBLECOTE ROAD, BRIERLEY HILL**

A report of the Director of Corporate Resources was submitted on an application for the grant for a gaming permit in respect of The Corn Exchange, Amblecote Road, Brierley Hill.

Ms Lorraine Bayliss, Gamestec and Miss Caroline Henson, Designated Premises Supervisor were in attendance.

Following introductions, Mrs L Rouse, Licensing Officer, Directorate of Corporate Resources, presented the report on behalf of the Council.

It was noted there had been no objections to the application. Miss Henson made her own representations and in doing so outlined the recent refurbishments of the premises.

After a short discussion, it was

RESOLVED

That the application made for the grant of a licensed premises gaming machine permit for four gaming machines in respect of The Corn Exchange, Amblecote Road, Brierley Hill, be granted.

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59. APPLICATION FOR HOUSE TO HOUSE COLLECTIONS LICENCE – COBRA GROUP T/A APPCO GROUP SUPPORT VSO UK

A report of the Director of Corporate Resources was submitted on an application for a house to house collections licence in respect of Cobra Group T/A APPCO Group Support VSO UK.

Miss Becky Trodden, Head of Services and Miss Renalda Ruginiene, Licensing Officer were both in attendance.

Following introductions, Mrs L Rouse, Licensing Officer, Directorate of Corporate Resources, presented the report on behalf of the Council.

It was noted that there had been no objections to this application.

Miss Trodden made representations and in doing so outlined the aims of the company and working procedures.

After further discussion it was

RESOLVED

That the application for a House to House Collections licence in respect of Cobra Group T/A APPCO Group Support be deferred to a future meeting of a Sub-Committee pending receipt of relevant accounts and other relevant information specific to the applicant.

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60. APPLICATION FOR GRANT OF STREET COLLECTION PERMIT –  
GREENPEACE AND FRIENDS OF THE EARTH

A report of the Director of Corporate Resources was submitted on an application for a street collections permit in relation to Greenpeace and Friends of the Earth.

It was noted that the applicant was not in attendance.

Following consideration, it was

RESOLVED

That the application made for a street collection permit in respect of Greenpeace and Friends of the Earth be deferred to a future meeting of a Sub-Committee.

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The meeting ended at 11.00am

CHAIR

## **LICENSING SUB-COMMITTEE 4**

Tuesday 26<sup>th</sup> February, 2013 at 10.10 am  
in the Council Chamber, The Council House, Dudley

### **PRESENT:-**

Councillor Roberts (Chair)  
Councillors Perks and Taylor

### **Officers: -**

Mr R Clark (Legal Advisor), Mrs L Rouse (Licensing Clerk), Mrs K Taylor  
and Miss L Mason (Observer) – All Directorate of Corporate Resources.

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### 37      **DECLARATIONS OF INTEREST**

No Member made a declaration of interest in accordance with the  
Members' Code of Conduct.

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### 38      **MINUTES**

#### **RESOLVED**

That the minutes of the meeting of the Sub-Committee held on  
22<sup>nd</sup> January, 2013, be approved as a correct record and signed.

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### 39      **APPLICATION FOR REVIEW OF PREMISES LICENCE – SHELL CORNER OFF LICENCE AND NEWSAGENTS, 307-308 LONG LANE, HALESOWEN**

A report of the Director of Corporate Resources was submitted on an  
application for the review of the premises licence in respect of Shell  
Corner Off Licence and Newsagents, 307-308 Long Lane, Halesowen.

Mr S Balaghan, Designated Premises Supervisor was in attendance at  
the meeting.

Also in attendance were Mr C King, Principal Trading Standards Officer  
and Mr G Wintrip, Age Restricted Products Enforcement Officer, both from  
the Directorate of the Urban Environment, Ms D McNulty, Dudley Primary  
Care Trust (PCT); and PC A Taylor and WPC N Lees from West Midlands  
Police.

Following introductions by the Chair, the Licensing Clerk presented the report on behalf of the Council.

Mr King presented the representations of Trading Standards and in doing so highlighted that the grounds for the review had been based on the serious undermining of the two licensing objectives, namely, the prevention of crime and disorder and the protection of children from harm due to the poor management of the premises with respect to the sale of alcohol to children.

Mr King informed the Sub-Committee that on 5<sup>th</sup> December, 2012, a sixteen year old child test purchaser had been sold alcohol from the premises contrary to section 146(1) of the Licensing Act 2003 and in direct contravention to the licensing objectives.

On 13<sup>th</sup> September, 2012, an officer from Trading Standards carried out a visit to the premises and spoke to Mr Balaghan. The purpose of the visit was to provide advice in relation to preventing underage sales of age restricted products, information in respect of acceptable proof of age and the benefits of keeping a refusals register. Mr Balaghan was provided with an information pack that included an advice booklet, a Challenge 25 poster, a refusals register, which had been signed and dated before handing over, a poster about proof of age and a sample Proof of Age Standards Scheme card. He was also informed that test purchasing was carried out at premises that sell age restricted products and was requested to ensure that all staff were aware of their obligations under the Licensing Act 2003. It was reported that during the course of this visit, Mr Balaghan signed a form to acknowledge receipt of the information pack.

Mr King further stated that on 5<sup>th</sup> December, 2012, Trading Standards together with West Midlands Police, carried out a test purchasing exercise to determine compliance with the law on the sale of alcohol to children. On that occasion, a sixteen year old male test purchaser volunteer purchased a bottle of Stella Artois Cidre with 4.5% alcohol by volume. The seller made no attempt to ask the age of the volunteer, and did not ask for identification.

Following the sale, and having returned to the premises, it was discovered that the individual who sold the alcohol to the test purchaser had been Mr Balaghan. When questioned Mr Balaghan admitted making the sale claiming that he had been busy with customers and had been distracted, and explained that he had always requested identification before making a sale.

On inspection of the premises, it was noted that there were Age Restricted Products posters displayed and a challenge 21 policy in place. Following a request by officers Mr Balaghan was able to produce a refusals register, which included a number of entries. Mr Balaghan was then issued with a Fixed Penalty Notice.

A full list of proposed additional conditions, which had been suggested by Trading Standards, had been circulated to all parties prior to the meeting.

Ms McNulty then presented the representations on behalf of Ms V Little, Director of Public Health, Dudley PCT, which had been circulated to all parties in accordance with the Licensing Act 2003. She made particular reference to the number of well documented impacts on the health of adolescents as a consequence of alcohol consumption.

It was noted that in the opinion of Ms Little, she considered the sale of alcohol to underage young people to be very serious and supported the recommendation to revoke or suspend the premises licence.

PC Taylor then presented the representations of West Midlands Police and in doing so informed the Sub-Committee that the Police had carried out regular patrols in the vicinity and had not received any feedback from the public or local businesses to indicate any problems with the premises such as anti-social behaviour or incidents of crime.

PC Taylor informed the Sub-Committee that the Fixed Penalty Notice issued to Mr Balaghan had been paid the following day.

A full list of proposed additional conditions, which had been suggested by West Midlands Police, had been circulated to all parties prior to the meeting.

Mr Balaghan then presented his case and in doing so stated that the sale of alcohol on 5<sup>th</sup> December, 2012 had been a result of him being distracted by a number of customers who were in the premises at that time, and that he considered that the test purchaser appeared to be over the age of eighteen.

Mr Balaghan further stated that he was very regretful that the sale had been made and that he did not dispute the facts surrounding the incident.

In responding to a question by a member in respect of items sold at the premises, Mr Wintrip informed the Sub-Committee that Mr Balaghan sold a number of Age Restricted Products, however these did not include solvents and DVDs.

In responding to a question by a member in respect of CCTV, Mr Balaghan confirmed that CCTV had been installed at the premises and currently retained footage for fourteen days, however it was his intention to extend this to twenty-eight days.

Reference was made to the proposed additional conditions that had been submitted by Trading Standards and West Midlands Police, where Mr Balaghan confirmed that he was in agreement with the proposals.

In responding to a question by the Legal Advisor, Mr Balaghan informed the Sub-Committee that he would make some amendments to the premises in particular, to change the positioning of the shelves to enable staff to have improved visibility of customers.

It was noted that a number of alcohol products had been stolen previously, which resulted in Mr Balaghan re-positioning expensive alcohol to behind the counter.

In responding to a question by the Chair, Mr Balaghan confirmed that the premises' peak periods were predominately on Friday and Saturday evenings, and that there were four members of staff altogether.

In responding to a question by the Chair, all parties confirmed that they had a fair hearing.

Following all comments, the Legal Advisor stated that the Sub-Committee would determine the application made on the information submitted and comments made at the meeting by all parties, and that any decision made must be reasonable and proportionate.

The parties then withdrew from the meeting in order to enable the Sub-Committee to determine the application.

The Sub-Committee having made their decision invited the parties to return and the Chair then outlined the decision.

## RESOLVED

That, subject to the following conditions being applied to the premises licence, no further action to be taken in relation to the review of the premises licence in respect of Shell Corner Off Licence and Newsagents, 307-08 Long Lane, Halesowen : -

### Conditions

- (1) A written Proof of Age Policy (Challenge 25) is to be put in force, which all staff authorised to sell alcohol will be trained in and adhere to. Valid proof of identification will only include passport, photographic driving licence or a Proof of Age standards Scheme (PASS) proof of age card such as Citizen card. No other form of identification shall be accepted.
- (2) A4 notices to be displayed on the door to the premises and near the point of sale stating that it is an offence to buy alcohol for persons under the age of 18.



- (3) A Register of Refusals of Sale of Alcohol which indicates the date, time and reason for refusal will be operated and maintained at the premises. The Premises Licence Holder shall review the book once a week ensuring it is completed and up-to-date. The Premises Licence Holder will sign the book each time it is checked. This book shall be made available for inspection by an officer of any responsible authority.
- (4) CCTV to be in place at the premises and to be recording at all times when the premises are open for licensable activity, to the specifications of the West Midlands Police Crime Reduction Officer so that the alcohol display area and the point of sale area can be viewed. All images are to be recorded and kept for a minimum of 28 days and made available to any responsible authority upon request immediately, and all staff are to be trained and able to operate and download CCTV. The hard drive is to be locked but readily accessible to staff.
- (5) The Premises' CCTV shall be reviewed on a weekly basis in order to identify persons under the age of 18 who are attempting to buy alcohol or persons over the age of 18 buying on their behalf. A record of these checks shall be maintained and be available for inspection upon request by an officer of any responsible authority.
- (6) All persons engaged to sell alcohol must complete a training programme, which includes a written test to verify the competency of that person prior to them being authorised to sell alcohol.
- (7) The premises licence holder shall ensure that monthly reviews are conducted with any persons authorised to sell alcohol in order to reinforce training, promote best practice and policy. The monthly reviews will be recorded in writing.
- (8) A file shall be maintained at the premises for each person authorised to sell alcohol (with proof of identity which will be a copy of passport and/or driving licence). This file shall contain all training records for each person along with copies of monthly reviews as stated in point 7. This file shall be made available for inspection by any officer from a responsible authority upon request.
- (9) Any person who is suspected of purchasing alcohol for any other person, regardless of age, shall be refused service.

## REASONS FOR DECISION

The Sub-Committee has heard evidence from Trading Standards, the Police and Mr Balaghan, the Premises Licence Holder. Mr Balaghan does not dispute that he sold alcohol to an underage test purchaser on 5<sup>th</sup> December, 2012, and states that he believed he looked eighteen, did not ask his age and was distracted due to the business of the shop. He paid the fixed penalty notice the next day.

Mr Balaghan has discussed the proposed conditions recommended by Trading Standards and the Police and accepts them all; and has agreed to make some amendments to the premises and his administration to achieve the new conditions. The Sub-Committee has considered all of the options and finds that imposition of these significant conditions do address the concerns raised by this under age sale and are a proportionate response to the child protection concerns raised by the sale. The Sub-Committee therefore imposes the nine conditions as recorded in this decision.

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### APPLICATION FOR REVIEW OF PREMISES LICENCE – SPAR, 115A BRETTELL LANE, AMBLECOTE, STOURBRIDGE

A report of the Director of Corporate Resources was submitted on an application for the review of the premises licence in respect of Spar, 115A Brettell Lane, Amblecote, Stourbridge.

Mr P Kettle, Solicitor was in attendance at the meeting on behalf of Mr Jacques, Designated Premises Supervisor due to Mr Jacques recovering from an operation.

Also in attendance were Mr C King, Principal Trading Standards Officer and Mr G Wintrip, Age Restricted Products Enforcement Officer, both from the Directorate of the Urban Environment; and PC A Taylor and WPC N Lees from West Midlands Police.

Following introductions by the Chair, the Licensing Clerk presented the report on behalf of the Council.

Mr King presented the representations of Trading Standards and in doing so highlighted that the grounds for the review had been based on the serious undermining of the two licensing objectives, namely, the prevention of crime and disorder and the protection of children from harm due to the poor management of the premises with respect to the sale of alcohol to children.

Mr King informed the Sub-Committee that on 12<sup>th</sup> December, 2012, a fifteen year old child test purchaser had been sold alcohol from the premises contrary to section 146(1) of the Licensing Act 2003 and in direct contravention to the licensing objectives.

On 10<sup>th</sup> October, 2012, an officer from Trading Standards carried out a visit to the premises and spoke to Mr Jacques, who stated that he was a joint partner in the business. The purpose of the visit was to provide advice in relation to preventing underage sales of age restricted products, information in respect of acceptable proof of age and the benefits of keeping a refusals register. Mr Jacques was provided with an information pack that included an advice booklet, a Challenge 25 poster, a refusals register, which had been signed and dated before handing over, a poster about proof of age and a sample Proof of Age Standards Scheme card. He was also informed that test purchasing was carried out at premises that sell age restricted products and was requested to ensure that all staff were aware of their obligations under the Licensing Act 2003. It was reported that during the course of this visit, Mr Jacques signed a form to acknowledge receipt of the information pack.

Mr King further stated that on 12<sup>th</sup> December, 2012, Trading Standards together with West Midlands Police, carried out a test purchasing exercise to determine compliance with the law on the sale of alcohol to children. On that occasion, a fifteen year old male test purchaser volunteer purchased a 500ml can of Strongbow Cider with 4.8% alcohol by volume. The seller made no attempt to ask the age of the volunteer, and did not ask for identification, however he did ask whether the volunteer required a bag for his purchase.

Following the sale, and having returned to the premises, it was discovered that the individual who sold the alcohol to the test purchaser had been a Ms R Bingham. It was noted that the Designated Premises Supervisor was not present on the premises at the time of the sale.

Following enquiries it was discovered that Ms Bingham had received training relating to the sale of age restricted products when she commenced her employment at the premises six months previously.

On inspection of the premises, it was noted that there were Age Restricted Products posters displayed; a challenge 25 policy in place and an electronic till prompt at the point of the sale, however the refusals register could not be located. Ms Bingham was then issued with a Fixed Penalty Notice.

A full list of proposed additional conditions, which had been suggested by Trading Standards, had been circulated to all parties prior to the meeting.

PC Taylor then presented the representations of West Midlands Police and in doing so informed the Sub-Committee that the Police had carried out regular patrols in the vicinity and had not received any feedback from the public or local businesses to indicate any problems with the premises such as anti-social behaviour or incidents of crime.

PC Taylor informed the Sub-Committee that the Fixed Penalty Notice issued to Ms Bingham had been paid.

Mr Kettle then presented the case on behalf of Mr Jacques, and in doing so stated that Mr Jacques had been involved in the business for a long period of time, and there had been no incidents or concerns received. He stated that Mr Jacques understood his role as a Premises Licence Holder in particular the need for every effort to be made to comply with the requirements of the Licensing Act 2003 and the Licensing Objectives.

It was further noted that there were three members of staff employed at the premises that were also Personal Licence Holders.

Mr Kettle stated that Mr Jacques did not dispute the facts surrounding the incident, but that he was saddened that the sale had been made as every effort had been made to ensure that an incident would not occur.

Reference was made in relation to the refusals register not being located at the time of the sale on 12<sup>th</sup> December, 2012, and Mr Kettle stated that Ms Bingham had since been retrained and was currently unable to sell alcohol unsupervised.

Reference was made to the proposed additional conditions that had been submitted by Trading Standards and West Midlands Police, where Mr Kettle confirmed that Mr Jacques was in agreement with the proposals, however he did request that the condition requiring Mr Jacques to review the CCTV footage on a weekly basis, should be amended to include 'in conjunction with the refusals register', in order to allow Mr Jacques to view refusals only.

In responding to a question by a member who suggested placing the refusals register by the till register in order to act as a reminder to staff, Mr Kettle stated that the refusals register could be located by the till register and it was Mr Jacques intention that the register would be countersigned.

In responding to a question by the Chair, all parties confirmed that they had a fair hearing.

Following all comments, the Legal Advisor stated that the Sub-Committee would determine the application made on the information submitted and comments made at the meeting by all parties, and that any decision made must be reasonable and proportionate.

The parties then withdrew from the meeting in order to enable the Sub-Committee to determine the application.

The Sub-Committee having made their decision invited the parties to return and the Chair then outlined the decision.

## RESOLVED

That, subject to the following conditions being applied to the premises licence, no further action to be taken in relation to the review of the premises licence in respect of Spar, 115A Brettell Lane, Amblecote, Stourbridge : -

### Conditions

- (1) A written Proof of Age Policy (Challenge 25) is to be put in force, which all staff authorised to sell alcohol will be trained in and adhere to. Valid proof of identification will only include passport, photographic driving licence or a Proof of Age standards Scheme (PASS) proof of age card such as Citizen card. No other form of identification shall be accepted.
- (2) A4 notices to be displayed on the door to the premises and near the point of sale stating that it is an offence to buy alcohol for persons under the age of 18.
- (3) A Register of Refusals of Sale of Alcohol which indicates the date, time and reason for refusal will be operated and maintained at the premises. The Premises Licence Holder shall review the book once a week ensuring it is completed and up-to-date. The Premises Licence Holder will sign the book each time it is checked. This book shall be made available for inspection by an officer of any responsible authority.
- (4) CCTV to be in place at the premises and to be recording at all times when the premises open for licensable activity, to the specifications of the West Midlands Police Crime Reduction Officer so that the alcohol display area and the point of sale area can be viewed. All images are to be recorded and kept for a minimum of 28 days and made available to any responsible authority upon request immediately and all staff are to be trained and able to operate and download CCTV. The hard drive is to be locked but readily accessible to staff.

- (5) The Premises' CCTV shall be reviewed on a weekly basis, in conjunction with the refusals register, in order to identify persons under the age of 18 who are attempting to buy alcohol or persons over the age of 18 buying on their behalf. A record of these checks shall be maintained and be available for inspection upon request by an officer of any responsible authority.
- (6) All persons engaged to sell alcohol must complete a training programme, which includes a written test to verify the competency of that person prior to them being authorised to sell alcohol.
- (7) The premises licence holder shall ensure that monthly reviews are conducted with any persons authorised to sell alcohol in order to reinforce training, promote best practice and policy. The monthly reviews will be recorded in writing.
- (8) A file shall be maintained at the premises for each person authorised to sell alcohol (with proof of identity which will be a copy of passport and/or driving licence). This file shall contain all training records for each person along with copies of monthly reviews as stated in point 7. This file shall be made available for inspection by any officer from a responsible authority upon request.
- (9) Any person who is suspected of purchasing alcohol for any other person, regardless of age, shall be refused service.

#### REASONS FOR DECISION

This is an application for a premises review of the licence at Spar, Brettell Lane, Amblecote. The review is brought by Trading Standards and relates to an underage sale to a test purchaser on 12<sup>th</sup> December, 2012. The purchase has been admitted by Mr Jacques, the Premises Licence Holder. The sale was made by a 19 year old member of staff, who made no attempt to ask for proof of age or identity, but had been trained on sale of age restricted products six months earlier, she could not locate the refusals register. A Fixed Penalty Notice was issued to Ms Bingham and has been paid. The police have put forward no recent concerns of an alcohol related nature in or around the premises.

Mr Jacques profoundly regrets the sale, despite his best efforts to avoid such an incident. Mr Jacques did not attend the Sub-Committee as he has recently undergone a quadruple heart bypass but is legally represented by Talbots Solicitors today.

The parties have agreed that the imposition of conditions to the licence will address the concerns relating to crime and disorder and child protection and have also agreed the terms of the conditions.

The Sub-Committee agrees that these conditions are appropriate and address the concerns raised, and having considered all of the options, imposes the agreed conditions upon the premises licence.

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41

VARIATION OF DESIGNATED PREMISES SUPERVISOR – HARE AND HOUNDS, WYNALL LANE, STOURBRIDGE

It was noted that this item had been withdrawn.

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The meeting ended at 12.05 pm

CHAIR

## TAXIS COMMITTEE

Wednesday, 13<sup>th</sup> March, 2013 at 5.30 p.m.  
In Committee Room 2 at the Council House, Dudley

### PRESENT:-

Councillor Body (Chair)  
Councillor A. Aston (Vice-Chair)  
Councillors A. Ahmed, Mrs. Ameson, Mrs. Aston, Cowell, Mrs. Simms, Sykes  
and K. Turner.

### Officers:-

Assistant Director (Law and Governance), Mr T Holder, Solicitor, and Mrs K  
Taylor (all Directorate of Corporate Resources).

### Also in attendance:-

Mr S Saleem, Dudley Private Hire Taxi Association, together with  
approximately 30 Taxi Driver's in respect of Agenda Item 6 – Review of Policy  
(Private Hire Cars).

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#### 127. DECLARATIONS OF INTEREST

There were no declarations of interest from Members, in accordance with the  
Members' Code of Conduct.

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#### 128. MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 7<sup>th</sup>  
February, 2013, be approved as a correct record and signed.

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#### 129. CHANGE IN ORDER OF BUSINESS

Pursuant to Council Procedure Rule 13(c) it was:-

RESOLVED

That the remaining items of business be considered in the following  
order:-

Agenda Item Nos. 6, 5, 9, 10, 11, 12 and 13.

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REVIEW OF POLICY (PRIVATE HIRE CARS)

A report of the Director of Corporate Resources was submitted on a review of the policy in relation to private hire vehicles in respect of the colour of private hire vehicles.

Arising from the presentation of the report submitted, the Assistant Director (Law and Governance) updated the Committee by reading in full the correspondence submitted by Chief Superintendent Stuart Johnson, Dudley LPU Commander, outlining the position of the Dudley Police. This included that from a crime and disorder perspective it was considered important by Chief Superintendent Johnson that all registered Dudley Borough private hire vehicles were of an identified uniform colour. He stated that the actual colour is not an issue that the Police would seek to influence, however, it would assist their investigations if the colour chosen differed to that being used by neighbouring authorities.

It was also noted that Chief Superintendent Johnson stated that there was little hard evidence to support the premise that a single vehicle colour was in itself safer. Other cities allow a choice of colour and there were no data or studies to suggest that cities such as Birmingham and Manchester who allowed a choice of colour suffer a higher proportion of violence or sexual offences as a consequence.

Mr Saleem then made his representations on behalf of the Dudley Private Hire Taxi Association, and in doing so circulated a bundle of documents to the Committee in respect of the introduction of an additional colour for private hire vehicles in the Dudley Borough, and submitted that it would be more expensive for taxi driver's to purchase white vehicles alone but that it would be easier if there were two colours.

It was suggested by Mr Saleem that on average a white vehicle would cost two thousand pounds more than a silver or grey vehicle, and that there were more grey vehicles available than white or silver.

Mr Saleem stated that other cities including Manchester allowed a choice of colours and referred to conversations he had had with an enforcement officer from Manchester who confirmed that Manchester had licensed 206 white vehicles and 2,186 silver vehicles.

Mr Saleem further stated that taxi vehicles should be recognised by the roof sign and plate and not predominately by the colour, as most customers would rather hire a taxi based on cheap fares and not the colour.

It was noted that a petition had been submitted to support the introduction of another colour for private hire vehicles.

Mr A Mahmood made his representations, on behalf of the Hackney Carriage Drivers, and in doing so stated that the preference of an additional colour of

vehicles would be silver, as grey would clash with other vehicles in neighbouring boroughs. He reminded the Committee to note that when it was decided by the Legal and Property Committee in 1995, that all private hire vehicles must be white from 1 January 2000, from the same date no hackney carriage vehicle could continue to be white.

In responding to representations made, a member stated that the vehicles should remain white and that many taxi drivers do work in different boroughs depending on where their journey takes them. She also stated that other cities were able to introduce their own policies but that it would not mean that Dudley would have to mirror them, and that it was the taxi drivers responsibility to ensure that all roof signs and back plates were displayed at all times.

Another member stated that the concept of altering colours of taxi vehicles would confuse members of the public, and that it would also be beneficial if a taxi vehicle displayed a notice stating that the vehicle would not be insured unless a booking had been made.

In responding to comments made, a member commented that practices led by other councils such as Manchester could be a model example.

A member raised concerns that the colour of private hire vehicles should not be changed to adhere to fashion trends, and that the majority of the public in the Dudley Borough did recognise a private hire vehicle as white.

It was noted that it would be beneficial for the private hire vehicles to be one colour to identify which borough they were licensed too.

A member stated that the priority was public safety and that he supported the proposal for the introduction of an additional colour for private hire vehicles.

The Chair informed the Committee that he had undertaken an exercise within his ward whereby he discussed with taxi drivers who owned grey private hire vehicles, why they were living in the Dudley Borough but not licensed in the Borough. The Chair stated that the responses received were that many taxi drivers believed that Dudley were strict in how they dealt with drivers who offended, that they were able to purchase a cheaper vehicle and that they were also allowed to advertise their business within Dudley.

Following further discussion it was

#### RESOLVED

That the proposal to amend the policy in relation to the colour of private hire vehicles, to allow the introduction of two colours, be refused; and the 1995 Policy that from 1 January 2000, all private hire vehicles shall be white, be retained.

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COMPETITION FOR TAXI BASE OF THE YEAR

A report of the Director of Corporate Resources was submitted to consider the nominations and submissions for Taxi Base of the Year Competition.

Arising from the presentation of the report, the Chair stated that having reviewed all the nominations received it was evident that each taxi base had provided a good service to customers.

Concerns were raised by a member in respect of the authentication of the nominations once submitted, and asked how many vehicles were operated from each of the bases nominated. In responding, the Assistant Director (Law and Governance) provided the following statistics:

- Beacon Taxis received two nominations, and employed forty-eight taxi drivers.
- Five Star received one nomination, and employed fifty-seven taxi drivers.
- Regal Cabs received one nomination, but operated as a one man Hackney Carriage Taxi Driver Company.
- AMC received one nomination.
- Waterfront received forty-three nominations, and employed forty-seven taxi drivers.
- Express Taxis received forty-six nominations, and employed thirty-two taxi drivers.
- Castle received sixty-six nominations, and employed fifty-one taxi drivers.
- Midland ACA received seventy-one nominations, and employed fifty-two taxi drivers.
- New Star received eighty-six nominations, and employed fifty taxi drivers.

Following a brief discussion and a vote it was

RESOLVED

That the competition for Taxi Base of the Year be awarded to Castle Cars.

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 indicated 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>Description of Item</u>	<u>Relevant paragraph of Part I of Schedule 12A</u>
Grant of Private Hire and Hackney Carriage Drivers' Licences – Mr MN	1
Review of Hackney Carriage Driver's Licence – Mr RHS	1
Grant of Hackney Carriage and Private Hire Drivers' Licences – Mr KH	1
Grant of Private Hire Driver's Licence – Mr KH	1
Revocation of Hackney Carriage Driver's Licence – Mr SC	1

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133. GRANT OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR MN

A report of the Director of Corporate Resources was submitted on an application made for the grant of private hire and hackney carriage drivers' licences in respect of a Mr MN.

Mr MN, was in attendance at the meeting, together with his Solicitor, Mr Schiller, and a supporter, Mr Nasar.

It was noted that this matter had been considered by the Committee on three separate occasions, and that it had been resolved that the matter be deferred pending the receipt of further information to enable the Committee to be presented with all the relevant information.

Mr Schiller made representations on behalf of his client in particular that appropriate enquiries had been made which had resulted in there being no action and that Mr MN had not been placed on the Child Protection Vetting and Barring Register.

Following a brief discussion, Mr MN informed the Committee that there were no matters pending that they need to be made aware of.

**RESOLVED**

1. That, following careful consideration of the information contained in

the report submitted, and as reported at the meeting, approval be given to the grant of private hire and hackney carriage drivers' licences to Mr MN for a period of twelve months.

2. That in view of the Safeguarding Panel's decision, that Mr MN's name be not placed on the Child Protection Vetting and Barring Register, no further action be taken.

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134. REVIEW OF HACKNEY CARRIAGE DRIVERS' LICENCE – MR RHS

A report of the Director of Corporate Resources was submitted on a review of the hackney carriage driver's licence issued to Mr RHS, in the light of the offence committed as indicated in paragraph 7 of the report submitted.

Mr RHS was not in attendance at the meeting and a reason for absence had not been received.

The Solicitor informed the Committee that since the writing of the report, Mr RHS had appealed the decision made by the Crown Court at Wolverhampton on 15th February, 2013.

RESOLVED

That consideration of the review of the hackney carriage driver's licence issued to Mr RHS be deferred for consideration at a future meeting of the Committee pending the outcome of Mr RHS's appeal to the High Court.

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135. GRANT OF HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS' LICENCES – MR KH

A report of the Director of Corporate Resources was submitted on an application made for the grant of hackney carriage and private hire drivers' licences in respect of a Mr KH.

Mr KH, was in attendance at the meeting, and informed the Committee that there were no matters pending that they needed to be made aware of.

RESOLVED

That, approval be given to the grant of hackney carriage and private hire drivers' licences to Mr KH for a period of three months, and that any future renewals be dealt with by the Assistant Director of Law and Governance, under delegated powers, provided that Mr KH had no offences or matters pending at the time of renewal.

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136. GRANT OF PRIVATE HIRE DRIVER'S LICENCE – MR KH

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A report of the Director of Corporate Resources was submitted on an application made for the grant of private hire drivers' licences in respect of a Mr KH.

Mr KH was in attendance at the meeting, together with a supporter, and responded to questions asked by the Committee. He also informed them that there were no matters pending that they needed to be made aware of.

RESOLVED

That, approval be given to the grant of hackney carriage and private hire drivers' licences to Mr KH for a period of three months, and that any future renewals be dealt with by the Assistant Director of Law and Governance, under delegated powers, provided that Mr KH had no offences or matters pending at the time of renewal.

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137.            REVOCATION OF HACKNEY CARRIAGE DRIVER'S LICENCE – MR SC

A report of the Director of Corporate Resources was submitted on the revocation of the hackney carriage driver's licence issued to Mr SC, in the light of his disqualification from driving for a period of twenty months.

Mr SC was not in attendance at the meeting and a reason for absence had not been received.

Having decided to hear the matter in his absence it was

RESOLVED

That, given the disqualification from driving for a period of twenty months, the hackney carriage driver's licence issued to Mr SC be revoked with immediate effect.

The meeting ended at 7.30 p.m.

CHAIR

## MEETING OF THE CABINET

Tuesday, 12<sup>th</sup> February, 2013 at 5.00 p.m.  
in Committee Room 2 at the Council House, Dudley

### PRESENT:-

Councillor Sparks (Leader of the Council) (Chair)  
Councillor Ali (Deputy Leader)  
Councillors K Ahmed, Crumpton, Foster, Islam, Lowe, Partridge, Waltho  
and Wood

together with the following Opposition Group Members appointed to  
attend meetings of the Cabinet:-

Conservative Group - Councillors Blood, Evans, Harley, K Turner,  
Vickers, Mrs Walker, Wright and James (observer).

### OFFICERS:-

The Chief Executive, Director of Corporate Resources, Director of  
Children's Services, Director of the Urban Environment, Director of  
Adult, Community and Housing Services, Director of Public Health,  
Treasurer, Assistant Director of Corporate Resources (Human  
Resources and Organisational Development) and the Democratic  
Services Manager, together with other officers.

### OBSERVER:-

Councillor Sykes

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### CHANGES IN REPRESENTATION OF OPPOSITION GROUP MEMBERS

The Leader congratulated Councillor Harley on his recent election as  
Leader of the Opposition Group.

Councillor Harley had notified the Director of Corporate Resources of  
the necessary changes in the nominations of Opposition Group  
representatives to attend meetings of the Cabinet.

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### DECLARATIONS OF INTEREST

No member made a declaration of interest, in accordance with the  
Members' Code of Conduct.

A pecuniary interest was declared on behalf of the Chief Executive,  
Directors, Assistant Directors and the Treasurer in respect of Agenda  
Item No. 10 (Pay Policy Statement) in view of the financial information  
and employment terms and conditions referred to in the report.

A pecuniary interest was declared on behalf of the Director of Public Health in respect of Agenda Item No. 14 (Next Stages of Health Reform – Implications for the Council) in view of the references in the report to the role and future employment of the Director of Public Health.

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MINUTES

RESOLVED

That the minutes of the meeting of the Cabinet held on 6<sup>th</sup> December, 2012, be approved as a correct record and signed.

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66

REVENUE BUDGET STRATEGY AND SETTING THE COUNCIL TAX 2013/14

A joint report of the Chief Executive and the Treasurer was submitted seeking consideration of proposals for the deployment of General Fund Revenue Resources, a number of statutory calculations that had to be made by the Council and, subject to the receipt of the Police and Fire precepts, the Council Tax to be levied for the period from 1st April, 2013 to 31st March, 2014.

Cabinet Members responded to questions from opposition group representatives on the budget proposals, in particular the 'big question' consultation process and the associated costs; proposals relating to children's centres, regeneration, transport and roads maintenance, shared services and the increase in the Police precept. The report would be the subject of full debate at the meeting of the Council on 4<sup>th</sup> March, 2013.

RESOLVED

- (1) That the Council be recommended to approve:-
  - (a) The budget for 2013/14, and service allocations as set out in the report submitted to the meeting.
  - (b) The acceptance of Council Tax Freeze Grant for 2013/14.
  - (c) That the statutory amounts required to be calculated for the Council's spending, contingencies and contributions to reserves; income and use of reserves; transfers to and from its collection fund; and Council Tax requirement, as referred to in Section 67(2)(b) be now calculated by the Council for the year 2013/14 in accordance with Sections 31A, 31B and 34 to 36 of the Local Government Finance Act 1992 as shown in Appendix 8 of the report submitted to the meeting.



- (d) That, having calculated the aggregate in each case of the amounts in Appendix 8 to the report submitted to the meeting, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, agrees the following levels of Council Tax for Dudley Council services for 2013/14.

Valuation Bands

A £750.25	B £875.29	C £1,000.33	D £1,125.37
E £1,375.46	F £1,625.54	G £1,875.62	H £2,250.75

- plus the amounts to be notified for the Police and Fire and Rescue precepts.

- (e) The revision of 2012/13 budgets to reflect the variances set out in paragraph 8 of the report submitted to the meeting.
- (f) That the Chief Executive, in consultation with the Director of Public Health and the Cabinet Member for Health and Wellbeing, be authorised to determine the allocation of the available public health grant funding for 2013/14.
- (g) That the 20% discretionary rates relief currently awarded by the Council to Voluntary Aided (VA) schools be removed from 2014/15.
- (h) The Medium Term Financial Strategy as set out in the report.
- (2) That the Treasurer be authorised, in consultation with the Cabinet Member for Finance and the Opposition Spokesperson for Finance, to approve any minor changes resulting from final details of the grant to compensate for the doubling of Small Business Rate Relief, prior to the Council on 4<sup>th</sup> March, 2013, as set out in paragraph 22 of the report submitted to the meeting.
- (3) That the Council be recommended to determine that a referendum relating to Council Tax increases is not required in accordance with Chapter 4ZA of Part 1 of the Local Government Finance Act 1992.

- (4) That the one-off savings from a referendum not being required be noted and that more detailed proposals for the use of the savings be reported to the Council on 4<sup>th</sup> March, 2013.
- (5) That Cabinet Members, the Chief Executive and Directors be authorised to take all necessary steps to implement the proposals contained in the report, in accordance with the Council's Financial Management Regime.
- (6) That the Chief Executive and Directors be reminded to exercise strict budgetary control in accordance with the Financial Management Regime and care and caution in managing the 2013/14 budget, particularly in the context of commitments into later years and the impact that any overspending in 2013/14 will have on the availability of resources to meet future budgetary demands.

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

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#### DEPLOYMENT OF RESOURCES: HOUSING REVENUE ACCOUNT AND PUBLIC SECTOR HOUSING CAPITAL

A joint report of the Chief Executive and the Treasurer was submitted on proposals for the deployment of the Housing Revenue Account and associated matters for 2013/14 and in respect of the Housing Capital Programme for the period from 2012/13 to 2017/18.

The Cabinet Member for Housing, Libraries and Adult Learning undertook to supply a written response to a Member in relation to issues concerning void properties.

#### RESOLVED

- (1) That a rent increase for Housing Revenue Account dwellings on 1st April, 2013, as outlined in paragraph 4 of the report submitted to the meeting, be approved with an average increase of £3.59 (4.6%) and a maximum increase of £5.85 in line with Government rent guidance.
- (2) That an increase of 2.6% in service charges as outlined in paragraphs 6 and 8 of the report submitted to the meeting, be approved.

- (3) That an increase of 10% in heating and lighting charges for sheltered housing from an average weekly charge of £11.92 to an average weekly charge of £13.11 other than at The Gables where charges will remain at their current rates, as outlined in paragraph 7 of the report submitted to the meeting, be approved.
- (4) That an increase for laundry tokens from £2.00 to £2.10, as outlined in paragraph 9 of the report submitted to the meeting, be approved.
- (5) That the increase of 2.6% to the current charge for pitch licences at Oak Lane, as outlined in paragraph 10 of the report submitted to the meeting, be approved.
- (6) That an increase of 2.6% in water charges at Oak Lane to £6.16 per week, as outlined in paragraph 10 of the report submitted to the meeting, be approved.
- (7) That the leaseholders' administration fee be maintained at current levels as outlined in paragraph 11 of the report submitted to the meeting.
- (8) That an increase of £0.50 per month for private Telecare clients, as outlined in paragraph 12 of the report submitted to the meeting, be approved.
- (9) That the maintenance of garage rents at current levels and the dates proposed for future increases as outlined in paragraph 13 of the report submitted to the meeting, be approved.
- (10) That the maintenance of garage plot rent and access agreements at current levels, and the dates proposed for future increases, as outlined in paragraph 13 of the report submitted to the meeting, be approved.
- (11) That the Council be recommended:-
  - (a) To approve the revised Housing Revenue Account budget for 2012/13 and the Housing Revenue Account budget for 2013/14, as outlined in Appendix 1 of the report submitted to the meeting.
  - (b) To approve the public sector housing revised capital budget for 2012/13 and the capital budget for 2013/14 to 2017/18, as outlined in Appendix 2 of the report submitted to the meeting.

- (c) To authorise the Director of Adult, Community and Housing Services and the Director of Corporate Resources to bid for and enter into funding arrangements for additional resources to supplement investment in the public sector housing stock, as outlined in paragraphs 23 and 24 of the report submitted to the meeting.
- (d) To authorise the Director of Adult, Community and Housing Services, in consultation with the Cabinet Member for Housing, Libraries and Adult Learning, to manage and allocate resources to the capital programme, as outlined in paragraph 25 of the report submitted to the meeting.
- (e) To confirm that all capital receipts arising from the sale of Housing Revenue Account assets (other than those specifically committed to support private sector housing) should continue to be used for the improvement of Council homes, as outlined in paragraph 25 of the report submitted to the meeting.
- (f) To authorise the Director of Adult, Community and Housing Services, in consultation with the Cabinet Member for Housing, Libraries and Adult Learning, to procure and enter into contracts for the delivery of the capital programme, as outlined in paragraph 26 of the report submitted to the meeting.
- (g) To approve the Housing Revenue Account medium term financial strategy, as outlined in Appendix 4 of the report submitted to the meeting.

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

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A DUDLEY MBC POLICY FOR COMMUNITY ASSET TRANSFER AND THE IMPLEMENTATION OF THE SEPARATE LEGAL PROCESS FOR THE COMMUNITY RIGHT TO BID WITH REGARD TO ASSETS OF COMMUNITY VALUE

A joint report of the Director of Adult, Community and Housing Services and the Director of Corporate Resources was submitted on the policy relating to Community Asset Transfer and on the procedure established to meet the new legal duty for Councils' to manage the Community Right to Bid procedure with regard to Assets of Community Value in accordance with the Localism Act 2011.

RESOLVED

- (1) That the Community Asset Transfer policy, as referred to in the report submitted to the meeting, be approved and adopted.
- (2) That the new legal duty for the Council with regard to the community right to bid and assets of community value list, be noted.
- (3) That the procedure set out in the report and appendices submitted to the meeting for managing the process for nomination, listings and disposal of Assets of Community Value and determining applications for compensation, be approved.
- (4) That the Director of Corporate Resources, in consultation with the Cabinet Member for Human Resources, Law and Governance, be authorised to make any necessary amendments to the Community Asset Transfer Policy and the Community Right to Bid procedure to reflect any further advice received or in the light of operational experience.

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

CAPITAL PROGRAMME MONITORING

A joint report of the Chief Executive and the Treasurer was submitted on progress with the implementation of the Capital Programme and which proposed certain amendments. The report also set out proposals in relation to the "Prudential Indicators" as required to be determined by the Chartered Institute of Public Finance and Accountancy (CIPFA) Prudential Code for Capital Finance in Local Authorities and the Local Government Act, 2003. The report also sought approval in relation to the Council's Minimum Revenue Provision (MRP) Policy for 2013/14.

In relation to wheeled bins, reference was made to the cost of adapting the existing fleet of vehicles and any further necessary expenditure that might be necessary to implement the service. The Cabinet Member for Environment and Culture reported that the detailed costs would be provided, however, it was not anticipated that the service changes would lead to any compulsory redundancies. The Council's waste and recycling strategy was currently being developed in draft form. Weekly refuse collections would be retained and the access criteria for the collection of wheeled bins would be based on individual needs in the same way as for the collection of green bins.

Reference was also made to the improvement works to the car-park infrastructure. Consultation with ward Councillors was requested in any cases where it was being proposed to introduce parking charges.

#### RESOLVED

- (1) That the results of the Post Completion Review of capital projects, as set out in Appendix B to the report, be noted.
- (2) That in response to the Department for Transport's intention to devolve funding to Local Transport Bodies for major transport schemes, the development of a Black Country "assurance framework" be supported, as set out in paragraph 21.
- (3) That the Council be recommended:-
  - (a) That current progress with the 2012/13 Capital Programme, as set out in Appendix A of the report submitted to the meeting be noted, and that budgets be amended to reflect the reported variances.
  - (b) That the further allocation of Disabled Facilities Grant (DFG) funding of £263,000 be noted and the associated expenditure included in the Capital Programme, and that a further £350,000 of Adult Social Care revenue resources be used to fund DFGs, as set out in paragraph 7 of the report submitted to the meeting.
  - (c) That the contribution of £100,000 to the redevelopment of Gibbs Road House be approved and included in the Capital Programme, as set out in paragraph 8 of the report submitted to the meeting.

- (d) That the contribution of £68,000 to the improvement works being undertaken to CHADD House be approved and included in the Capital Programme, as set out in paragraph 9 of the report submitted to the meeting.
- (e) That the £550,000 allocation for Housing Assistance Grants be continued on an ongoing basis and included in the Capital Programme, as set out in paragraph 10 of the report submitted to the meeting.
- (f) That the Community Capacity Grant allocations be noted, and the associated spend on relevant Adult Personal Social Services projects be included in the Capital Programme, as set out in paragraph 11 of the report submitted to the meeting.
- (g) That the award from the Fuel Poverty fund be noted, and the associated expenditure included in the Capital Programme, as set out in paragraph 12 of the report submitted to the meeting.
- (h) That the Council's contribution of £120,000 to the re-provision of the Saltwells Wardens' Base be approved and the project be included in the Capital Programme, as set out in paragraph 13 of the report submitted to the meeting.
- (i) That the Weekly Collection Support Scheme funding allocation for Recycling be noted, and that the related project be approved and included in the Capital Programme, as set out in paragraph 14 of the report submitted to the meeting.
- (j) That the Wheeled Bins project be approved and included in the Capital Programme, as set out in paragraph 15 of the report submitted to the meeting.
- (k) That the Recycling Bunker project be approved and included in the Capital Programme, as set out in paragraph 16 of the report submitted to the meeting.
- (l) That the Depot Improvements project be approved and included in the Capital Programme, as set out in paragraph 17 of the report submitted to the meeting.

- (m) That the Stourbridge Crematorium Improvement project be approved and included in the Capital Programme, as set out in paragraph 18 of the report submitted to the meeting.
- (n) That the funding allocation for Highway Maintenance be noted and the associated expenditure included in the Capital Programme, as set out in paragraph 19 of the reports submitted to the meeting.
- (o) That the submission of the bid in partnership with Wolverhampton City Council for Local pinch point funding to improve the A4123 Birmingham New Road junction with Shaw Road be approved and that, subject to the bid being successful, the project be included in the Capital Programme, as set out in paragraph 20 of the report submitted to the meeting.
- (p) That the improvement works to Car Park Infrastructure be approved and included in the Capital Programme, as set out in paragraph 22 of the report submitted to the meeting.
- (q) That the allocation of capital funding for New 2 Year Old Places be noted and the associated spend included in the Capital Programme, as set out in paragraph 23 of the report submitted to the meeting.
- (r) That the Capital Programme be amended to include an increase in the capital budget of £472,000 for the Transforming Our Workplace project, as set out in paragraph 24 of the report submitted to the meeting.
- (s) That the Prudential Indicators as required to be determined by the CIPFA Prudential Code for Capital Finance in Local Authorities and the Local Government Act 2003, as set out in Appendix C of the report submitted to the meeting, be agreed.
- (t) That the Minimum Revenue Provision (MRP) Policy for 2013/14 be approved as set out in paragraph 29 of the report submitted to the meeting.

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



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## CORPORATE QUARTERLY PERFORMANCE REPORT

A report of the Chief Executive was submitted on the second Corporate Quarterly Performance Report for 2012/13, relating to performance for the period from 1<sup>st</sup> October to 31<sup>st</sup> December, 2012.

### RESOLVED

- (1) That the Corporate Quarterly Performance Report for the period from 1<sup>st</sup> October to 31<sup>st</sup> December, 2012 be noted and its contents approved.
- (2) That the referral of the report to Scrutiny Chairs, for consideration of the future arrangements for scrutinising the corporate quarterly performance report, be noted.

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## PAY POLICY STATEMENT

A report of the Director of Corporate Resources was submitted giving an overview of the requirements contained in the Localism Act 2011 to prepare an annual pay policy statement. The updated statement would be submitted to the Council on 25<sup>th</sup> February, 2013. The draft policy statement set out the anticipated position as at 1<sup>st</sup> April, 2013.

### RESOLVED

That the Council be recommended to approve the Pay Policy Statement as set out in the Appendix to the report submitted to the meeting.

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## APPROVAL FOR ADOPTION OF THE NEW HOUSING DEVELOPMENT SUPPLEMENTARY PLANNING DOCUMENT – REVISED 2013

A report of the Director of the Urban Environment was submitted on the Council's New Housing Development Supplementary Planning Document (SPD) – Revised 2013.

### RESOLVED

That the New Housing Development Supplementary Planning Document – Revised 2013 be approved and that the cancellation of Planning Guidance Note 3, be noted.

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

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ERNEST STEVENS TRUSTS MANAGEMENT COMMITTEE

A report of the Director of Corporate Resources was submitted on the governance arrangements for the future management and administration of the Ernest Stevens Trusts.

RESOLVED

- (1) That the Council be recommended:-
    - (a) That an Ernest Stevens Trusts Management Committee be established with the terms of reference set out in Appendix 1 to the report submitted to the meeting.
    - (b) That the Committee comprise a total of six Members, with one Councillor being appointed to represent each of the following wards in accordance with the overall political balance requirements of the Local Government and Housing Act 1989 (currently Labour 4; Conservative 2):-
      - Cradley and Wollescote
      - Lye and Stourbridge North
      - Norton
      - Pedmore and Stourbridge East
      - Quarry Bank and Dudley Wood
      - Wollaston and Stourbridge Town
    - (c) That the Chair and Vice-Chair and Members be appointed to serve on the Committee for the remainder of this municipal year based on nominations to be submitted to the Director of Corporate Resources by the two Group Leaders.
    - (d) That no special responsibility allowances be paid to the Chair and Vice Chair of the Committee pending a review of the Members' Allowances Scheme during 2013.
- 

LOCAL WELFARE ASSISTANCE

A report of the Director of Corporate Resources was submitted on the implications of the local provision of the Social Fund and seeking approval to deliver the proposed local service.

## RESOLVED

- (1) That the Transitional Local Welfare Assistance Scheme 2013/14, as attached as Appendix 2 to the report, be approved together with the proposals to deliver local welfare assistance as set out in the report now submitted.
- (2) That the Director of Corporate Resources be authorised to administer all aspects of the Scheme.
- (3) That the Director of Corporate Resources be authorised to make any required amendments to the 2013/14 scheme in consultation with the Cabinet Member for Finance and the Opposition Spokesperson for Finance.

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

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75

## NEXT STAGES OF HEALTH REFORM – IMPLICATIONS FOR DUDLEY COUNCIL

A report of the Chief Executive was submitted on the implications of the next stages of health reform for Dudley Council and associated proposals to approve action for public health transition.

## RESOLVED

- (1) That the progress made on implementing health reform within the Dudley Council area and the issues that the new arrangements raise for the Council as a health-improving Council, be noted.
  - (2) That the Chief Executive, in consultation with the Cabinet Member for Health and Wellbeing, be authorised to agree all matters associated with the transfer of staff and functions from Dudley Primary Care Trust to the Council, subject to the Council's satisfaction with all aspects of the transition as required and in line with the relevant and applicable timescales.
  - (3) That the Chief Executive be authorised to confirm with the Department of Health that Valerie Little, as the current post holder within NHS Dudley, be confirmed in the role of Director of Public Health Designate for Dudley Council.
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76

ADULT SOCIAL CARE - LOCAL ACCOUNT 2011/12

A report of the Director of Adult, Community and Housing Services was submitted on the Adult Social Care Local Account 2011/2012. The Cabinet welcomed and supported the production of the Local Account document and the associated ongoing work.

RESOLVED

That the Adult Social Care Local Account 2011/12 be approved.

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77

FORWARD PLAN OF KEY DECISIONS

A report of the Director of Corporate Resources was submitted on the Forward Plan of Key Decisions for the four-month period commencing 1<sup>st</sup> February, 2013.

RESOLVED

That the Forward Plan of Key Decisions be noted.

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78

ISSUES ARISING FROM SCRUTINY COMMITTEES

No issues were reported under this item.

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The meeting ended at 6.07 p.m.

LEADER OF THE COUNCIL

## MEETING OF THE CABINET

Wednesday, 20<sup>th</sup> March, 2013 at 6.00 p.m.  
in Committee Room 2 at the Council House, Dudley

### PRESENT:-

Councillor Sparks (Leader of the Council) (Chair)  
Councillor Ali (Deputy Leader)  
Councillors K Ahmed, Foster, Islam, Lowe and Partridge

together with the following Opposition Group Members appointed to attend meetings of the Cabinet:-

Conservative Group - Councillors Blood, Harley, James, K Turner and Mrs Walker

### OFFICERS:-

The Chief Executive, Director of Corporate Resources, Director of Children's Services, Director of the Urban Environment, Assistant Director of Adult, Community and Housing Services, Director of Public Health, Treasurer and the Democratic Services Manager, together with other officers

### ALSO IN ATTENDANCE:-

Mr S. Turner (representing the Council's External Auditors in relation to Minute No. 83 below)

### OBSERVER:-

Councillor J Martin

Prior to the commencement of the business, the Leader expressed condolences to Councillor Islam following his recent family bereavement.

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### APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received on behalf of Councillors Crumpton, Vickers, Waltho, Wood and Wright.

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### CHANGES IN REPRESENTATION OF MINORITY GROUP MEMBERS

No changes were reported.

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81                    DECLARATIONS OF INTEREST

No Member made a declaration of interest, in accordance with the Members' Code of Conduct.

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82                    MINUTES

RESOLVED

That the minutes of the meeting of the Cabinet held on 12<sup>th</sup> February, 2013, be approved as a correct record and signed.

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83                    ANNUAL AUDIT LETTER 2011/12

A joint report of the Chief Executive and the Treasurer was submitted on the Annual Audit Letter from the external auditors, the Audit Commission.

Members welcomed the positive comments of the auditors. The Cabinet Member for Human Resources, Law and Governance reported that work was ongoing to address the specific issues identified in the action plan.

RESOLVED

That the Annual Audit Letter, together with the views and comments of the Audit Commission, be noted.

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84                    BOROUGH HOUSING STRATEGY 2013-16

A report of the Director of Adult, Community and Housing Services was submitted on the Borough's Housing Strategy 2013-16.

Reference was made to issues of under-occupancy and the potential impact of welfare reforms together with documents that were the subject of ongoing consultation. A query was raised regarding the accuracy of the rent levels as quoted in chapter 3 of the report. Members also referred to ongoing issues concerning the roll-out of extra care housing schemes and addressing appropriate care needs; Section 106 affordable housing obligations and the positive work previously undertaken by the Regeneration, Culture and Adult Education Scrutiny Committee. The Cabinet also acknowledged the need for a Member-led approach to future policy development.

The Cabinet Member for Housing, Libraries and Adult Learning noted the points raised and undertook to respond concerning the accuracy of the rent levels referred to in the report.

RESOLVED

That the Borough's Housing Strategy be approved.

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

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85

ESTABLISHMENT OF THE BLACK COUNTRY STRATEGIC  
TRANSPORT BOARD

A report of the Director of the Urban Environment was submitted on the establishment of a Black Country Strategic Transport Board.

RESOLVED

- (1) That the establishment of the Black Country Strategic Transport Board to act as the Black Country Local Transport Body be approved.
- (2) That the Cabinet Member for Transportation and Community Safety be appointed as the Council's representative on the Board.
- (3) That the Cabinet Member for Regeneration be nominated to act as substitute for the Cabinet Member for Transportation and Community Safety when needed.
- (4) That Wolverhampton City Council act as the Accountable Body for the Board, including undertaking the role as Secretary, Auditor and Co-ordinator for Freedom of Information requests, subject to further discussions in relation to the apportionment of all reasonable costs incurred in relation thereto.

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

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86

CAPITAL PROGRAMME MONITORING AND EXTERNAL FUNDING

A joint report of the Chief Executive and the Treasurer was submitted on progress with the implementation of the Capital Programme and which proposed certain amendments to the Programme and consideration of external funding issues.

The Director of Children's Services undertook to respond to a Member in writing to provide a breakdown of the specific projects referred to under paragraph 6 of the report.

RESOLVED

- (1) That the Expression of Interest to the Big Lottery for Fulfilling Lives: A Better Start funding be noted, and that an update on progress be given in due course, as set out in paragraph 7 of the report now submitted.
- (2) That the results of the Post Completion Review of capital projects, as set out in Appendix B of the report now submitted, be noted.
- (3) That the Council be recommended:-
  - (a) That current progress with the 2012/13 Capital Programme, as set out in Appendix A to the report submitted, be noted and that budgets be amended to reflect the reported variances.
  - (b) That the Council's redistributed Kickstart funding of £252,000 be reinvested through current Housing Assistance Grants schemes, and that this expenditure be included in the Capital Programme, as set out in paragraph 5 of the report now submitted.
  - (c) That the Schools Grant allocation be noted, and the associated spend included in the Capital Programme, as set out in paragraph 6 of the report now submitted.
  - (d) That the urgent amendments to the Capital Programme, as set out in paragraphs 8 and 9 of the report now submitted, be noted.

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

A report of the Director of the Urban Environment was submitted seeking approval to undertake a statutory consultation process on the draft Planning for Health Supplementary Planning Document commencing on 25<sup>th</sup> March, 2013 for a period of eight weeks.



RESOLVED

That the draft Planning for Health Supplementary Planning Document be approved for consultation.

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

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88

EXTERNALLY FUNDED PROJECTS: ECONOMIC DEVELOPMENT

A report of the Director of the Urban Environment was submitted seeking approval to enter into Collaboration Agreements with Black Country local authorities to enable the delivery of four sub-regional economic development projects and to enter into future Black Country Collaboration Agreements to enable the delivery of economic development projects where Dudley MBC was a delivery partner.

In welcoming the report, Members requested further details of the businesses involved in relation to the expected outputs under project 1 in Appendix 1 to the report. Reference was also made to risks involved with the potential claw back of ERDF funding. It was considered important that all the relevant accountable bodies were monitored, along with any identified potential shortfalls, to ensure that all risks were minimised.

The Cabinet Member for Regeneration noted the comments made and emphasised the Council's commitment to working with local people and communities, including the positive and ongoing engagement of local businesses.

RESOLVED

- (1) That the Cabinet Member for Regeneration and the Cabinet Member for Finance, in consultation with the Director of the Urban Environment and the Director of Corporate Resources (or their nominated representatives) be authorised to negotiate and agree all terms, conditions and financial commitments of the Black Country Collaboration Agreements for the following four projects:-
  - (a) Black Country Regional Growth Fund (Round 3) Programme Bid;
  - (b) Black Country Business Property Investment Programme (ERDF);
  - (c) Black Country Growth Opportunities: Local Delivery (ERDF); and

- (d) Black Country ERDF Technical Assistance.
  - (2) That the Cabinet Member for Regeneration and the Cabinet Member for Finance, in consultation with the Director of the Urban Environment and the Director of Corporate Resources (or their nominated representatives) be authorised to negotiate and agree all terms and conditions of future Black Country Collaboration Agreements for collaborative economic development projects across the Black Country as part of:
    - (a) The current European Regional Development Fund Programme (2007 to 2013)
    - (b) The next European Regional Development Fund Programme (2014 to 2020); and
    - (c) Future or exceptional rounds of Regional Growth Fund.
- 

89

GREEN DEAL/ENERGY COMPANY OBLIGATION (ECO) UPDATE  
AND HOME ENERGY CONSERVATION ACT (HECA)

A report of the Director of Adult, Community and Housing Services was submitted on the Green Deal and Energy Company Obligation (ECO). The report referred to joint Black Country work that had been undertaken and further proposed work at a local level. The report also requested the approval of the Council's Home Energy Conservation Act return.

The Cabinet Member for Housing, Libraries and Adult Learning noted the comments made by a Member concerning the need for further work to minimise energy costs for those on low incomes and associated energy affordability issues.

RESOLVED

- (1) That the report be noted.
- (2) That the various options for delivering Green Deal/ Energy Company Obligations in Dudley be developed further to finalise the Borough's approach to Green Deal/ Energy Company Obligations and that a further report be submitted to a future meeting for decision.

- (3) That the Council be recommended to authorise the Cabinet Member for Housing, Libraries and Adult Learning, the Director of Adult, Community and Housing Services and the Director of Corporate Resources to bid for and enter into an Energy Company Obligations funding arrangement.
- (4) That the Dudley Home Energy Conservation Act report be approved and made publically available on the Council's internet site.

90                    FORWARD PLAN OF KEY DECISIONS

A report of the Director of Corporate Resources was submitted on the Forward Plan of Key Decisions for the four-month period commencing 1<sup>st</sup> March, 2013.

RESOLVED

That the Forward Plan of Key Decisions be noted.

91                    ISSUES ARISING FROM SCRUTINY COMMITTEES

No issues were reported under this item.

92                    EXCLUSION OF THE PUBLIC

RESOLVED

That 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 Part 1 of Schedule 12A to the Local Government Act, 1972, as indicated 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>Description of Item</u>	<u>Relevant paragraph of Part 1 of Schedule 12A</u>
Staffing Issues – Directorate of Adult, Community and Housing Services	1

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STAFFING ISSUES – DIRECTORATE OF ADULT, COMMUNITY AND  
HOUSING SERVICES

A report of the Director of Adult, Community and Housing Services was submitted seeking approval to terminate the contract of employment of an employee (JB), on the grounds of redundancy, in accordance with the Council's Redeployment and Retraining Policy.

**RESOLVED**

That the termination of the contract of employment of the employee referred to in the report now submitted be approved, on the grounds of redundancy, in accordance with the terms and conditions set out in the report.

The meeting ended at 6.42pm

LEADER OF THE COUNCIL

# **DELEGATED DECISION SUMMARIES**

(Copies of Decision Sheets on the new decisions database can be accessed by logging on to

<http://online.dudley.gov.uk/dudco/decision/decisions.asp>)

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**1.****Delegated Decision Summary****Exempt**

Yes No

<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Decision Made By** Cllr Khurshid Ahmed**Authorised By** Cllr Khurshid Ahmed, Cabinet Member for Housing, Libraries and Adult**In Consultation With** Andrea Pope-Smith, Director of Adult, Community and Housing Services**Ward(s) Affected** All**Date of Decision** 11 March 2013**Reference** DACHS/003/2013**Library, Archives and Adult Learning Division Fees and Charges 2013-2014**

To approve the proposed fees and charges shown in the attached appendices to this decision sheet relating to Library, Archives and Adult Learning Division all charges to be implemented from 1st April 2013 except for those Learning fees which will implemented from the 5th August 2013.

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**2.****Delegated Decision Summary****Exempt**

Yes No

<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Decision Made By** Cllr Khurshid Ahmed**Authorised By** Cllr Khurshid Ahmed, Cabinet Member for Housing, Libraries and Adult**In Consultation With** Andrea Pope-Smith, Director of Adult, Community and Housing Services**Ward(s) Affected** All**Date of Decision** 20 March 2013**Reference** DACHS/004/2013**Localism Act 2011 & Succession**

New tenants housed by Dudley Council from 1st April 2013 (those who were not tenants of the Council on 31st March 2013) will be subject to the succession rules enacted by the Localism Act 2013 – noting that the policy for exceptions and appeals remains in place.

Tenancies which commenced prior to 31st March 2012 will be subject to the succession rules that were in place prior to the enactment of the Localism Act 2011.

Tenancies which commenced between 1st April 2012 and 31st March 2013 are governed by the new succession rules of the Localism Act, but local discretion is available to deal with cases of hardship where the tenant had an expectation of the “old” succession rules being applied.

Where a tenant who was a Dudley tenant on 31st March 2012 subsequently transfers voluntarily to another Dudley property, they will be a new tenant in law, but any future succession request from a family member who has lived with them for 12 months will be considered sympathetically so that they are not disadvantaged by the change in legislation.

In all cases, it is noted that tenants and prospective tenants of working age and on benefits will be subject to the social housing size criteria from 1st April 2013, which may impact upon their ability to pay the rent following any succession or sympathetic allocation.

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**3.****Delegated Decision Summary****Exempt**

Yes No

<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Decision Made By** Cllr. Ali**Authorised By** Cllr. Ali, Cabinet Member for Regeneration**In Consultation With** John Millar, Director of the Urban Environment**Ward(s) Affected** Amblecote**Date of Decision** 28 March 2013**Reference** DUE/16/2013**Article 4 Direction – Platts Glassworks**

1.1 To request that the Cabinet Member for Economic Regeneration approves the confirmation of the making of a Direction under Article 4(1) of the Town and County Planning (General Permitted Development) Order 1995 so that the demolition of the former Platts Glassworks (HBSMR 4835; identified in Figure 1 appended to the report) is no longer permitted development but requires planning approval.

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**4.****Delegated Decision Summary****Exempt**

Yes No

<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Decision Made By** Cllr Tim Crumpton**Authorised By** Cllr Tim Crumpton, Cabinet Member for Integrated Children's Services**In Consultation With** Jane Porter, Director of Children's Services**Ward(s) Affected** All**Date of Decision** 18 February 2013**Reference** DCS/08/2013**Increase in fees for Astley Burf Outdoor Adventure Centre**

To increase fees paid by young people of Dudley attending Astley Burf Outdoor Adventure Centre with effect from September 2013. This will increase the fees paid for a one week (Monday to Friday) visit from £101.00 to £103.00, four day visit from £81 to £83 and a weekend visit will increase from £52.00 to £53.00.

To increase the price of the activity week in the summer holiday from £270.00 to £275.00.

Activities organised and provided by ourselves are available to schools at a cost of £270 per school per visit. Activities include team building challenges, archery, a climbing wall and low ropes. Schools also have the option to organise their own activities.

Individual charges are applied to external bookings.

5.

Delegated Decision Summary

Exempt

Yes No

<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Decision Made By** Cllr Tim Crumpton**Authorised By** Cllr Tim Crumpton, Cabinet Member for Integrated Children's Services**In Consultation With** Jane Porter, Director of Children's Services**Ward(s) Affected** All**Date of Decision** 18 February 2013**Reference** DCS/10/2013Troubled Families Programme Provision – Barnardo's

To use a part of the Troubled Families (Attachment Fee) Grant Determination, on behalf of the council, for services from Barnardo's -subject to a Service Level Agreement between the Troubled Families Steering Group and Barnardo's

6.

Delegated Decision Summary

Exempt

Yes No

<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Decision Made By** Cllr Tim Crumpton**Authorised By** Cllr Tim Crumpton, Cabinet Member for Integrated Children's Services**In Consultation With** Jane Porter, Director of Children's Services**Ward(s) Affected** All**Date of Decision** 18 February 2013**Reference** DCS/11/2013Troubled Families Programme Provision - Black Country Partnership NHS Foundation Trust

To use a part of the Troubled Families (Attachment Fee) Grant Determination, on behalf of the council, for services from the Black Country Partnership NHS Foundation Trust – subject to a memorandum of understanding between the Troubled Families Steering group and The BCPNHS Trust

7.

Delegated Decision Summary

Exempt

Yes No

<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Decision Made By** Cllr Tim Crumpton**Authorised By** Cllr Tim Crumpton, Cabinet Member for Integrated Children's Services**In Consultation With** Jane Porter, Director of Children's Services**Ward(s) Affected** All**Date of Decision** 18 February 2013**Reference** DCS/12/2013Troubled Families Programme Provision – Housing Services

To use a part of the Troubled Families (Attachment Fee) Grant Determination, on behalf of the council, for services from Housing – subject to a memorandum of understanding between the Troubled Families Steering group and Housing



8.

Delegated Decision Summary

Exempt

Yes No

<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Decision Made By** Cllr Tim Crumpton**Authorised By** Cllr Tim Crumpton, Cabinet Member for Integrated Children's Services**In Consultation With** Jane Porter, Director of Children's Services**Ward(s) Affected** All**Date of Decision** 18 February 2013**Reference** DCS/09/2013**Catering and Client Services Price Increases 2013. Other catering provisions - Members Dining Room, Saltwells EDC and Himley Hall**

To increase the prices by up to 3.3% as from the 15 April 2013.

9.

Delegated Decision Summary

Exempt

Yes No

<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Decision Made By** Cllr Tim Crumpton**Authorised By** Cllr Tim Crumpton, Cabinet Member for Integrated Children's Services**In Consultation With** Jane Porter, Director of Children's Services**Ward(s) Affected** All**Date of Decision** 25 February 2013**Reference** DCS/13/2013**Troubled Families Programme Provision - West Midlands Police Force**

To use a part of the Troubled Families (Attachment Fee) Grant Determination, on behalf of the council, for services from the West Midlands Police Force – Subject to a memorandum of understanding between the Troubled Families Steering Group and the Police Force

10.

Delegated Decision Summary

Exempt

Yes No

<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Decision Made By** Cllr Tim Crumpton**Authorised By** Cllr Tim Crumpton, Cabinet Member for Integrated Children's Services**In Consultation With** Jane Porter, Director of Children's Services**Ward(s) Affected** All**Date of Decision** 04 March 2013**Reference** DCS/14/2013**Young Carers**

To approve the award of a 3 year contract with a cumulative value of £288,033, to be let from 1st April 2013 to 31st March 2016, to the preferred provider of a Young Carers Service following a compliant procurement exercise

11.

Delegated Decision Summary

Exempt	
Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Decision Made By** Cllr Tim Crumpton

**Authorised By** Cllr Tim Crumpton, Cabinet Member for Integrated Children's Services

**In Consultation With** Jane Porter, Director of Children's Services

**Ward(s) Affected** All

**Date of Decision** 04 March 2013 **Reference** DCS/15/2013

Catering and Client Services Price Increases 2013 - School Meals

To increase the price charged for a school meal by 5p in all Primary and Special Schools and to increase the prices charged for individually priced food items in Primary and Secondary Schools by up to 3.3% as from the 15 April 2013. Proposed meal price will be as follows:

Pupil Meals price will increase from £1.85 to £1.90.

The price of an adult meal will increase from £2.90 to £3.00 (including VAT at 20.0%).

The increase is based on a 3.3% inflationary rise to cover increases in food and overheads.

12.

Delegated Decision Summary

Exempt	
Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Decision Made By** Cllr Tim Crumpton

**Authorised By** Cllr Tim Crumpton, Cabinet Member for Integrated Children's Services

**In Consultation With** Jane Porter, Director of Children's Services

**Ward(s) Affected** Belle Vale  
Cradley and Wollescote  
Halesowen North  
Halesowen South  
Hayley Green & Cradley  
South

**Date of Decision** 06 March 2013 **Reference** DCS/16/2013

New Instrument of Government for Hasbury Church of England Voluntary Controlled Primary School

To approve the sealing of a new Instrument of Government for Hasbury Church of England Voluntary Controlled Primary School.

13.

Delegated Decision Summary

Exempt	
Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Decision Made By** Cllr Tim Crumpton

**Authorised By** Cllr Tim Crumpton, Cabinet Member for Integrated Children's Services

**In Consultation With** Jane Porter, Director of Children's Services

**Ward(s) Affected** Lye and Stourbridge North  
Norton  
Pedmore & Stourbridge East  
Wollaston & Stourbridge  
Town  
Amblecote

**Date of Decision** 11 March 2013 **Reference** DCS/18/2013

New Instrument of Government for Hob Green Primary School

To approve the sealing of a new Instrument of Government for Hob Green Primary School

14.

Delegated Decision Summary

Exempt	
Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Decision Made By** Cllr Tim Crumpton

**Authorised By** Cllr Tim Crumpton, Cabinet Member for Integrated Children's Services

**In Consultation With** Jane Porter, Director of Children's Services

**Ward(s) Affected** Netherton, Woodside &  
St.Andr  
Quarry Bank & Dudley Wood  
St James's  
St Thomas's  
Castle & Priory

**Date of Decision** 11 March 2013 **Reference** DCS/19/2013

New Instrument of Government for Woodside Community School and Children's Centre

To approve the sealing of a new Instrument of Government.

15.

Delegated Decision Summary

Exempt	
Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Decision Made By** Cllr Tim Crumpton

**Authorised By** Cllr Tim Crumpton, Cabinet Member for Integrated Children's Services

**In Consultation With** Jane Porter, Director of Children's Services

**Ward(s) Affected** All

**Date of Decision** 11 March 2013 **Reference** DCS/17/2013

Astley Burf Day Package

To seek approval to offer additional provisions, via day packages at Astley Burf, when the site is not occupied by Dudley children.

16.

Delegated Decision Summary

Exempt

Yes No

<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Decision Made By** Cllr Foster**Authorised By** Cllr Foster, Cabinet Member Transportation and Community Safety**In Consultation With** John Millar, Director of the Urban Environment**Ward(s) Affected** All**Date of Decision** 14 March 2013**Reference** DUE/12/2013Directorate of the Urban Environment's Equality and Diversity Action Plan for 2012/13

That the Directorate's Equality and Diversity Action Plan for 2012/13 be approved.

17.

Delegated Decision Summary

Exempt

Yes No

<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Decision Made By** Cllr Foster**Authorised By** Cllr Foster, Cabinet Member Transportation and Community Safety**In Consultation With** John Millar, Director of the Urban Environment**Ward(s) Affected** All**Date of Decision** 28 March 2013**Reference** DUE/15/2013Transportation Fees and Charges - 2013/14

That approval is given for the proposed revision of fees and charges for the services as described in the Appendix.

18.

Delegated Decision Summary

Exempt

Yes No

<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Decision Made By** Cllr Zafa Islam**Authorised By** Cllr Zafa Islam, Cabinet Member for Health and Wellbeing**In Consultation With** John Polychronakis, Chief Executive**Ward(s) Affected** All**Date of Decision** 25 March 2013**Reference** DACHS/005/2013Public Health Transition

To agree all matters associated with the transfer of staff, and functions from the NHS Black Country PCT Cluster to the Council to support public health transition.

To authorise the Director of Corporate Resources to negotiate and agree a lease for the accommodation of the public health team at Falcon House, Dudley.

That to enable timescales associated with the transition of public health services from the NHS to Dudley Council to be complied with this decision be treated as special urgency under Access to Information Procedure Rules – rule 16 and treated as a matter of urgency under Select Committee Procedure Rules - rule 15(1) and not subject to call and be implemented with immediate effect

19.

Delegated Decision Summary

Exempt

Yes No

X	
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Decision Made By Cllr Peter Lowe

Authorised By Cllr Peter Lowe, Cabinet Member for Finance

In Consultation With Iain Newman, Treasurer

Ward(s) Affected All

Date of Decision 21 March 2013

Reference DCR/14/2013

Approval to waive Standing Order 9 to award a contract extension by negotiation for an enhancement to the current Housing Benefit system

That approval is given to waive Standing Order 9 in respect of extending a contract by negotiation with Northgate Information Solutions UK Limited, to provide a data processing service for Housing Benefit and Council Tax Reduction Application Forms.

20.

Delegated Decision Summary

Exempt

Yes No

	X
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Decision Made By Cllr Gaye Partridge

Authorised By Cllr Gaye Partridge, Cabinet Member for Human Resources, Law and

In Consultation With Teresa Reilly, Assistant Director

Ward(s) Affected All

Date of Decision 22 February 2013

Reference HOPSS/16/2013

Post FIN065A – ICT Officer (Information Systems)

To authorise the establishment of a new post of ICT Officer in the Information Systems unit of ICT Services Section, part of the Treasurer's division. This will be a permanent, full-time post.

21.

Delegated Decision Summary

Exempt

Yes No

	X
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Decision Made By Cllr Gaye Partridge

Authorised By Cllr Gaye Partridge, Cabinet Member for Human Resources, Law and

In Consultation With Philip Tart, Director of Corporate Resources

Ward(s) Affected All

Date of Decision 27 February 2013

Reference DCR/09/2013

Fee Increases for the Directorate of Corporate Resources 2013/14, 2014/15 and 2015/16

That the annual fee increase for Fees within the Directorate of Corporate Resources be approved.

22.

Delegated Decision Summary

Exempt

Yes No

<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Decision Made By Cllr Gaye Partridge

Authorised By Cllr Gaye Partridge, Cabinet Member for Human Resources, Law and

In Consultation With Teresa Reilly, Assistant Director

Ward(s) Affected All

Date of Decision 01 March 2013

Reference HOPSS/17/2013

Creation of an administrative assistant post within Dudley Regional Staff College

To create the post of administration assistant at Dudley Regional Staff College

23.

Delegated Decision Summary

Exempt

Yes No

<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Decision Made By Cllr Gaye Partridge

Authorised By Cllr Gaye Partridge, Cabinet Member for Human Resources, Law and

In Consultation With Teresa Reilly, Assistant Director

Ward(s) Affected None

Date of Decision 20 March 2013

Reference HOPSS/18/2013

Creation of a 9 hr post of Business and Customer Services Assistant, Credit Union. ChiefExecutive Directorate

To create a post of Business and Customer Services Assistant, 9 hrs per week, Mon to Wed, AC2, for one year in the first instance based in the Credit Union, Castle Street, Dudley.

24.

Delegated Decision Summary

Exempt

Yes No

<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Decision Made By Cllr Gaye Partridge

Authorised By Cllr Gaye Partridge, Cabinet Member for Human Resources, Law and

In Consultation With Teresa Reilly, Assistant Director

Ward(s) Affected All

Date of Decision 20 March 2013

Reference HOPSS/19/2013

The restructure of the Children's Services Accountancy Team by removing a Senior PrincipalAccountancy Assistant post and an Accountancy Assistant post and crea

The restructure of the Children's Services Accountancy Team by removing a Senior Principal Accountancy Assistant post and an Accountancy Assistant post and creating a Principal Accountancy Assistant post This is a full time position and will be ring fenced to the employees in the Children's Services Accountancy team currently holding the position of Accountancy Assistant

25.

Delegated Decision Summary

Exempt

Yes No

<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Decision Made By Cllr Gaye Partridge

Authorised By Cllr Gaye Partridge, Cabinet Member for Human Resources, Law and

In Consultation With Teresa Reilly, Assistant Director

Ward(s) Affected All

Date of Decision 20 March 2013

Reference HOPSS/20/2013

Creation of and recruitment to part time Assistant Team Manager (24 hours) Blue Badge Team

To approve recruitment to this new part time (24 hours per week) ATM post to support the Team Manager Disabilities Section in the operational management of the Blue Badge Assessment Team.

26.

Delegated Decision Summary

Exempt

Yes No

<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Decision Made By Cllr Gaye Partridge

Authorised By Cllr Gaye Partridge, Cabinet Member for Human Resources, Law and

In Consultation With Teresa Reilly, Assistant Director

Ward(s) Affected All

Date of Decision 20 March 2013

Reference HOPSS/21/2013

Creation of and recruitment to Temporary Team Assistant - Blue Badge Team (one year temp contract)

To approve recruitment to this new Team Assistant post (temp one year contract) to support the efficient running of the Blue Badge Assessment Team in enabling applications to be screened and IMA's booked in a timely manner.

27.

Delegated Decision Summary

Exempt

Yes No

<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Decision Made By Cllr Gaye Partridge

Authorised By Cllr Gaye Partridge, Cabinet Member for Human Resources, Law and

In Consultation With Teresa Reilly, Assistant Director

Ward(s) Affected All

Date of Decision 20 March 2013

Reference HOPSS/22/2013

To approve the suite of documents relating to agile working.

Following completion of the HR Pathfinder and consultation with relevant parties, to approve the suite of agile working documents including the Agile Working Policy Statement (Appendix 1), Agile Working Guidance (Appendix 2) and the Time Management Arrangements (Appendix 3)

28.

Delegated Decision Summary

Exempt	
Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Decision Made By** Cllr Gaye Partridge

**Authorised By** Cllr Gaye Partridge, Cabinet Member for Human Resources, Law and

**In Consultation With** Philip Tart, Director of Corporate Resources

**Ward(s) Affected** All

**Date of Decision** 21 March 2013 **Reference** DCR/13/2013

To approve the Repair & Maintenance Budget's programme of expenditure for 2013/14

To approve the Repair & Maintenance Budget's programme of expenditure for 2013/14

To authorise the Director of Corporate Resources to establish a detailed programme of works, to make minor amendments to that programme and to add individual schemes to it during the course of the year subject to available resources

To authorise the Director of Corporate Resources to establish and enter [including by way of negotiation and/or extension] any contract necessary to facilitate the Council's repair and maintenance procurement system

29.

Delegated Decision Summary

Exempt	
Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Decision Made By** Cllr Gaye Partridge

**Authorised By** Cllr Gaye Partridge, Cabinet Member for Human Resources, Law and

**In Consultation With** Teresa Reilly, Assistant Director

**Ward(s) Affected** All

**Date of Decision** 28 March 2013 **Reference** HOPSS/23/2013

Appointment of additional Community Support Worker

To agree to the appointment of an additional Community Support Worker (Grade 3) to existing team

30.

Delegated Decision Summary

Exempt	
Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Decision Made By** Cllr Gaye Partridge

**Authorised By** Cllr Gaye Partridge, Cabinet Member for Human Resources, Law and

**In Consultation With** Teresa Reilly, Assistant Director

**Ward(s) Affected** All

**Date of Decision** 28 March 2013 **Reference** HOPSS/24/2013

Senior Contact Workers

To appoint 2 Senior Contact Workers as part of the restructure of Supervised Contact Service



31.

Delegated Decision Summary

Exempt

Yes No

☒ ☐**Decision Made By** Cllr Gaye Partridge**Authorised By** Cllr Gaye Partridge, Cabinet Member for Human Resources, Law and**In Consultation With** Philip Tart, Director of Corporate Resources**Ward(s) Affected** All**Date of Decision** 02 April 2013**Reference** HOPSS/25/2013**Approval of the flexible retirement for DC, Senior Social Worker in the Wollescote Adult Social Care & Support Team, Older People & Physical Disabilities (OPPD)**

To seek approval for the flexible retirement of DC, 59 years in the Directorate of Adult, Community & Housing Services, effective from 1st April 2013.

32.

Delegated Decision Summary

Exempt

Yes No

☐ ☒**Decision Made By** Cllr David Sparks**Authorised By** Cllr David Sparks, Cabinet Member for Policy and Leader of the Council**In Consultation With** Iain Newman, Treasurer**Ward(s) Affected** Brierley Hill**Date of Decision** 20 February 2013**Reference** DCR/07/2013**Urgent addition to the Capital Programme – DACHS Accommodation**

That the project to refurbish Harbour Buildings at the Waterfront to meet the Council's specific requirements to accommodate DACHS be included in the Capital Programme.

33.

Delegated Decision Summary

Exempt

Yes No

☐ ☒**Decision Made By** Cllr David Sparks**Authorised By** Cllr David Sparks, Cabinet Member for Policy and Leader of the Council**In Consultation With** Philip Tart, Director of Corporate Resources**Ward(s) Affected** All**Date of Decision** 05 March 2013**Reference** DCR/10/2013**Scheme of delegation**

That the scheme of delegation, as set out in Part 3 of the Council's Constitution, be amended:

- To authorise the Director of Corporate Resources to make all necessary and consequential changes arising from the transfer of Public Health functions to the Council.
- To authorise the Director of Corporate Resources to administer the Council Tax Reduction Scheme
- To make amendments to the terms of reference of the Development Control Committee and associated development control functions.

34.

Delegated Decision Summary

Exempt

Yes No

<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Decision Made By** Cllr David Sparks**Authorised By** Cllr David Sparks, Cabinet Member for Policy and Leader of the Council**In Consultation With** Philip Tart, Director of Corporate Resources**Ward(s) Affected** All**Date of Decision** 27 March 2013**Reference** DCR/15/2013Scheme of delegation

That the scheme of delegation, as set out in Part 3 of the Council's Constitution, be amended to reflect the transfer of the Dudley market function from the Directorate of Corporate Resources to the Directorate of the Urban Environment with effect from 1st April, 2013.

35.

Delegated Decision Summary

Exempt

Yes No

<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Decision Made By** Philip Tart**Authorised By** Philip Tart, Director of Corporate Resources**In Consultation With** Cllr Peter Lowe, Cabinet Member for Finance**Ward(s) Affected** All**Date of Decision** 22 February 2013**Reference** DCR/08/2013The Exercise of Delegated Authority by the Director of Corporate Resources in relation to: The acceptance of a Tender following a Competitive Tendering Exercise

That, following a Tender exercise, by Wolverhampton CC, to award the Contract for the Supply of Milk and Bread on behalf of the Black Country Purchasing Consortium (Procurement, Contract Management & Creditor Services (Contract Management Ref no. 1285).

36.

Delegated Decision Summary

Exempt

Yes No

<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Decision Made By** Philip Tart**Authorised By** Philip Tart, Director of Corporate Resources**In Consultation With** Cllr Peter Lowe, Cabinet Member for Finance**Ward(s) Affected** All**Date of Decision** 11 March 2013**Reference** DCR/11/2013The extension of a contract (1286)

To extend the contract for the supply of Meat and Meat Products on behalf of Children's Services, Catering & Client Services for the period 1st April 2013 to 31st March 2014, (Contract Management ref. no. 1286).

37.

Delegated Decision Summary

Exempt

Yes No

X	
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Decision Made By Philip Tart

Authorised By Philip Tart, Director of Corporate Resources

In Consultation With Cllr Peter Lowe, Cabinet Member for Finance

Ward(s) Affected All

Date of Decision 18 March 2013

Reference DCR/12/2013

Microsoft Enterprise Subscription Agreement (ESA)

To approve the entering into a 3 year Microsoft Enterprise Subscription Agreement (ESA) through Dudley's contracted reseller - Software Box Limited (SBL).

38.

Delegated Decision Summary

Exempt

Yes No

X	
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Decision Made By Philip Tart

Authorised By Philip Tart, Director of Corporate Resources

In Consultation With Cllr Peter Lowe, Cabinet Member for Finance

Ward(s) Affected All

Date of Decision 02 April 2013

Reference DCR/16/2013

The acceptance of a Tender following a Competitive Tendering Exercise (1284)

That, following a Tender exercise, to award the Contract for the Provision of a Materials Collection & Recycling Service on behalf of Dudley MBC. (Contract Management Ref no. 1284).

39.

Delegated Decision Summary

Exempt

Yes No

	X
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Decision Made By Cllr Wood

Authorised By Cllr Wood, Cabinet Member for Environment and Culture

In Consultation With John Millar, Director of the Urban Environment

Ward(s) Affected All

Date of Decision 21 February 2013

Reference DUE/10/2013

The temporary removal of the closed fishing season at Himley Park

That the closed fishing season on the Great Pool at Himley Park be removed for 2013 for a 1 year trial period.

40.

Delegated Decision Summary

Exempt	
Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Decision Made By** Cllr Wood**Authorised By** Cllr Wood, Cabinet Member for Environment and Culture**In Consultation With** John Millar, Director of the Urban Environment**Ward(s) Affected** Belle Vale  
Halesowen South**Date of Decision** 21 February 2013**Reference** DUE/11/2013**Two part Historical Mural, Cornbow Hall**

To authorise the Borough Artist to design and paint a two part (diptych) mural for the main Activity Room of Cornbow Hall in Halesowen utilising Section 106 Public Art Funds.

41.

Delegated Decision Summary

Exempt	
Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Decision Made By** Cllr Wood**Authorised By** Cllr Wood, Cabinet Member for Environment and Culture**In Consultation With** Philip Tart, Director of Corporate Resources**Ward(s) Affected** Cradley and Wollescote  
All**Date of Decision** 18 March 2013**Reference** DUE/13/2013**Extra Care Development at the site of former Cradley High School - access route - Homer Hill Park and Trust**

The actions of the Council are compliant with the requirements (if any) of the Charities Act 2011 in so far as they relate and/or apply to the land shaded pink on the Plan.

That:-

1. to enable timescales associated with the Homes and Communities grant funding to be complied with this decision be treated as special urgency under Access to Information Procedure Rules – rule 16 and treated as a matter of urgency under Scrutiny Committee Procedure Rules – rule 15 (i) and not subject to call in and be implemented with immediate effect.
2. the proposed developer of the site of the former Cradley High School, Midland Heart, be granted permission to enter the land at Homer Hill Park, (Plan A) to carry out improvement and maintenance works to include resurfacing the access and construction of a footpath, installing lighting fencing and gates, and to use the land (Plan A) to obtain access to and from the development site.
3. the preparatory site works that cross onto land within the Park, to include work to facilitate construction traffic to access the former Cradley High School site be approved.
4. Midland Heart's contractors be granted access to the land shown [Plan B], to include but not limited to tree felling, to facilitate the development.
5. the Cabinet member on behalf of the Council as Trustee of the land subject to the Trust, shaded Pink (PLAN A) consents to the preparatory, improvement and maintenance works.

42.

Delegated Decision Summary

Exempt

Yes No

<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Decision Made By** Cllr Wood

**Authorised By** Cllr Wood, Cabinet Member for Environment and Culture

**In Consultation With** John Millar, Director of the Urban Environment

**Ward(s) Affected** All

**Date of Decision** 22 March 2013

**Reference** DUE/14/2013

Waste Care and Pest Control Fees and Charges 2013/2014

That approval is given for the proposed revision of fees and charges for the services as described in the appendix.