

Minutes and Delegated Decision Summaries

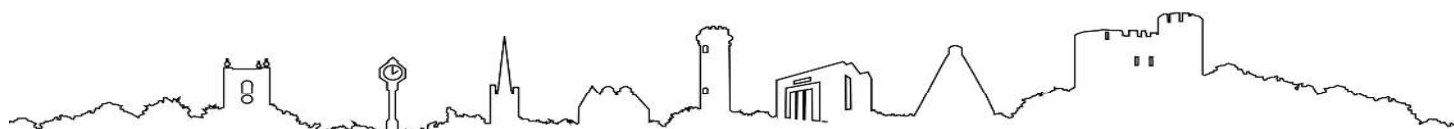
23rd March, 2023 – 23rd June, 2023

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	Date	Pages
Overview and Scrutiny		
Overview and Scrutiny Committee	12/06/2023	3 - 8
Children and Young People Scrutiny Committee	26/04/2023	9 - 13
Climate Change and Environment Scrutiny Committee	27/03/2023	14 - 28
Health and Adult Social Care Scrutiny Committee	24/04/2023	29 - 38
Housing and Public Realm Scrutiny Committee	29/03/2023 27/04/2023	39 – 55 56 - 63

Statutory and Regulatory Committees

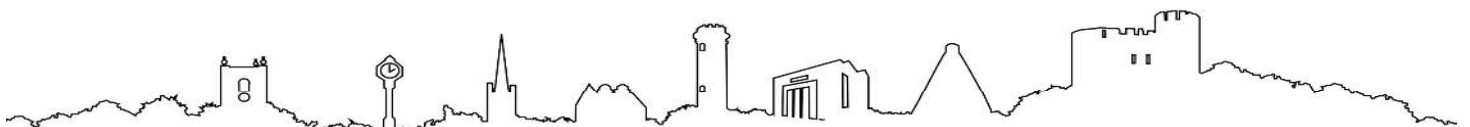
Appointments Committee	05/04/2023	64 – 66
Audit and Standards Committee	20/04/2023	67 - 76
Ernest Stevens Trusts Management Committee	03/04/2023	77 - 79
Licensing and Safety Committee	31/05/2023	80 - 82



<u>Licensing Sub-Committee 1</u>	01/07/2023	83 – 92
	01/07/2023	93 – 94
<u>Licensing Sub-Committee 2</u>	04/04/2023	95 - 97
<u>Licensing Sub-Committee 4</u>	02/05/2023	98 - 107
<u>Planning Committee</u>	19/04/2023	108 – 110
	31/05/2023	111 - 114
<u>Taxis Committee</u>	05/04/2023	115 – 120
	01/06/2023	121 – 124
Delegated Decision Summaries		125 - 131

Your Home Your Forum

Action notes are published on the [Committee Management Information System](#)



**Minutes of the Overview and Scrutiny Committee
12th June, 2023 at 6.00pm
at Saltwells Education Development Centre,
Bowling Green Road, Netherton**

Present:

Councillor I Kettle (Chair)
Councillor S Keasey (Vice-Chair)
Councillors S Ali, H Bills, J Clinton, R Collins, E Lawrence, P Lowe, A Qayyum,
M Rogers and D Stanley.

Officers:

K O'Keefe (Chief Executive), C Driscoll (Director of Children's Services), K Jones (Director for Housing and Communities), M Abuaffan (Acting Director of Public Health and Wellbeing), J Branch (Assistant Director People and Inclusion), N Biddle (Head of Digital and Customer Services), R Cooper (Head of Financial Services), A Paul (Head of Chief Executive's Office), C Blunn (Corporate Performance Manager), S Haycox (Corporate Performance Support) and S Griffiths (Democratic Services Manager).

Observer:

Councillor S Henley.

1 Apologies for Absence

Apologies for absence were received on behalf of Councillors P Dobb, J Foster and A Hughes.

2 **Appointment of Substitute Members**

Councillors R Collins, P Lowe and A Qayyum had been appointed as substitute Members for Councillors P Dobb, J Foster and A Hughes, respectively, for this meeting of the Committee only.

3 **Declarations of Interest**

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

4 **Public Forum**

No issues were raised under this agenda item.

5 **Overview and Scrutiny Arrangements 2023/24**

A report of the Lead for Law and Governance was submitted on the Council's Overview and Scrutiny Arrangements for 2023/24. At the Annual Meeting of the Council on 18th May, 2023, approval had been given to establish the Overview and Scrutiny Committee, together with seven Select Committees for the 2023/24 municipal year.

The report set out updates to Article 6 of the Constitution together with the associated Overview and Scrutiny Procedure Rules. The views of the Committee were sought on the development of any aspects of the Council's Overview and Scrutiny Arrangements during the 2023/24 municipal year.

Concerns were expressed regarding the proposed scrutiny 'call in' arrangements, whereby all 'called-in' decisions would be considered by the Overview and Scrutiny Committee rather than the Select Committee that had called in the decision. Reference was made to a recent Member Development session with representatives of the Local Government Association. Concerns were expressed that the proposals may not reflect external best practice advice or examples of good governance elsewhere. Members questioned the reason for changing the Council's existing approach to determining scrutiny 'call-ins'.

The Chair indicated that the structure of Committees had been agreed at the Annual Meeting of the Council. The Overview and Scrutiny Committee had the ability to invite any Members, Officers or subject matter experts depending on the business under consideration. The Council had significant local discretion to determine its own Overview and Scrutiny arrangements.

Following a discussion it was moved by Councillor P Lowe, seconded by Councillor S Ali and following a vote

Resolved

That consideration of the proposals be deferred pending the submission of a further report to the Overview and Scrutiny Committee.

6 Corporate Quarterly Performance Report – Quarter 4 (1st January to 31st March, 2023)

A report of the Chief Executive was submitted on the Quarter 4 Corporate Quarterly Performance report covering the period 1st January to 31st March, 2023. The information in the report was supplemented by a presentation from the Corporate Performance Manager, copies of which were circulated to the Committee, focussing on indicators that were below target.

The Chief Executive referred to a review of Key Performance Indicators to ensure their relevance and achieve a focus on issues that were particularly problematic over a long period and/or which were of key strategic significance. Issues could be considered in more detail by this Committee or the relevant Select Committee by taking a ‘deep dive’ approach where appropriate.

In response to concerns raised by Councillor D Stanley on Performance Indicator 1899 (Rent loss: % of potential rent receipts lost (dwellings)), the Director of Housing and Communities acknowledged the total cumulative rent loss in Quarter 4 equated to just below £2 million. The end-to-end voids review was in progress and was having a positive impact on void turn around times. This would impact on void rent loss in the future. With the current focus on stock condition there may be an impact on void loss in the short term as additional checks were undertaken at void stage. Councillor S Ali referred to improvement targets and timescales and the need for better communication with Ward Councillors. The data could be presented in control charts, which may give a better perspective. A further review of voids requiring an investment decision was underway and recommendations for these properties would be made during Quarter 1 of 2023/24. The Director of Housing and Communities acknowledged the points made by the Committee.

Councillor E Lawrence raised the possibility of Cabinet Member attendance at this Committee in future along with the respective Directors. This was acknowledged by the Chair.

Councillor P Lowe supported a review and refresh of Key Performance Indicators and targets to ensure these were realistic and reported to the Committee in a more strategic way. There should be a focus on the Performance Indicators that had the most significant financial or strategic impact. The Chair supported a focus on those Key Indicators that highlighted consistent under-performance or had a significant impact.

The Chair referred to Performance Indicators 370 and 371 relating to sickness absence and queried the Council's approach to dealing with absenteeism. The Assistant Director People and Inclusion reported that there was no single solution to this issue and that the data needed to be viewed in the context of regional and national trends, including the reasons for absence and the profile of the Council's workforce. A range of actions were being taken corporately, including the timely intervention of Occupational Health and support to managers in dealing with both short term and long-term absences in line with the Council's established policies. The Chair referred to the financial impact of staff absence. Councillor P Lowe also referred to the regional and national context and the general reduction in the resources available to support managers and employees. A full report would be submitted to a future meeting taking account of the issues raised by the Committee.

Councillor S Ali referred to Performance Indicator 2473 (Square metres of highway defect repairs completed) and questioned the length of time taken to deal with potholes. Comments were made concerning the poor condition of roads in some areas, the quality of materials used and the general approach to dealing with potholes reported by Ward Members. It was agreed that this issue should be considered in more detail by the Highways and Environmental Services Select Committee. Benchmarking should also be undertaken with other West Midlands Councils.

With regard to the review of the Key Performance Indicators, the Chief Executive reported that some of the indicators were required nationally. Appropriate benchmarking could be undertaken with other local authorities subject to differences being acknowledged between individual authorities such as City and Metropolitan Borough Councils. Care needed to be taken not to 'drive' Performance Indicators too hard, which might have a negative effect. Indicators needed to remain realistic and achievable, in the context of resources available, whilst fully recognising the need for the Council to work smarter wherever possible and learn from good practice elsewhere in the country.

Councillor P Lowe supported the need to consider Key Performance Indicators more effectively and to identify significant areas of concern to be considered in detail by the appropriate Select Committee or Cabinet Member. The Chair supported a greater focus on a limited number of key strategic indicators and Councillor E Lawrence suggested that these should be aligned to the relevant Directorates. The Corporate Performance Manager indicated that the corporate performance report could be shared in its entirety and that Members could specify those areas they wished to focus on.

The Chair requested that a report be submitted in future on the issue of Procurement. Councillor S Ali referred to further consideration of the issue of Social Value and the Chief Executive indicated that this was an integral part of the Council's procurement processes.

In the context of regeneration, economy and tourism, Councillor S Ali questioned the current approach to packaging and selling the Borough as a whole. He also referred to the need for Dudley to receive fair funding and reduce areas of wasteful spending. The Chair referred to the importance of properly maintaining the Borough's green spaces. Councillor D Stanley referred to the effective promotion of the Borough's tourist attractions and events, whilst reviewing the continuation of events with poor attendance.

Councillor H Bills referred to Halesowen in Bloom and the benefits of the Halesowen Business Improvement District (BID), which could potentially be extended to other Town Centres. Councillor S Keasey acknowledged the comments, however, expressed the view that the Halesowen BID had been set up in a different financial climate.

Resolved

- (1) That Quarter 4 Corporate Quarterly Performance report, covering the period 1st January to 31st March, 2023, be noted.
- (2) That the proposals to review and refresh Key Performance Indicators be supported.
- (3) That further reports be submitted on the specific issues of sickness absence and procurement taking account of the issues raised by the Committee.
- (4) That the Highways and Environmental Services Select Committee be requested to consider Performance Indicator 2473 (Square metres of highway defect repairs completed) with specific reference to issues raised concerning potholes.

7 Questions Under Council Procedure Rule 11.8

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

The meeting ended at 8.10pm

CHAIR

Minutes of the Children and Young People Scrutiny Committee

Wednesday 26th April 2023 at 6.00 pm
In Conference Room 6, Saltwells Education Development
Centre, Bowling Green Road, Netherton, Dudley

Present:

Councillor P Bradley (Chair)
Councillor D Bevan (Vice-Chair)
Councillors A Aston, C Bayton, H Bills, S Bothul, R Collins, M Howard, P Lee, A Millward, S Ridney and T Russon.

Officers:

C Driscoll (Director of Children's Services), K Graham (Service Director of Childrens Social Care) and K Buckle (Democratic Services Officer).

Also in Attendance:

Councillor R Buttery (Cabinet Member for Children and Young People)

49. Apologies for absence

Apologies for absence from the meeting were submitted on behalf of Councillors D Borley, A Hughes, K Lewis and S Saleem.

50. Appointment of Substitute Members

Councillors T Russon, A Aston and R Collins were appointed as substitute Members for Councillors D Borley, A Hughes and K Lewis respectively for this meeting of the Committee only.

51. **Declarations of Interest**

Councillor P Lee declared a pecuniary interest as he was engaged as a Dudley Foster Carer.

52. **Minutes**

Resolved

That the minutes of the meeting held on 13th March 2023, be confirmed as a correct record, and signed.

53. **Public Forum**

No issues were raised under this agenda item.

54. **Questions Under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

55. **Exclusion of the Public and Press**

Resolved

That the public and press 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 under paragraphs 2 and 4 of Part 1 of Schedule 12A to the Local Government Act 1972, as amended.

56. **Call-In of Decision Sheet – The Restructure of the Children’s Services Directorate**

A report of the Monitoring Officer was submitted to respond to the call-in of the decision of the Cabinet Member for Children and Young People

concerning the restructure of the Children's Services Directorate. The decision had been called-in at the request of five Members of the Children and Young People Scrutiny Committee in accordance with the Scrutiny Committee Procedure Rules, as set out in the Council's Constitution. A copy of the exempt decision sheet relating to this item was circulated, together with the procedure to be followed at the meeting, as outlined by the Chair.

The Cabinet Member for Children and Young People had been invited to the meeting and would be invited to comment on matters leading to and at the time of the decision making, and any issues raised by the Committee concerning the restructure of the service.

The Chair then invited Councillor R Buttery, the Cabinet Member for Children and Young People and the Director of Children's Services to make representations concerning the decision.

Arising from the representations made, Members made the following comments and raised questions, which were responded to at the meeting as follows: -

- (a) The average caseload for the Disability Service related to the average for Dudley and had reduced in recent months. There were now 6.5 full time equivalent qualified Social Workers and Family Support workers operating the service, and every child accessing the service had been reviewed. Work was continuing to transition those children into adult services when they reached the age of 18.
- (b) Members commented that that the proposed restructure should have been presented to the Children and Young People Scrutiny Committee prior to the decision sheet process.
- (c) The Social Worker posts referred to were not being permanently deleted with those being replaced by 29 Grade 11 advanced practitioner posts thereby providing career progression.
- (d) A request that the decision sheet referred to be amended to reflect the change in relation to the social workers posts being progressed to advanced practitioners.
- (e) In relation to Corporate Parenting, the Governance service within Commissioning and Support would provide consistent support and structure.

The separation of those responsibilities from Care Leavers responsibilities and oversight to children in care were referred to, recognising the increased capacity to support corporate parenting responsibilities.

- (f) There were a high number of business support staff and a refocusing and streamlining of the service was being completed to standardise and share information, as well as reducing bureaucratic processes.
- (g) Assurances were provided in relation to Minute Takers streamlining the service to provide a more productive service.
- (h) Details of the Family Safeguarding model had been referenced within the Children's Services Improvement update report that had been referred to the Scrutiny Committee by the Service Director of Children's Social Care.
- (i) In relation to career progression the number of social worker apprenticeships had been increased to fulfil the aim to 'grow your own staff' for the future.
- (j) It was proposed that Family Support Workers would be available at the front door of services to provide faster more responsive work to cover the wide spectrum of work with those families and children who required early intervention to prevent those cases from escalating.
- (k) Formal staff consultations had commenced.
- (l) As part of the Improvement Strategy a report was submitted to the Scrutiny Committee referring to the Ofsted recommendations and in accordance with those recommendations it had been agreed that a Family Safeguarding Programme be implemented to provide rapid support to children and families, to prevent crisis.
- (m) There was a national shortage of Foster Carers, with recruitment remaining challenging however there continued to be streams of work including the 'Foster Carer Fortnight' and the current consultation regarding 'Stable Homes Built on Love' which included kinship carers and special guardianship orders. Dudley had been invited to formulate their response and make representations at a national level.

- (n) There was not a guarantee that changes in social workers for children in care could be avoided, however work was being conducted to provide manageable caseloads for Social Workers to flourish within Dudley and in turn to promote staff retention. Following the Family Safeguarding work and recognition of the Hertfordshire model, two former experienced social workers had approached Dudley in relation to re-entering social work.
- (o) The Leading Judge for the West Midlands area had expressed their approval for the Family Safeguarding work that was being undertaken in Dudley and a Court Progression Manager was in post to prevent drift and delay in the Court process.
- (p) Administration support staff had been divided inequitably across services and the service review would involve a streamlining service to address that inequitable division.

Following all questions and contributions, the Chair asked for any final statements before the Committee proceeded to consider the matter.

Resolved

That the Children and Young People Scrutiny Committee recommends that no objection be raised to the decision in which case no further action is necessary and that the decision of the Cabinet Member for Children and Young People be implemented with immediate effect.

The meeting ended at 7.10pm

CHAIR

Minutes of the Climate Change and Environment Scrutiny Committee

**Monday 27th March, 2023 at 6.00 pm
in Dudley Town Hall, St James's Road, Dudley**

Present:

Councillor P Dobb (Chair)
Councillor T Russon (Vice-Chair)
Councillors C Barnett, C Bayton, K Casey, J Clinton, R Collins, J Elliott, J Foster, J Martin and M Rogers.

Dudley MBC Officers:

A Vaughan (Interim Director of Environment), N McGurk (Head of Transport and Highway Services), J Deakin (Head of Waste and Transport Services), M Clinton (Waste Strategy and Disposal Manager) and K Taylor (Senior Democratic Services Officer)

Also in Attendance:

Councillor D Corfield (Cabinet Member for Highways and Public Realm)
Mr T Weller and Mr M Richards (Members of the Public by invitation)

Together with 1 member of the public.

36 Apologies for Absence

Apologies for absence from the meeting were submitted on behalf of Councillors C Eccles, S Henley and K Shakespeare.

36 **Appointment of Substitute Members**

It was noted that Councillors J Clinton and J Martin had been appointed as substitute Members for Councillors S Henley and C Eccles, respectively, for this meeting of the Committee only.

37 **Declarations of Interests**

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

38 **Minutes**

In referring to Minute No. 28 – Minutes, Mr T Weller requested that the third paragraph be amended to read that the Council should not have tram extensions and to utilise what was already available.

In referring to Minute No. 29 (c) – Medium Term Financial Strategy, Councillor C Bayton reported that a response had not yet been received confirming the budget allocated to Climate Change and Environment and the elements that should be considered by the Scrutiny Committee.

Reference was made to the ongoing work in relation to the development of the Dudley Carbon Reduction Plan, and Councillor C Bayton sought assurances that the final plan would be submitted to the Cabinet in September, 2023, and that the proposed consultation during the Summer would be genuine, open and transparent.

In referring to Minute No. 32 – Progress Update on the trial of the use of pesticides and maintaining the Borough's Green Spaces, Mr M Richards referred to a number of press articles that had reported that the Committee rejected plans to scale back its use of glyphosate, which was incorrect and did not reflect the resolution of the Committee which was accurately recorded in the minutes.

Resolved

That, subject to the amendments above, the minutes of the meetings held on 23rd January, 2023 be approved as a correct record and signed.

39 **Household Waste and Recycling Centre, Stourbridge and Pop-Up Site Performance**

A report of the Interim Director of Environment was submitted on the usage and performance of the Household Waste and Recycling Centre, Stourbridge and the Pop-Up Site, Dudley.

In presenting the report through presentation slides, the Head of Waste and Transport Services referred to the Council's Statutory duty under Section 51(1)(b) of the Environment Protection Act 1990 to provide at least one free of charge facility where residents could bring their household waste and for the disposal of waste.

It was confirmed that the current contractor for the operation of the Stourbridge Site was HW Martin, who provided the service with no additional costs paid on any increase in tonnages or fluctuations in the commodity market. It was noted that the existing contract was due to expire in April, 2024.

The site currently operated seven days a week between 8am to 4pm with an additional 2 hour opening until 6pm on a Monday from 1st April to 30th September. It was noted that the total amount of waste recycled for the period April 2022 to February 2023 was 7770 tonnes which equated to 67.8% of all the waste disposed.

Robust contract management systems were in place including monthly liaison meetings regarding the running of the site and to implement any improvements that were required to keep the site compliant by using the best available practices. Regular site visits were also undertaken to ensure the site was operated to the standard expected and remained fit for purpose.

The Stourbridge site operated a van and trailer e-permit scheme for residents and charities with a commercial type vehicles and for vehicles over 2 metres in height access restricted to Wednesdays only. It was noted that permit holders were limited to a maximum of 12 visits in a rolling 12-month period, and there were currently 4,847 permits issued to residents.

An overview of the site booking capacity was provided which averaged approximately 4587 vehicles each week, with a further increase of 156 vehicles during the additional hours on a Monday during the summer period.

The Head of Waste and Transport Services referred to the Pentagull booking system which had been introduced in October, 2011, where 270,315 bookings had been made to date with 223,720 attending the site. It was reported, however, that there had been 28,260 no shows and 18,335 cancellations.

Reference was made to the Pop-Up Site based in Lister Road, Dudley, which had been introduced in October, 2022 on the 3rd Saturday of every month with availability for 310 vehicles.

Members were then provided with a breakdown of the usage of the Pop-Up Site on a ward basis, together with the category of materials processed since October, 2022. The Head of Waste and Transport Services reported that there were concerns of the large number of no shows against bookings made and that further discussions would be undertaken with Communications and Public Affairs to encourage residents to cancel bookings that were no longer required in order for the slots to be released and made available to others.

Positive feedback had been received from residents following the introduction of the Pop-Up Site in particular the excellent service provided and easy to follow booking system. It was noted that due to the success, the frequency of the site would increase to twice monthly with effect from the 1st April, 2023 on the 1st and 3rd Saturday of every month. The Local Authority had been contacted by Solihull for advice in introducing a similar scheme.

In concluding, the Head of Waste and Transport Services referred to legislation changes effective from 1st January, 2023 that required that Waste Upholstered Domestic Seating (WUDS) containing Persistent Organic Pollutants (POPs) were destroyed to prevent lasting environmental harm and impacts on the food chain. Therefore, any waste containing POPs must be incinerated and must not be re-used, recycled, or landfilled as they contained bioaccumulating fire retardant chemicals.

Arising from the report, Members asked questions and made comments. Responses were provided where appropriate as follows:-

- a) The Chair welcomed the information presented and commented positively on the introduction of the Pop-Up Site at Lister Road, Dudley.

- b) In responding to a question raised by the Chair in relation to the possibility of extending the operating hours to 9pm at the Stourbridge Site similar to those introduced in Wolverhampton, the Waste Strategy and Disposal Manager confirmed that Wolverhampton previously operated between 10am to 9pm, however, this had now returned to 9am to 5pm following insufficient attendance to justify the additional costs incurred.
- c) Councillor C Barnett considered that it was apparent that the no shows adversely affected the Pop-Up Site at Lister Road and queried whether the same booking system was utilised.

In responding, the Waste Strategy and Disposal Manager confirmed that the same booking system was used for both sites and that a number of bookings had been made in advance of the scheduled date.

- e) Councillor C Bayton raised concerns in relation to the duplication of agenda items as information regarding the Waste Strategy had been considered by a different Scrutiny Committee previously, and requested that further consideration be given for future reporting.
- f) In responding to a question raised by Councillor C Bayton, the Waste Strategy and Disposal Manager confirmed that there were no figures recorded prior to the introduction of the Pentagull booking system.
- g) Councillor C Bayton referred to the continuing increase of the number of incidents of fly-tipping which had been evidenced within the Quarterly Performance Reports and comments received by her constituents, and therefore sought assurance as to whether the strategies implemented in relation to waste and recycling were effective.

In responding, the Head of Waste and Transport Services confirmed that there was no correlation between fly-tipping and access to waste and recycling facilities, however, acknowledged that there was a rise in fly-tipping across the Borough.

Councillor C Bayton emphasised the importance in considering how to manage and reduce fly-tipping as it was not considered environmentally sustainable, and suggested that better enforcement was needed and recommended the provision of community friendly waste disposal units by the Local Authority.

- h) The Cabinet Member for Highways and Public Realm referred to the number of no shows to the sites and acknowledged that further work was needed to promote and encourage users to cancel bookings if no longer needed in order for the slots to be released. Members were encouraged to visit the Pop-Up Site and promote the service to constituents.
- i) Mr M Richards suggested that the majority of fly-tipping related predominately to trade waste.
- j) Councillor J Foster referred to the increase of complaints of waste in gardens, estates and spaces in local communities and queried whether there was opportunity to provide a facility where communities could dispose waste locally.
- k) Arising from comments made, the Scrutiny Committee recommended that the Cabinet Member for Highways and Public Realm consider the provision of domestic waste disposal units within local communities throughout the Borough.
- l) In responding to a question raised by Councillor J Foster, the Waste Strategy and Disposal Manager confirmed that Dudley was working in partnership with Textek to offer residents a service for the collection and recycling of waste goods and materials, including mattresses. It was advised that when mattresses were collected by Textek, the steel of the mattress would be separated for recycling or recovery, whilst the remaining elements were blended and distributed to create greener energy, in order to reduce the number of items for landfill. It was noted that items such as mattresses that were disposed at the Stourbridge Site were deposited in landfill.

Councillor J Foster shared her concerns following the comments made, and sought clarification as to what advice was being given to residents on the disposal of oils and hazardous waste.

In responding, the Waste Strategy and Disposal Manager confirmed that oils and hazardous items would not be accepted at the Pop-Up Site, however, could be disposed of at the Stourbridge site. Staff at the Pop-Up site monitored items and would refer residents accordingly.

- m) Councillor T Russon commended the excellent service provided and suggested that the disposal of commercial or trade waste would be beneficial to business owners, and queried whether a drop-in day could be provided to assist those that were unable to secure a slot.

The Waste Strategy and Disposal Manager considered that the introduction of a drop-in day would dispute the need for implementing a booking system and would create challenges for the management of the site. He confirmed that further consideration could be given to viable options during the procurement process leading up to the expiration of the existing contract.

- n) In responding to the recommendation of the provision of domestic waste disposal units within local communities throughout the Borough, the Waste Strategy and Disposal Manager confirmed that previous consideration had been given, however explained the challenges in assessing the number of units required and security, however, it was indicated that a pilot could be undertaken if agreed.
- o) In responding to concerns raised by Members, the Interim Director of Environment referred to the limited resources available across the Directorate and suggested that the Committee may wish to recommend that further scrutiny be undertaken by the Housing and Public Realm Scrutiny Committee on the key performance indicators in relation to fly-tipping. He also suggested that the Committee may wish to review the Household Waste and Recycling Centre Strategy in line with the end of the existing contractual arrangement C058-The Management and Operation of the Household Waste and Recycling Centre in March 2024. This recommendation was supported by the Committee.

The Chair confirmed that the Future Council Scrutiny Committee at the meeting held on 15th March, 2023, recommended that the Housing and Public Realm Scrutiny Committee consider the key performance indicators in relation to fly-tipping as part of their annual scrutiny programme.

- p) In responding to a question raised by Councillor J Clinton, the Waste Strategy and Disposal Manager confirmed that vehicles under 2 metres in height could access the site on any day. Further discussions would need to be undertaken with HW Martin to discuss the possibility of additional late night weekday opening arrangements, however justification would be needed for the additional costs incurred.
- q) Councillor J Elliott queried whether there had been a decrease in demand at the Stourbridge Site following the introduction of the Pop-Up Site and whether appropriate enforcement had been considered in cases of no shows.

In responding, the Waste Strategy and Disposal Manager confirmed that the Stourbridge site continued to be well utilised and that discussions had taken place with regard to enforcement including warnings. Members were advised that every booking generated a reminder that was delivered 24 hours before the allotted time and acknowledged that further work was needed to encourage residents to cancel bookings if no longer required.

- r) Councillor J Martin expressed concerns in relation to the disposal of bulk items such as mattresses to the landfill and urged that further consideration be given in this area. He considered that the Dudley Waste Strategy should be updated and Dudley needed to be a forward thinking Local Authority by demonstrating best practice. Clarification was sought as to how the Household Waste and Recycling Centres in Stourbridge and Dudley integrated within the new emerging Waste Strategy to ensure best practice moving forward.

In responding, the Interim Director of Environment confirmed that the Waste Strategy would be encompassing on all waste and reiterated that further recycling options would be considered during the Autumn in preparation for the end of the existing contractual arrangement C058-The Management and Operation of the Household Waste and Recycling Centre in March 2024.

- s) In response to comments made by Mr T Weller encouraging Officers to take more action and maximise reusing goods, the Head of Waste and Transport Services acknowledged that the current reuse shop at the Household Waste and Recycling Centre, Stourbridge required further improvements to become a more permanent structure.
- t) Councillor C Barnett referred to the difficulties for residents recycling household waste and recyclables without appropriate transport and although the Council was meeting its statutory duty in providing a free of charge facility, queried whether consideration would be given to accommodate residents without vehicles and be incorporated within the Dudley Waste Strategy.

In responding, the Waste and Disposal Manager referred to the potential safety risks to pedestrians walking on site given the number of vehicles with access. Services provided by Textek regarding the collection and recycling of waste goods and materials from a destination requested by the user at a cost was mentioned.

- u) Councillor K Casey echoed comments made by Councillor C Bayton in relation to the duplication of agenda items by other Scrutiny Committees, and considered that the Climate Change and Environment Scrutiny Committee should look at the overarching policy on climate change across the board.
- v) Councillor K Casey sought clarification as to why the percentage of tonnage that had been deposited in landfill had significantly exceeded the maximum of 15% in particular between the period of November, 2022 and February, 2023. In responding, the Waste Strategy and Disposal Manager confirmed that the request for depositing to landfill had been directed by sub-contractors.
- w) In responding to a question raised by Councillor K Casey in relation to expanding the category of waste that could be deposited at the Pop-Up Site, the Waste Strategy and Disposal Manager referred to the restrictions at the site and confirmed that oils and hazardous waste could not be accepted. In order to expand the items deposited extra containers would be required and staff to manage the site, which was currently considered impracticable for a temporary location.
- x) In responding to a question raised by Councillor J Clinton, the Waste Strategy and Disposal Manager confirmed that any copper that was deposited at the Household Waste and Recycling Centre was retained by HW Martin.

Resolved

- (1) That the report and presentation on the usage and performance of the Household Waste and Recycling Centre, Stourbridge and the Pop-Up Site, Dudley, be noted.
- (2) That the Cabinet Member for Highways and Public Realm be recommended to consider the provision of domestic waste disposal units within local communities throughout the Borough.
- (3) That a review of the Household Waste and Recycling Centre Strategy in line with the end of the existing contractual arrangement C058-The Management and Operation of the Household Waste & Recycling Centre in March 2024, be considered as part of the Annual Scrutiny Programme for the 2023/24 Municipal Year, by the relevant Scrutiny Committee.

A report of the Interim Director of Environment was submitted on the current progress on all matters associated with Cycling provision across Dudley Borough.

In presenting the report through presentation slides, the Head of Transport and Highway Services referred to the three key areas for consideration including strategy and funding on a national, regional and local level; scheme development and implementation and road safety education and cycle training.

It was noted that the main National Transport Funding Principles and Department for Transport focussed primarily on Walking, Cycling and Public Transport, with the Department for Transport creating an Executive Agency namely, Active Travel England to oversee and promote walking and cycling in the UK. The agency was responsible for active travel funding, design quality checks alongside a planning role to influence new development.

Emerging regional strategy work would promote cycling and walking to support national, regional and local policy regarding sustainable active travel including West Midlands Local Transport Plan and the Black Country Local Cycling and Walking Implementation Plan. The need to start conversations on Dudley Transport Plan and identify measures that the Local Authority could implement to support connectivity with active travel was mentioned.

A map was displayed outlining the schemes that were in development or in the pipeline up until 2025, together with a breakdown of funding for the delivery in Dudley with consideration being given as to how to connect to neighbouring boroughs to ensure provision was aligned.

The Department for Transport had developed the Local Transport Note 1/20 in July, 2020 incorporating new national design standards for all cycle infrastructure. All schemes required compliant business cases to progress to the new West Midlands Combined Authority Single Assurance Framework governance process before funding was released. Therefore, it was essential that cycling provision was fit for purpose with footways, cycling lanes and crossings being compliant to ensure safety.

The Head of Transport and Highway Services referred to the initial focus given to the cycle network development including maximising opportunities of green spaces, canal networks and disused railways and developing a Local Cycling and Walking Infrastructure Plan (LCWIP).

Computer generated images were displayed demonstrating how a segregated 2-way cycle lane would fit into the existing highway layout, however it was acknowledged that key challenges would be faced in relation to the displacement of on-street parking.

Reference was made to the Safer Routes to School Programme which aimed to encourage walking and cycling to school by providing a safe school zone around each school. Each zone would have an advisory or mandatory 20mph speed limit with an aim to implement six new school zones each year. Schools were prioritised based on a number of factors including road type, collisions, existing provision and pupil numbers. Further consideration would be needed on less visible measures to reduce traffic volumes and vehicle speeds as part of encouraging sustainable travel.

Members were advised of the new School Streets initiative to reduce traffic outside school entrances with a temporary restriction of vehicles at school times to help reduce congestion and noise pollution, improve road safety and air quality and promote walking and cycling to school. Three Dudley Schools had been selected to pilot the first of this initiative scheme during 2023.

Since the start of the academic year in September, 2022, the road safety team had delivered a number of cycle training courses in Dudley schools including Bikeability Cycle and balance bike training, together with Saturday cycle training sessions for the wider community. It was acknowledged that in order to improve, encourage and promote cycling in the wider community required a change in behaviours and more education.

Arising from the presentation, Members asked questions and made comments. Responses were provided where appropriate as follows:-

- a) Mr T Weller emphasised the need for funding to improve local towpaths throughout Dudley and neighbouring boroughs and referred positively to the work undertaken in this area in Birmingham and suggested that officers contact Mr A Tranter, West Midlands Cycling and Walking Commissioner to discuss further. Reference was also made to the improvements required to the Black Country Cycle-Walk Midway which was considered a vital route but was not currently accessible without appropriate footwear.

- b) Councillor C Barnett welcomed the presentation given and proposed work, however queried whether there was sufficient funding available, and that appropriate consultation had been considered. He further agreed with comments made by Mr T Weller and also suggested that further improvements were needed to cycle paths and the Kingswinford Railway Walk route.

In responding, the Head of Transport and Highways Services acknowledged comments made, however confirmed that initial focus would be given to the development of the proposal and emerging plan which would support funding and community engagement. It was noted that priority would be given to maximising safer routes to school programmes primarily.

- d) Councillor C Barnett commented positively on the demand and success of the cycle training sessions.
- e) The Interim Director of Environment welcomed the debate and strategic thinking undertaken to cycling provision and referred to the recent restructure of the Environment Directorate which resulted in a number of positions created in order to progress the agenda moving forward.
- f) The Head of Transport and Highway Services referred to the work undertaken with a regional strategy which would help drive a Dudley Local Transport Plan in order to work on a local level.
- g) Councillor R Collins referred to comments made in relation to the School Streets initiative and queried how this would work in busy town areas such as St Mark's C of E Primary School, without impacting neighbouring streets following the diversion of vehicles.

In responding, the Head of Transport and Highway Services confirmed that the three schools identified to undertake the pilot had been selected to ensure that traffic did not disperse elsewhere, and that additional measures could be considered including reduction of speed dependent on the area.

- i) In responding to a request raised by Councillor R Collins, the Head of Transport and Highway Services undertook to provide a breakdown of cycling provision/training courses on a ward basis.
- j) Councillor C Bayton queried whether consideration had been given to the adoption of 15 minute neighbourhoods throughout the Borough.

The Head of Transport and Highway Services emphasised his ambition in ensuring any proposals were efficient and effective and stated that there were opportunities available in developing the Dudley Strategy including networks, connectivity and walking facilities to see what was fit for purpose within each community including 15 minute neighbourhoods.

- l) In responding to a question raised by Councillor C Bayton, the Head of Transport and Highway Services undertook to provide further details in relation to the three Dudley Schools selected to pilot the School Streets initiative.
- m) Councillor J Foster considered that there were a number of potential challenges in moving forward including encouraging people to cycle, improvements to road conditions, behaviour of motorists to cyclists and lack of guidance within the highway code and driving lessons. Particular concerns were raised with regard to safeguarding vulnerable female cyclists and Councillor J Foster requested that options including CCTV to ensure safety.

In responding, the Head of Transport and Highway Services agreed with comments made and assured Members that safety was a priority, and acknowledged that a cultural change was needed.

- o) Councillor J Clinton referred to the increasing pollution levels on roads in particular affecting cyclists and considered that it was more beneficial in developing an ambitious plan in implementing and improving off road lanes.

In responding, the Head of Transport and Highway Services reiterated the priority of the Local Authority in maximising opportunities of green spaces, canal networks and disused railways.

- q) Councillor T Russon welcomed the approach and proposed measures, and considered it a great opportunity to utilise existing wide residential paths for physical measures including cycle lanes or toucan crossings.
- r) Councillor C Barnett agreed with comments made in relation to a culture change in cycling, and although acknowledged that people would continue to use vehicles, considered this to be a good opportunity to provide improved safety measures for cycling and walking.

Resolved

- (1) That the report and presentation on the current progress on all matters associated with Cycling provision across Dudley Borough, be noted.
 - (2) That the presentation slides be circulated to the Committee for information.
 - (3) That the Head of Transport and Highway Services be requested to provide a breakdown of cycling provision/training courses on a ward basis to the Committee for information.
 - (4) That the Head of Transport and Highway Services be requested to provide further details in relation to the three Dudley Schools selected to pilot the School Streets initiative.
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41 **Public Forum**

Mr T Weller referred to a recent United Nations report in relation to Climate Change and urged decision makers to step up and take immediate action by incorporating policy measures regarding climate change. He petitioned for a debate regarding how the Local Authority wanted to progress with Phase 2 of the West Midlands Metro Extension, given that there was insufficient funding despite the recent announcement of £60m following the Devolution Deal for the West Midlands.

Mr M Richards requested that an update on the Brockmoor Housing Retrofit Scheme be considered as part of the Climate Change and Environment Scrutiny Committee Annual Scrutiny Programme.

42 **Action Tracker**

In responding to a request by the Chair for potential items for consideration by the Scrutiny Committee during the 2023/24 Municipal Year, Councillor C Bayton suggested the following:

- Achieving Net Zero – inviting policy leads from the West Midlands Combined Authority regarding measures implemented for achieving net zero and measures required for Dudley;
- Area Based Transport Strategy;
- Presentation on Planning and Developers – reviewing what Dudley can assist on with regard to climate change for future developments.

Resolved

- (1) That the Action Tracker as outlined in the report, be noted.
 - (2) That the items listed above be considered as part of the Annual Scrutiny Programme for 2023/24 Municipal Year, together with an update on the Brockmoor Housing Retrofit Scheme.
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43 **Questions Under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

The meeting ended at 8.20pm

CHAIR

Minutes of the Health and Adult Social Care Scrutiny Committee

Monday 24th April, 2023 at 6.00 pm
At Saltwells Education Development Centre, Bowling Green
Road, Netherton

Present:

Councillor M Rogers (Chair)
Councillor P Atkins (Vice-Chair)
Councillors R Body, A Davies, J Elliott, J Foster, S Greenaway, L Johnson, P Lee, J Martin and K Razzaq

Dudley MBC Officers:

M Spittle (Head of Access and Prevention), D Phillipowsky (Head of Adult Mental Health (Directorate of Adult Social Care); D Pitches (Head of Healthcare Public Health), A Cartwright (Head of Service) (Directorate of Public Health and Wellbeing) and H Mills (Senior Democratic Services Officer) (Directorate of Finance and Legal).

Also in attendance:

Councillor N Neale (Cabinet Member for Adult Social Care)
P Wall – West Midlands Ambulance Service (for Agenda Item No. 6)
S Nicholls and J Young – Dudley Integrated Health and Care Trust (for Agenda Item No. 6)
L Abbiss – Dudley Group NHS Foundation Trust (for Agenda Item No. 6)

52 Apologies for Absence

Apologies for absence from the meeting were submitted on behalf of Councillors R Ahmed, R Collins, T Crumpton, M Hanif, A Hopwood, P Lowe; and Mr J Griffiths (Co-opted Member).

53 **Appointment of Substitute Member**

It was reported that Councillors R Body, J Elliott, P Lee and J Martin had been appointed to serve as substitute members for Councillors T Crumpton, A Hopwood, R Collins and P Lowe, respectively, for this meeting of the Scrutiny Committee only.

54 **Declaration of Interest**

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

55 **Minutes**

Resolved

That the minutes from the meeting held on 25th January, 2023, be agreed as a correct record and signed.

56 **Public Forum**

No issues were raised under this agenda item.

57 **National Health Service (NHS) Quality Accounts**

The Committee considered the draft Quality Reports and Accounts of NHS Providers for 2022/23, including priorities set out for the respective services for the forthcoming year.

The Committee reviewed the Quality Account reports and documents that had been circulated and made comments as set out below:-

West Midlands Ambulance Service (WMAS)

A summary of the achievements in relation to the 2022/23 priorities was provided, together with the proposed priorities for the year 2023/24. It was recognised that some priorities spanned over both years.

Maternity had been a priority for 2022/23, with a lot of progress made to support the delivery of high-quality care for women during pregnancy, childbirth and the postnatal period. Focus had been on providing training and the opportunity to observe within a maternity ward, as it was recognised that whilst maternity was a necessary skill, Ambulance staff were not always required to attend many maternity cases, therefore it was considered important to provide regular refresh training.

Mental Health was a priority for 2022/23 and would roll-forward into 2023/24 as it was considered a vital area of work to develop. Work continued in developing mental health champions to support other staff members across the Trust and commissioning discussions were still ongoing for funding to develop capacity and capability in mental health service delivery through work to achieve NHS Long Term Plan ambitions to improve the ambulance response to mental health.

Reference was made to the integrated emergency and urgent care clinical governance priority and WMAS taking on all 111 calls. It was confirmed that whilst the answering of 999 and 111 calls were among the best in the Country, a decision had been made to move 111 calls to a new private provider. Work would continue with the new provider to ensure calls were responded to appropriately and efficiently.

Use of alternative pathways was a priority for 2022/23 and would also roll-forward into 2023/24. It was reported that working collaboratively with Integrated Care Board's had allowed for patients to be referred/directed to the most appropriate pathway resulting in a reduction in conveyance rates to hospitals. Members were assured however that any patient that required emergency care would be conveyed to Accident and Emergency if required.

Developing WMAS role in Public Health to tackle inequalities and to play an integral part in supporting and improving public health was a priority for 2022/23. A WMAS Public Health Group had been established and key arrangements had been agreed. It was recognised that there was substantially more development work required in this area and therefore the priority would roll-forward into 2023/24.

The priorities for 2023/34 were outlined, namely:-

- Mental Health
- Integrated Emergency and Urgent Care Clinical Governance
- Utilisation of Alternative Pathways
- Developing WMAS role in improving Public Health
- Reducing Patient harm incidents across the Trust

Following the presentation of the report, Members made comments and asked questions and responses were provided, where necessary, as follows:-

- a) Councillor P Atkins, in referring to Part 3 of the document, in particular the use of alternative pathways performance, commented that all actions/measures of success had been rag rated green as actions complete, however there was no data on the number of non-conveyance or evidence to identify that the pathways were working well. In response P Wall confirmed that the data was available and would be happy to include in the final document or circulate to members separately for information.
- b) In referring to the non-conveyance of patients, Councillor P Atkins asked for assurance that WMAS were comfortable with this approach and if the decision was made from taking a call assessment or by ambulance staff upon arrival. In responding P Wall stated that calls were broken down into categories namely 'hear and treat', 'see and treat' or 'see and convey'. Figures for conveying to the Emergency Department were now back to what they were in 2017, data of which would be shared with members following the meeting, however data would reflect the West Midlands and Black Country and not just residents within the Dudley Borough. Assurance was provided that should a patient require emergency care they would continue to be conveyed to the Emergency Department without delay.
- c) Councillor P Atkins referred to the number of outstanding actions for the Mental Health priority and commented that it would be useful for feedback to be provided in the future from patients, and the patients forum once established. In responding P Wall confirmed that a stakeholder meeting was scheduled to be held on 2nd May, 2023 which would focus on Mental Health. An invite would be circulated to Members accordingly.

- d) Councillor P Atkins commented positively on the WMAS social media activity.
- e) In responding to a question raised by Councillor R Body with regards to obesity, P Wall commented that obesity had not been incorporated as a specific priority however would be linked to other aspects including supporting public health. It was however recognised that in extreme circumstances specialist equipment and training was required.

S Nicholls of Dudley Integrated Health and Care Trust referred to the health advice and support provided by the School Nurse Service on how to keep healthy and whilst data was not included in the accounts, service delivery was doing well and further information could be provided following the meeting.

Dudley Integrated Health and Care Trust (DIHC)

A background to the remit of the Trust and services in which it supported was provided. It was commented that clinical audits had recommenced following reduced activity and service constraints during the pandemic, and that the Trust was still within its developing stages during 2022/23.

The three core elements that were priorities during 2022/23, namely Safe, Effective and Experience, would roll-forward and form the priorities for 2023/24, with greater focus on learning and working systems.

It was commented that the Trust was confident in its approach to safety of its patients and workforce, and the priority would be to focus on the further development and implementation of key national schemes designed to strengthen systems and processes for learning.

Work moving forward would also focus on health inequalities, patient populations and the impact from Covid and how the trust can improve annual health checks to address these issues, working closely with NHS providers and Primary Care.

Reference was also made to infection protection and control post pandemic and to learn from best practise to protect staff and communities and incident reporting and learning for workforce. From recent staff surveys, improvements had been identified in 5 areas, in particular in relation to staff retention.

The Dudley Group NHS Foundation Trust (DGFT)

In presenting the Quality Accounts for DGFT, whilst it was recognised that not all actions/priorities had been achieved, it was commented that the trust was still recovering from the impact of the Pandemic, and Members were reassured that the Trust were doing their level best to improve.

It was reported that any priorities not achieved would be rolled forward into 2023/24. In referring to patient feedback, the consensus was that patients did feel more involved with regards to their care and treatment decisions and that things were returning back to normal with visits now allowed and information provided.

With regards to complaints, whilst it was recognised that there had been an increase in the number of complaints, some of which were complex, there had been a decrease in the percentage response time.

In referring to the priority for treating patients in the right place at the right time, it was commented that the newly built rainbow unit, which provided acute medical care, had provided support in achieving this target, although the Trust were still experiencing issues in applying the 'Home for Lunch' initiative and with the discharge of patients. Work would continue with Social Care partners to improve discharge rates to ensure the Emergency Department could continue to flow and this would remain as a priority for 2023/24.

The participation of patients in Dudley trials was positively commented upon and it was advised that the Care Quality Commission had undertaken an unannounced focussed inspection of the Paediatric Emergency Department in February 2023. The inspection report had not yet been published, although may be available for inclusion in the final version.

Following the presentation of the report, Members made comments and asked questions and responses were provided, where necessary, as follows:-

- a) In response to a question raised by Councillor P Atkins with regards to how often DGFT achieved 30 discharges and if there were any barriers that the Local Authority could assist with, it was commented that more than 30 discharges were regularly achieved and work with Social Services to improve discharges had improved, although it was recognised that there was much more work to be done to make a measurable impact.

- b) In responding to a question raised by Councillor R Body in relation to whether there was evidence of a high number of deaths following discharges as a result of the cost-of-living crisis, it was confirmed that although there was no specific data to record this information, a review of mortality was conducted on a yearly basis which would identify if anything had happened to cause a spike. Members were assured that whilst there was a demand for beds, a patient would not be discharged until considered medically fit.

Resolved

- (1) That the Quality Reports and Accounts of NHS Providers for 2022/23 and the priorities set out for the services for the forthcoming year be received and noted.
- (2) That West Midlands Ambulance Service to provide data in relation to the number of patients conveyed to the Emergency Department or directed to alternative pathways.
- (3) That Dudley Integrated Health and Care Trust provide further information and data of the work of the School Nurse Service, particular with regards to tackling obesity.

58 Serious Violence Statutory Duty and Strategy

A report of the Acting Director of Public Health and Wellbeing was submitted on the new statutory duty for Local Authorities with regard to violence and the work being undertaken to meet this duty.

In presenting the report, the Head of Service stated that the 2022 Police, Crime, Sentencing and Courts Bill placed a duty on Community Safety Partnership to develop a strategy to tackle violent crime. The law required specified authorities, namely the police, justice and probation services, youth offending teams, fire and rescue, health and integrated Boards, together with the local authority, to work collaboratively to prevent and reduce serious violence, including domestic abuse and sexual offences.

It was commented that the direction of focus would be youth on youth and knife crime, and Dudley's Safeguarding People Partnership already had a number of work streams in place to address these concerns.

It was recognised that serious violence could not be tackled in isolation and that the strategy was based upon a Public Health approach examining evidence to understand the wider influences, with focus on early intervention and prevention. Early help work was considered vital and interventions to avert a young person from criminal behaviour to other activities needed to be further explored. Collaborative partnership working to address wider determinant was essential, and it was recognised that further work to tackle disproportion within deprived areas was needed.

Following the presentation of the report, Members made comments and asked questions and responses were provided, where necessary, as follows:-

- In responding to a question raised by Councillor R Body in relation to the data for youth crime and violence in the Borough and what interventions were currently taking place, the Head of Service confirmed that she would share the current crime data with Members following the meeting, however Public Health were working on a profile of 49% for serious crime and violence in Dudley. It was acknowledged that 20-30 years ago the majority of crimes were in relation to car crime/theft or shopping lifting, and a reduction in crime had been evident during the covid lockdown period. However there had been a dramatic increase in serious violence offences.

The majority of interventions were currently taking place in known hot spot areas namely Dudley Town Centre and Merry Hill, where crime rates and hospital admissions as a result of violent crime were higher. A good relationship had been developed with local schools and colleges to help identify young people that may be getting involved in violence. Work was also undertaken with faith trusts and Cranstoun Here4Youth, who provided support to young people.

Resolved

- (1) That the report on Serious Violence Statutory Duty and the associated draft strategy, be received and noted.
- (2) That the work of the Safe and Sound Board in undertaking the statutory duty around prevention of serious violence on behalf of the Local Authority, be supported.
- (3) That the Head of Service provide Members with current crime data following the meeting.

59 **Quarterly Performance Report – Quarter 3 (1st October, 2022 – 31st December, 2022)**

Members considered a report of the Director of Adult and Social Care Scrutiny Committee and the Acting Director of Public Health and Wellbeing on the quarter 3 Public Health and Wellbeing and Adult Social Care Quarterly Performance covering the period 1st October to 31st December, 2022.

In referring to Performance Indicator PI 2074 – Proportion of premises in the Borough that are broadly compliant with food hygiene law (star rating 3 or more), the Chair referred to comments that had previously been raised in relation to whether 3 stars and being broadly compliant was a high enough standard of achievement. The Head of Service confirmed that this was a national rating standard, and most providers were rated 3 stars.

Resolved

That the report be noted.

60 **Annual Scrutiny Report 2022/23**

Members considered a report of the Lead for Law and Governance (Monitoring Officer) on the Annual Scrutiny Report for 2022/23.

The Chair reported that the Annual Scrutiny Report had been approved at Full Council on 17th April, 2023. Should Members wish to suggest any possible future items of business for inclusion in the draft Annual Scrutiny Programme for consideration in the forthcoming year, it was requested that these be submitted directly to the Chair or Democratic Services.

Resolved

- (1) That the Annual Scrutiny Report 2022/23 be received and noted.
- (2) That any proposed future items of business for inclusion in the draft Annual Scrutiny Programme for 2023/24 be submitted directly to the Chair or Democratic Services.

61 **Action Tracker and Future Business**

Resolved

That the action tracker and Future Business, be received and noted.

62 **Questions under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

The meeting ended at 7.25 pm

CHAIR

**Minutes of the Housing and Public Realm
Scrutiny Committee
Wednesday 29th March, 2023 at 6.00 pm
At Saltwells Education Development Centre,
Bowling Green Road, Dudley, DY2 9LY**

Present:

Councillor M Westwood (Chair)
Councillor W Sullivan (Vice-Chair)
Councillors A Aston, M Aston, R Collins, J Cowell, I Kettle, K Lewis, A Millward
and P Sahota

Officers:

A Vaughan – Director of Environment, E Bradford – Head of Neighbourhood
Services, N McGurk – Head of Traffic and Highways Services and J Deakin –
Head of Waste and Transport Operations (Directorate of Environment), K Jones
– Director of Housing and Communities and K Malpass – Democratic Services
Officer (Directorate of Finance and Legal).

Also in attendance

Councillor D Corfield – Cabinet Member for Highways and Public Realm,
together with one member of the public

44 Apologies for absence

Apologies for absence from the meeting were submitted on behalf of
Councillors K Casey, J Clinton and T Westwood.

45 **Appointment of Substitute Members**

It was reported that Councillor A Millward had been appointed as a substitute Member for Councillor T Westwood, for this meeting of the Committee only.

46 **Declarations of Interests**

Councillor J Cowell declared a non-pecuniary interest in relation to Agenda Item No. 8 (Corporate Quarterly Performance Report – Quarter 3 (1st October to 31st December, 2022)), and Agenda Item No. 9 (Customer Experience and Consumer Regulation update), as a Council tenant.

47 **Minutes**

Resolved

That the minutes of the meeting held on 26th January, 2023 be confirmed as a correct record and signed.

48 **Public Forum**

Sites located at Daniels Land and High Plateau

A member of the public referred to sites located at Daniels Land and High Plateau which had been designated for housing development and urged the Local Authority to pursue the matter urgently. It was reported that in 2022 in the Office of National Statistics that 0.5 million people had left the UK, with 1 million coming into the UK, all requiring housing, which had intensified the housing crisis. Increased low cost, energy efficient one/two bedroom houses were in demand and it was considered that development on the two sites would alleviate the challenges faced by the shortage of housing.

The Director of Housing and Communities indicated that the High Plateau site was not in the ownership of the Local Authority, however, she indicated that a joint response with the Director of Regeneration and Enterprise would be provided to the member of public.

Resolved

That the Directors of Housing and Communities and Regeneration and Enterprise provide a joint written response to the member of public in relation to issues associated with sites located at High Plateau and Daniels Land, which had been designated for housing development.

Key Performance Indicator - PI 1899 – Rent Loss

A member of the public referred to the 59 properties that were awaiting investment decision, outlined in the Corporate Quarterly Performance Report – Quarter 3 – 1st October to 31st December, 2022 and requested an update on the reasons why decisions were being delayed on empty properties, particularly as there was a substantial need for properties in the Borough.

The Director of Housing and Communities indicated that the matter would be addressed during the presentation of the Corporate Quarterly Performance Report – Quarter 3 – 1st October to 31st December, 2022, and a response would be provided to the member of public.

Resolved

That the Director of Housing and Communities provide a written response to the member of public in relation to issues associated with rent loss and the rationale regarding investment decisions.

Review of High-Rise Properties

A member of the public requested an update on the review of high-rise properties in the Borough. The Director of Housing and Communities indicated that the matter would be addressed during the presentation of the Corporate Quarterly Performance Report – Quarter 3 – 1st October to 31st December, 2022, and a response would be provided to the member of public.

Resolved

That the Director of Housing and Communities provide a written response to the member of public providing an update on the review of high-rise properties in the Borough.

49 **Action Tracker/Future Business**

In providing an update on the Action Tracker, the Chair indicated that all outstanding responses had now been actioned. He expressed his appreciation to all officers for the work carried out.

Whilst it was acknowledged that responses had been sent to the members of public in relation to Minute Nos. 28 – Housing Board and Dudley Federation of Tenants and Residents Association and High-Rise Aerial Fund on 6th March, 2023, Councillor J Cowell requested that Members of the Committee also be sent a copy of the responses.

Members were advised that the items relating to the future plans for Lister Road Depot, people and workforce, and the progress work on partnership and neighbourhood, together with the progress on grounds maintenance, green and open spaces, that were originally programmed to be considered at the meeting, had been deferred due to insufficient information being available to update Members and would be rolled over into the 2023/24 Annual Scrutiny Programme.

Resolved

- (1) That the Director of Housing and Communities forward copies of responses in relation to Minute Nos. 28 – Housing Board and Dudley Federation of Tenants and Residents Association and High-Rise Aerial Fund to all Members of the Committee.
- (2) That the items relating to future plans for the Lister Road Depot, people and workforce, and the progress work on partnership and neighbourhood, together with the progress on grounds maintenance, green and open spaces, be included in the 2023/34 Annual Scrutiny Programme for consideration.

50 **Annual Scrutiny Report 2022/23**

A report of the Lead for Law and Governance (Monitoring Officer) was submitted on the annual scrutiny report for 2022/23.

Following the presentation of the report, Members were invited to suggest items for consideration for the Annual Scrutiny Programme for 2023/24.

Councillor A Aston suggested that consideration be provided to establishing separate Scrutiny Committees for Housing and Communities and Environment moving forward, as it was considered that there were

insufficient meetings scheduled throughout the year to adequately scrutinise the wide range of services each Directorate managed.

Whilst it was acknowledged that the Management and Officer structure of the Directorates of Housing and Communities and Environment had previously been circulated to Members, Councillor J Cowell requested that a more detailed version of each structure be circulated to include officer roles.

Councillor P Sahota referred to the possibility of including an item on the Directorate investment and spending programme in the draft Annual Scrutiny Programme for 2023/24. It was essential that information in relation to the Council's spending and investment programme was submitted to the Scrutiny Committee, on a six monthly basis, to observe finances, monitor progress/performance and hold officers accountable for decisions made.

Resolved

- (1) That the annual scrutiny report for 2022/23, be noted.
 - (2) That the establishment of two separate Scrutiny Committees for Housing and Communities and Environment be taken into consideration for the 2023/24 municipal year.
 - (3) That the Director of Housing and Communities and the Interim Director of Environment be requested to circulate a detailed version of the Management and Officer structure to all Members of the Committee to include officer roles.
 - (4) That the Directorate's investment and spending programme be considered as an item of business in the draft Annual Scrutiny Programme for 2023/24.
 - (5) That Members be requested to e-mail the Chair of the Scrutiny Committee with any work areas identified for consideration for inclusion in the 2023/24 annual scrutiny programme.
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51 **Corporate Quarterly Performance Report – Quarter 3 (1st October to 31st December, 2022)**

A report of the Chief Executive was submitted on Quarter 3 of the Corporate Quarterly Performance report for the financial year 2022/23 covering the period 1st October to 31st December, 2022, specifically referring to services within the Directorates of Housing and Communities and Environment. Further detail relating to directorate service delivery were outlined in the Service Summary Sheets attached as appendices to the report submitted.

The Director of Housing and Communities indicated that the report provided progress against the delivery of the new three-year Council Plan priorities and the Future Council Programme. Key Performance Indicators (KPIs) and targets were used to measure performance and were monitored regularly and reported on a quarterly basis. Live performance data was available to Councillors and Officers on the online platform SPECTRUM.

Dashboard summaries highlighted five corporate quarterly measures for Housing and Community Services, two with improvements, zero consistent and three with worsening trends. For Environment, eleven had been measured with six improved, one consistent and four with worsening trends. It was noted that there were three new KPI measures for Environment for 2022/23 with no score available and had not been set against the KPIs for Quarter 3.

Areas of concern were being monitored closely within the Directorates of Housing and Communities and Environment to identify improvements. Targets below KPIs were reported to management teams at both service and strategic levels to ensure understanding of the issues and that appropriate actions were being taken to address the concerns moving forward.

In referring to PI 2027 – Satisfaction on how anti-social behaviour complaints were handled, it was reported that the current outturn was 64.2% against the target of 70%. The performance figure had reduced slightly and represented a downward trend compared to quarter 2. Performance and resourcing issues had been identified, particularly around contact and time taken to resolve matters, however, assurances were provided that the identified issues were currently being addressed and progress would be observed moving forward. The Service had also commissioned a Service Level Agreement with an independent Anti-Social Behaviour Specialist to assist with any additional training needs for staff and would also be reviewing internal policies and procedures.

In terms of PI 1899 – Rent loss, it was reported that the outturn was 1.94% against the target of 1.8%, compared to 1.95% for quarter 2, which represented an improved trend. Whilst the cumulative rent loss in quarter 3 due to voids highlighted a very slight decrease from 1.95% in quarter 2 to 1.94% in quarter 3, the figures presented an improvement on 1.72% for the same period last year. Whilst improvement programmes were currently being identified to improve figures, rent loss associated with strategic voids would continue and be managed through efficient decision making and project management. Rent loss in general was a complex issue, however, a full review of performance data and required improvements would be carried out and reported back to a future meeting.

In referring to PI 2480 – Percentage of safer routes to school schemes completed against annual programme, it was reported that the outturn was 48% against the target of 64%, compared to 32% for quarter 2, which represented an improved trend. Three completed schemes had been delivered with a further two being instructed, one of which, however, would not be delivered until March, 2023 in combination with planned resurfacing work. The remaining school scheme had been rolled into the 2023/24 programme to tie in with an external school scheme funded by a regional grant.

In referring to PI 2479 – Percentage of local road safety completed against annual programme, it was reported that the outturn was 30% against a target of 70%, compared to 10% for quarter 2, which represented an improved trend. It was reported that one scheme had been completed whilst a further scheme was in progress. Two further schemes had been committed and were due to commence on site in the final quarter. External consultants had been commissioned to accelerate with delivery of the local safety scheme programme. All remaining schemes had been designed and would be delivered in 2023, which would enable the Service to move to a different model to provide more confidence in programme delivery from 2023/24 onwards.

In referring to PI 2357 – Percentage of capital programme spent (Highways), it was reported that the outturn was 71% against a target of 75%, compared to 53% at quarter 2, which represented an improved trend. A full programme of work up until the end of March, 2023 was scheduled to be delivered and should spend 100% of the budget. The Summer Commonwealth Games Embargo had compromised the programme, which had impacted on delivery however, it was expected that the programme would be back on track in quarter 4.

Following the presentation, Members had the opportunity to ask questions, make comments and responses were provided, where necessary, as follows:-

- (a) In referring to the KPIs recorded for rent loss as a collective, Councillor J Cowell suggested that, as a high proportion of loss was attributed to the loss of Council Tax through void properties, an additional KPI be included specifically on void properties to include figures on Council Tax loss. The Director of Housing and Communities indicated that there was a possibility that a KPI attributed to lost Council Tax revenue was currently being reported on, however, she would pursue the matter with the Head of Revenues and Benefits with a view to incorporating the figures moving forward.
- (b) Councillor J Cowell referred to the poor state of a number of properties through tenants refusing required work to bring properties up to modern day standards or to carry out essential repair/maintenance work. Improved strategies were required to ensure essential work was carried out which would prevent delays in future lettings, reduce the number of void properties and prevent any unnecessary costs to the Local Authority. The Director of Housing and Communities acknowledged that improvements within the service were essential. Additional information to be included in pre-tenancy conditions on what was expected of tenants in relation to repair/maintenance work was being explored. Concerns around rubbish being left at properties by tenants following a housing transfer was creating a financial implication for the Local Authority and processes were being reviewed to prevent a transfer should tenancy requirements not be met.
- (c) Following a question from Councillor P Sahota in relation to managing void properties, Members were advised on challenges associated with void properties, the investment involved in bringing a property back into use, processes followed to review what properties could be reused, sold or demolished and reinvestment to provide more suitable properties for families. It was acknowledged that some void properties were empty for longer periods than was necessary and improvement work around voids was currently being carried out and improved figures would be observed moving forward. Members were assured that the review around void properties would address the issues with stringent processes in place to prevent future decreasing KPI trends.

- (d) Councillor I Kettle queried the Local Authority's approach to decant and the significant rent loss attributed to those decisions. The Director of Housing and Communities referred to the Local Authority's commitment to maintaining and improving housing stock to a high standard and develop high quality housing for residents in the Borough. Decisions to decant residents to another property varied from significant repairs required that would be unable to be completed whilst a resident was living in a property or due to redevelopment or demolition. Timelines involved with decanting varied depending on the extend of work required, however, practices were being reviewed to streamline the process to ensure quicker turnaround times of empty properties.
- (e) Councillor J Cowell queried the relationship the Local Authority had with EQUANS and what services they were providing. The Director of Housing and Communities indicated that EQUANS was a contractor working with the Local Authority installing kitchens/bathrooms to a number of properties in the Dudley Borough offering financial benefits through energy savings.
- (f) Councillor J Cowell raised concern with the number of potholes reappearing following repair work in the Borough. The Head of Traffic and Highways Services acknowledged the increased number of reported potholes within the Dudley Borough which had been caused by extreme weather conditions. Whilst it was recognised that some deeper potholes required more urgent attention than others, the service was prioritising filling those in the first instance to ensure the safety of the highway infrastructure was maintained. It was acknowledged that some temporary repairs were not as good as resurfacing a road, however, it was assumed that repairs could last for many years. Tackling potholes was challenging, however, an enhanced patching programme was being considered where a road resurface would be considered should a pothole be repaired up to three times.
- (g) In referring to the increased number of fly-tipping incidents recorded, Councillor J Cowell queried what strategies were in place to identify perpetrators and whether collaborative working with other service areas within the Local Authority or voluntary "litter pick" organisations would support increased enforcement action. In responding, the Head of Neighbourhood Services indicated that since the introduction of the Whitespace system, trends, patterns, and hot spot areas had been identified and with the recent integration of Waste Enforcement with the Neighbourhood Services, a more joined up approach would be delivered moving forward. It was intended that further development of the service would be introduced as part of

phase two of the Environment restructure in terms of funding, processes and use of staff.

Whilst it was acknowledged that fly-tipping offences were on the increase in the Borough, detecting perpetrators and issuing fixed penalty notices was a challenge. Enforcement action was taken following adequate evidence/intelligence leading to a conviction, which was not always a straightforward process. A Litter Bug Scheme had recently been launched, working collaboratively with community groups in the Borough to tackle littering, which hopefully would lead to increased prosecutions should any form of evidence be located in litter disposed of illegally. Whilst it was acknowledged that enforcement action remained low, intelligence/data received and collected was mapped and used to determine other interventions, such as the use of deploying cameras to tackle offenders.

- (h) In referring to the amount of fly-tipping recorded in Lye, Councillor A Millward queried what measures had been put in place to prevent increasing numbers of fly-tipping and the costs involved in clearing the waste. In responding, the Head of Neighbourhood Services indicated that whilst accurate figures could not be provided, it was acknowledged that the cost of removing fly-tipping was significant. Lye was an area recorded for high levels of fly-tipping and improved strategies were currently being identified to reduce levels and bring about successful prosecutions. Fly-tipping was a complex issue and challenging to prevent, however, CCTV was now in operation at a number of identified “hot spot” areas in the Borough to catch offenders in the act. An online “You’ve Been Shamed” website was also in operation and Councillors and members of the public were urged to view the page to help identify fly-tippers caught on camera and bring them to justice. It was suggested that all Members of the Council be provided with accurate figures in relation to the number of fly tipping recorded, the cost to the Local Authority and the number of fixed penalty notices issued.
- (i) Councillor P Sahota made specific reference to figures in relation to incidents of fly-tipping and the costs involved in removing waste, together with the repercussions of the Local Authority’s decision to cease the agreement with Wolverhampton City Council for Dudley residents to use Anchor Lane Tip. Whilst the decision had not been taken lightly due to the inconvenience caused to the Dudley residents using Anchor Lane, a temporary pop-up tip had been made available at Lister Road as a short-term solution whilst options for a more permanent solution were being considered. It was important that a balance was maintained between providing first-class,

convenient services and facilities for residents while also providing value for money.

Whilst further questions in relation to the financial position in relation to fly-tipping and the costs involved with the temporary pop-up tip were raised and responded to, Councillor P Sahota indicated that he felt that he had been prevented from asking further questions. He considered that all Local Authorities were duty bound in ensuring value for money and suggested that key performance indicators should be reviewed by external auditors. The Chair indicated that numerous discussions around the matter had been held in various forums and as the decision had already been made, and comments/questions raised by Councillor P Sahota were acknowledged, considered and responded to, he urged that Members move on from the matter.

The Cabinet Member for Highways and Public Realm encouraged all Members of the Committee to observe the pop-up tip in action and the benefits the facility offered. The facility offered a booking system, which prevented queuing and with well labelled receptacles, the amount of time on site was limited. The facility aimed to provide Dudley residents an effective and efficient service whilst a permanent solution was identified.

- (j) Councillor A Aston raised concern at the lack of Arboriculture Officers employed at Dudley which was impacting on delivering the tree inspection programme and queried what motivated officers into leaving to take up opportunities outside the Local Authority. The Head of Neighbourhood Services acknowledged that a number of Arboriculture Officers had recently left the Local Authority for different reasons. There was currently a national shortage of Arboriculture Officers and although several attempts had been made to recruit specialist officers, none had been successful. Whilst a further recruitment exercise would be carried out in the near future, the Service was currently relying on temporary resources from a partner contractor to carry out tree inspections. However, Officers were keen to rectify the issue and opportunities were being explored for further outside support, including shared service arrangements with surrounding local authorities.

Councillor I Kettle expressed gratitude to the officers involved in carrying out tree inspections in the Pedmore and Stourbridge East Ward.

- (k) Councillor P Sahota referred the lack of partnership working between certain areas of the Housing and Communities Directorate, with particular reference to the Anti-Social Behaviour Team, and the Police. He indicated that despite previous comments made by the Deputy Chief Executive in relation to improved services within the Directorate and the commitment to delivering the high standard of services expected, he was struggling to observe improved communication with key agencies. Partnership working was an essential part in delivering the key objectives of the Improvement Plan and indicated that comparison projects with neighbouring authorities would benefit the overall delivery of the service.
- (l) Councillor P Sahota queried the reason for KPIs not being recorded for some services, particularly street cleansing and dog fouling. In responding, the Head of Neighbourhood Services indicated that KPIs were currently being reviewed and would take comments back to the Service to consider additional KPI figures for other services within the Directorate moving forward.
- (m) Councillor P Sahota referred to the lack of investment opportunities for unclassified roads and how the Local Authority planned to evidence what investment had been placed in such roads, particularly between deprived and affluent areas. The Head of Traffic and Highways Services acknowledged that the majority of investment had been used to improve classified roads. A classified and unclassified road programme had been development based on the Asset Management Strategy and investment was based on specific criteria.
- (n) Councillor K Lewis queried the ongoing traffic enforcement/strategies following the implementation of a safer route to school scheme. It was considered that schemes were implemented for safety reasons, however, not all schemes were monitored accordingly. The Head of Traffic and Highways Services acknowledged the comments raised and outlined strategies that would focus on physical measures that could be implemented as well as the behaviours of residents. It was essential that parents, children and schools were educated on the importance and benefits of road safety and alternative modes of travel. Reference was made to the new School Street Initiative pilot to tackle traffic outside three Dudley primary schools during drop off and pick up times. The scheme was aimed to compliment the Safer Routes to School Programme and would see roads turned into pedestrian and cycle zones outside of schools during peak times with the intention to extend the schemes out to more schools should the initiative prove successful. The programme would encourage parents and children to walk or cycle to school rather than taking a

car, which supported the overall Council plan to make Dudley a safe and healthy environment. Information on the School Street Scheme pilot would be circulated to all Members of the Committee.

- (o) In responding to a question by Councillor J Cowell in relation to communities salvaging and disposing unwanted items, the Head of Neighbourhood Services indicated that the new neighbourhood approach would benefit communities that were impacted. Strategies were currently being considered to maximise opportunities to tackle the issues and ensure that communities, particularly the traveling communities, disposed of all rubbish legally prior to moving sites.

The Interim Director of Environment provided an overview of the highlights and challenges associated with the Environment Directorate which were outlined in the Service Summary Sheet submitted to the meeting, with particular reference to the following:

- A new Head of Waste and Transport Operations had been appointed as part of implementing the new Directorate structure and work was underway to strategically review the fleet functions, both from an efficiency and sustainability viewpoint, together with a strategic review of the Local Authority's approach to cleanliness.
 - The Local Authority had appointed a new Energy from Waste contractor (Urbaser) to manage the day-to-day operations at Lister Road providing the Authority with significant savings. Options in relation to waste collections would be considered during the 24/25 municipal year.
 - Phase one of the Environment Directorate restructure had now been implemented, aligning environmental enforcement with street scene operations. Phase two had commenced to embed the principles of neighbourhood working at all organisational levels.
-
- Management within the Directorate would now focus on the implementation of a number of significant initiatives that had been approved as part of the Council's budget, including implementing different delivery models.

Challenges the Directorate faced included high levels of staff sickness, difficulties around recruitment, the costs associated with staff absence and temporary agency workers being recruited in some front-line services, together with the significant financial pressures caused by inflationary pressures such as fuel, utility and energy costs. The Heads of

Service were working closely with Managers and HR colleagues to address the issues.

In responding to a question from Councillor P Sahota, the Interim Director of Environment indicated that improvement strategies and benchmarking exercises were essential in addressing staff sickness levels and would be considered moving forward. Statistics provided on sickness absence were recorded mainly from main operational areas such as office-based employees, however, it was anticipated that sickness levels would be addressed through phase two of the restructure.

Resolved

- (1) That the Quarter 3 Corporate Quarterly Performance report covering the period 1st October to 31st December, 2022, be noted.
- (2) That the Head of Neighbourhood Services be requested to provide statistics in relation to the number of fly tipping recorded and the number of fixed penalty notices issued to all Members of the Council.
- (3) That the Head of Traffic and Highways Services be requested to circulate information on the School Street Scheme pilot to all Members of the Committee.

52 Housing and Communities Directorate report on the Scrutiny Committee Work Programme

The Committee received a presentation from the Director of Housing and Communities on Customer Experience and Customer Regulation Update. A copy of the presentation was circulated to all Members of the Committee prior to the meeting.

During the presentation, the Director of Housing and Communities referred to the Charter for Social Housing's seven commitments to tenants in which the Local Authority would be judged against, together with the two main objectives required by the Regulator of Social Housing (RoSH). Objectives would be achieved through complying with regulatory standards that contained specific expectations that registered providers must comply with. The Regulator was planning to introduce the Tenant Satisfaction Measures (TSM) Standard to form part of the regulatory consumer standards during 2023.

For the Local Authority to comply with regulatory standards, it was expected that a full review of compliance against each of the regulator standards would be undertaken in quarter 1 of 2023/24, with an associated action plan to be developed to address any gaps. Further proposals were to seek external assurance of compliance with the Rent Standard due to the complexity and resources required and self-assessment of compliance against consumer standards to be completed and then shared for discussion with involved customers.

TSM would be introduced from April, 2023 to provide residents with the information needed to scrutinise their landlord and hold them accountable and to also provide a source of intelligence to the RoSH on whether landlords were meeting the regulatory standards. Members were advised that there were twenty-two tenant satisfaction measures (TSM), twelve of which were tenant perception measures with the remaining ten being management information measures, which were referred to at the meeting.

Dudley's customer satisfaction measures included tender for external expertise to undertake customer survey to provide baseline data for TSM reporting and action plan and a review of all current Customer Satisfaction surveys and performance indicators to complement TSM data and inform improvements.

The Housing Ombudsman Service was responsible for dealing with complaints about social housing. The updated Housing Ombudsman Complaint Handling Code became effective from 1st April, 2022 and landlords were now required to carry out an annual assessment against the Code, with the results being published online. It was reported that during quarter 3 (1st October to 31st December, 2022), Housing Services had received eighty three complaints, with only 34% being responded to within the twenty day target. A further 532 enquiries were received from MPs and Councillors.

A review of the current Customer Involvement Strategy was in progress, taking into consideration the following, and would involve consultation with the Dudley Housing Board and Dudley Federation of Tenants and Residents Associations.

- Charter for Social Housing Residents.
- RoSH Customer Standards.
- Tenant Satisfaction Measures.
- TPAS Engagement Standards.
- Current opportunities for customer involvement.

- Current quantitative and qualitative data on customer experience and involvement.

Existing customer involvement groups would also be reviewed to identify any gaps in the services, together with a proposal to develop an overarching Customer Involvement Board to oversee delivery of the revised strategy, to lead on publication of the Customer Annual Report and to scrutinise performance against the RoSH customer standards, TSMs, Ombudsman Complaint Handling Code and other customer related activity. Current Terms and Conditions for each group would be refreshed, together with representations from each group on the Customer Involvement Board.

The Director of Housing and Communities provided a timeline of actions reported above to ensure the objectives set out in the Charter for Social Housing were met.

Following the presentation, Members had the opportunity to ask questions, make comments and responses were provided, where necessary, as follows:-

- (a) Councillor A Millward indicated that consideration should be provided to include care leavers in any customer involvement strategies and reviews. There were real issues affecting that cohort and it was essential that they were included and views/feedback received as currently, Housing Officers did not attend any of the arranged meetings, despite being invited, resulting in young people being unaware of who to contact for support/advice.

Councillor J Cowell referred to the lack of arrangements in place for residents of low-rise/communal properties to participate in customer involvement strategies. It was important that representatives from all customer groups be involved to ensure the objectives of the Charter for Social Housing were delivered. Concern was raised at the lack of communication received from the Dudley Housing Board to residents, which required improvement moving forward.

In responding, the Director of Housing and Communities acknowledged the comments raised and assured Members that the overarching Customer Involvement Group was proposed to oversee the delivery of the revised Strategy, to lead on the publication of the Customer Annual Report, and to scrutinise performance against the RoSH customer demands, Tenant Satisfaction Measures (TSMs), Ombudsman Complaint Handling Code and other customer related activity. It was proposed that the Membership of the Group would

include a representative from all customer groups, elected Members and Cabinet Members.

- (b) Councillor I Kettle requested a breakdown of statistics in relation to the number of staff employed in the Housing and Communities Directorate and how many officers were involved in dealing with customer, MP and Councillor complaints and enquiries. In responding, the Director of Housing and Communities confirmed that there were approximately 860 staff employed across the Housing and Communities Directorate, however, it was difficult to provide statistics in relation to the number of officers that dealt with complaints and enquiries from customers, MPs and Councillors. Frequently, Members e-mailed officers direct, copying in additional officers in a particular service, in order for enquiries or complaints to be resolved, making it difficult to establish which officer was dealing with the issues, which in some cases, delayed responses. Figures for responding to complaints and enquiries was concerning, however, Members were assured that a review would be carried out to provide a more effective and efficient method of delivering the service and which addressed the issue of unnecessary delays or confusion with officers responses.

Resolved

That the presentation and comments made above be noted and referred back to the Service for consideration.

53 Questions Under Council Procedure Rule 11.8

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

The meeting ended at 8.09pm.

CHAIR

**Minutes of the Housing and Public Realm
Scrutiny Committee
Thursday 27th April, 2023 at 6.00 pm
At Saltwells Education Development Centre,
Bowling Green Road, Dudley, DY2 9LY**

Present:

Councillor M Westwood (Chair)
Councillor W Sullivan (Vice-Chair)
Councillors M Aston, K Casey, B Challenor, R Collins, J Cowell, A Hughes and
T Westwood

Officers:

A Vaughan – Interim Director of Environment, S Cooksey – Team Manager –
Parking Services (Directorate of Environment) and K Malpass – Democratic
Services Officer (Directorate of Finance and Legal).

Also in attendance

Councillor D Corfield – Cabinet Member for Highways and Public Realm,

54 Apologies for absence

Apologies for absence from the meeting were submitted on behalf of
Councillors A Aston, K Lewis and P Sahota.

55 **Appointment of Substitute Members**

It was reported that Councillors A Hughes and B Challenor had been appointed as substitute Members for Councillors A Aston and K Lewis respectively, for this meeting of the Committee only.

56 **Declarations of Interests**

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

57 **Public Forum**

No issues were raised under this agenda item.

58 **Call-In of Decision Sheet – Outsourcing of Parking Enforcement**

A report of the Monitoring Officer was submitted to respond to the call-in of the decision of the Cabinet Member for Highways and Public Realm concerning the Outsourcing of Parking Enforcement. The decision had been called-in at the request of five Members of the Housing and Public Realm Scrutiny Committee in accordance with the Scrutiny Committee Procedure Rules, as set out in the Council's Constitution. A copy of the decision sheet relating to this item was circulated, together with the procedure to be followed at the meeting, as outlined by the Chair.

Councillor D Corfield, Cabinet Member for Highways and Public Realm had been invited to the meeting and would be invited to comment on matters leading to and at the time of decision making, and any issues raised by the Committee concerning the future of the service.

The Chair then invited Councillor D Corfield, Cabinet Member for Highways and Public Realm to make representations concerning the decision and in doing so he indicated that the proposals relating to the service had previously been considered at the Housing and Public Realm Scrutiny Committee on 26th January, 2023 and as part of the revenue budget strategy approved by Full Council on 6th March, 2023. A review of the Parking Enforcement Service was carried out in view of significant concerns highlighted around performance, both in terms of staff attendance and the efficiency of issuing Penalty Charge Notices (PCNs), challenges to recruit and retain specialist officers, together with the high level of sickness absences of current staff. It was envisaged that the

benefits to outsourcing parking enforcement would allow a more cost-effective service and would resolve staffing issues moving forward.

The Interim Director of Environment was then invited to make his representations, and in doing so echoed Councillor D Corfield's comments above. Members were advised that the Team Manager for Parking Services was in attendance at the meeting to answer any questions the Committee raised in relation to the rationale behind the decision.

Members were then given the opportunity to ask questions and make comments and responses were given where appropriate as follows: -

- (a) Councillor K Casey requested additional information regarding the background to the decision, specifically the performance issues identified and the length of time the issues had been observed in terms of insufficient revenue accumulated to cover the costs of the service.
- (b) Councillor K Casey raised concerns in relation to performance, staff sickness and inefficiencies in terms of PCNs being issued. It was queried what measures had been put in place to address the issues prior to the review being carried out, what benchmarking methods were used and what authorities still covered the service in-house.

In responding, the Interim Director of Environment outlined the challenges faced by the service with particular reference to the recruitment and retention of specialised experienced officers, which had been an ongoing issue for quite some time. Enforcement activity was undertaken by a budgeted establishment of twenty-one Civil Enforcement Officers; however, the Local Authority was currently operating the service on fourteen full time equivalent (FTE) staff. The lack of officers currently in post and the high percentage of sickness levels were fundamental considerations in relation to outsourcing parking enforcement and whilst the workload was demanding, officers had worked hard to deliver the service, however, due to the scale of the operation, the resilience of staff had been challenging, which had impacted on the service delivery. The benefits to outsourcing the service outweighed the proposal to preserve enforcement activity in-house. A procurement process would need to be undertaken, however, the idea behind the decision was to award the contract to an Organisation based within the West Midlands which would allow resources to be distributed throughout different areas when required, together with the ability to access a greater pool of resources to cover any staff absences. It was also

envisaged that an outside Organisation would bring additional expertise, knowledge and support the opportunity for training to front line teams.

A benchmarking exercise with three comparator authorities that had outsourced the service had been carried out, which identified that all three authorities had been performing to a higher standard in terms of PCN issue rate per deployable hour and highlighted benefits in relation to enforcement activity only being paid for when staff were deployed, flexibility to increase or decrease operating hours, together with overall greater productivity.

The Interim Director of Environment indicated that an analysis exercise of the enforcement activity, for a number of Authorities had been carried out and whilst the service offered was not directly relatable, as individual Boroughs had its own service issues and varying size of operations, productivity and efficiency levels were greater. The Team Manager for Parking Services reported that following benchmarking exercises, Derby City Council had been the only Council that were still providing enforcement activity in-house, however, the operation to deliver the service was different and had access to a greater number of resources.

- (c) Members queried what strategies had been considered in terms of recruitment and retention of Civil Enforcement Officers prior to the decision to outsource parking enforcement and whether staff sickness levels/recruitment/retention issues were specific to the nature of the role.

The Team Manager for Parking Services indicated that challenges had been ongoing in terms of recruitment. The recruitment process was robust and lengthy and often due to the specialist nature of the role, the ability to successfully recruit the level of expertise required was challenging and frequently, following a successful recruitment exercise, retaining officers was difficult. Management had been unsuccessful in recruiting the full level of staff required by the service and whilst enforcement activity in Town Centres and principal areas were covered with the current level of officers in post, enforcement in additional areas was challenging.

Staffing issues in terms of sickness/retention was an issue throughout the Local Authority, however, specialist staff were required to carry out enforcement activity, which eliminated a significant number of people applying for the role. It was considered that bringing in a contractor to support the service would alleviate the current issues and improve the delivery of the service.

- (d) Members referred to the requirements of the tendering exercise in terms of the aspiration to use a fleet of hybrid or electrical vehicles for enforcement purposes and queried the date on which the requirement would be implemented. It was also considered converting to electric/hybrid vehicles was an unrealistic proposition given the lack of electric charging infrastructure in the Borough.

The Interim Director of Environment acknowledged that the lack of electric charging infrastructure in the Borough was concerning, however, work was currently underway to convert the Local Authority's fleet to electric/hybrid. Discussions would be held with potential contractors in relation to the opportunities available and will be considered as part of the procurement process.

- (e) Councillor K Casey referred to the potential savings of £500,000 identified up until 2026 and requested clarification on the figure considering the decision sheet stated that outsourcing parking enforcement could result in savings of £50,000 per annum in enforcement costs whilst potentially enabling the service area to cover its own costs. He queried whether the £50,000 saving per year would cover all savings identified in the budget.

In referring to the relevant legislation, The Team Manager for Parking Services indicated that the enforcement aspect of the service should cover the costs associated within the service. However, the Local Authority had failed to generate adequate income and the service was currently being subsidised from other service areas. It was envisaged that the saving identified in the overall proposed budget would come from improving efficiencies and effectiveness, together with increasing the overall number of PCNs issued.

- (f) In referring to the Decision Sheet, it suggested that the proposed new contract would see officers paid only when deployed to carry out enforcement activity and it was queried whether staff would be employed on a zero-hour contract. Additional details were required on how the contract would operate in terms of contractor requirements to deploy staff/additional staff during busier periods, proposals in terms of payment for staff and hours worked and how staff would be paid when working overtime to cover staff absences.

Members were advised that the Local Authority would pay staff on an employed hour basis. Figures would be agreed during the procurement process and would only cover the costs of hours worked by officers. The contractor would cover any additional costs, including, sickness, annual leave, and overtime. The Cabinet Member for Highways and Public Realm indicated that the contract would include the provision to employ additional resources for enforcement activity during busier periods on an ad-hoc basis. The Interim Director of Environment indicated that whilst there would be challenges for the successful contractor, it was expected that the organisation would focus on the service entirely with a view to addressing the current issues and improve enforcement activity in the Borough.

- (g) In responding to a query from Councillor J Cowell in relation to the enforcement activity carried out by Kingdom Enforcement, the Interim Director of Environment indicated that whilst Kingdom, were fulfilling their contract and improvement strategies were available, however the contract was an entirely separate matter and should not be compared to the contract to outsource parking enforcement. The need to consider collaborative working with the Police, with a view to increase police presence in the Borough was essential and would be considered moving forward.
- (h) In responding to a question from Councillor T Westwood, the Interim Director of Environment outlined the benefits of outsourcing parking enforcement, with particular mention to increased enforcement activity for illegal parking outside schools.

Councillor K Casey queried whether there would be a minimum resource guarantee included in the contract to support service requirements. In responding, the Interim Director of Environment confirmed that due to the nature of the service, staff would be employed consistently. The model required included a minimum staffing requirement that would cover the service; however, the Team Manager for Parking Services would be responsible to advise the organisation of any imminent service demands to ensure an adequate level of staff were deployed to cover the service. The contractor would be responsible to ensure the service was covered by potentially deploying staff requiring overtime, in which event, the Local Authority would only pay the standard hourly rate and the contractor would be required to pay any additional overtime costs.

- (i) Councillor M Westwood raised concerns in relation to the number of FTE enforcement staff, the number of vacancies, together with the structure of work rotas and how work would be covered during sickness, annual leave, and non-workdays.

The Team Manager for Parking Services indicated that the contract would be based on twenty-one employed staff, looking to deploy fourteen staff per day depending on enforcement demand. Currently the Local Authority employed fourteen staff, however, due to sickness absence, annual leave and work pattern, an average of five Civil Enforcement Officers were deployed per day. The service operated seven days per week shift pattern with staff deployed for five days on alternative days ensuring the service was covered seven days per week. It was acknowledged that the lack of officers and the level of staff sickness had a significant impact on the delivery of the services which was a fundamental consideration to outsourcing parking enforcement. The Team Manager for Parking Services indicated that a sample work pattern rota would be circulated to all Members of the Committee to help Members understand the current staff work pattern.

- (j) Councillor T Westwood raised concern with the duration of the contract and considered four years was too long and queried whether a break clause would be included in the contract should the contractor be underperforming.

The Team Manager for Parking Services indicated that following Full Council on 6th March 2023, it was approved that a procurement exercise would be undertaken for the supply of a Civil Parking Enforcement service for a period of four years, with the possibility of extensions. Extensions would be granted subject to performance, which would be monitored using a set of Key Performance Indicators (KPIs) at monthly contract meetings to ensure an efficient and successful delivery of the contract. The contract would be awarded using the British Parking Association's model contract. Should the contractor not be fulfilling the contract, measures would be available to address the matter.

Following all questions and contributions, the Chair asked for any final statements before the Committee proceeded to consider the matter.

The Cabinet Member for Highways and Public Realm indicated that he had been satisfied with the responses provided and reiterated that the decision was made as part of the revenue budget strategy approved by Full Council on 6th March 2023.

The Interim Director of Environment acknowledged that the service required significant improvement and the decision to outsource parking enforcement would resolve the challenges the service currently faced. Whilst the execution and implementation process was underway it was suggested that a progress report in terms of how the new contract was performing could be considered at a future Scrutiny Committee meeting.

The matter was put to the vote, and it was:

Resolved

- (1) That the Housing and Public Realm Scrutiny Committee recommends that the decision, outlined in Decision Sheet DPR/02/2023, Outsourcing of Parking Enforcement, be referred back to the Cabinet Member for Highways and Public Realm along with any concerns for further consideration.
- (2) That the Team Manager for Parking Services be requested to circulate a sample work pattern rota to all Members of the Committee.
- (3) That a progress report on how the new civil parking enforcement contract was performing be considered at a future Scrutiny Committee meeting.

59 **Questions Under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

The meeting ended at 6.55pm.

CHAIR

**Minutes of the Appointments Committee
Wednesday 5th April, 2023 at 6.00pm
in Committee Room 4, the Council House, Dudley**

Present:

Councillor P Harley (Chair)
Councillor S Clark (Vice-Chair)
Councillors S Keasey, N Neale, D Stanley and L Taylor-Childs

Officers:

B Heran (Deputy Chief Executive); M Wilcox (Principal Lawyer and Deputy Monitoring Officer) (via Microsoft Teams) and K Taylor (Senior Democratic Services Officer)

6 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors S Ali, J Foster and Q Zada.

7 Appointment of Substitute Member

There were no substitute members appointed to the meeting.

8 Declarations of Interest

There were no declarations of interest made pursuant to the Members' Code of Conduct.

9 **Minutes**

Resolved

That the minutes of the meeting held on 9th January, 2023 be confirmed as a correct record and signed.

10 **Questions Under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

11 **Exclusion of the public and press**

Resolved

That the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information relating to any individual(s) and to the financial or business affairs of any particular person (including the authority holding that information) as defined under Part I of Schedule 12A to the Local Government Act 1972, as amended.

12 **Review of the Arrangements for the Dudley MBC MIPIIM Delegation 2019-2023**

The Committee considered a report of the Deputy Chief Executive updating the Committee, in its capacity as the Investigating and Disciplinary Sub-Committee, on the findings of the Independent Monitoring Officer in respect of the review of arrangements for the Dudley MBC MIPIIM Delegation 2019-23.

Following a detailed discussion and consideration of the report, together with responses to comments and questions raised by Members of the Committee, it was



Resolved

- (1) That the Appointments Committee, in its capacity as the Investigating and Disciplinary Sub-Committee, note the findings of the report.
 - (2) That the recommendations set out in paragraph 2 of the report of the Deputy Chief Executive be approved.
 - (3) That an informal meeting be arranged to discuss the issues identified during the Committee's deliberations that require further action.
-

The meeting ended at 6.55pm

CHAIR



**Minutes of the Audit and Standards Committee
Thursday 20th April, 2023 at 6.00pm
at Saltwells Education and Development Centre,
Bowling Green Road, Netherton**

Present:

Councillor A Lees (Chair)

Councillor D Borley (Vice-Chair)

Councillors P Atkins, J Cowell, M Evans, E Lawrence, J Martin and A Taylor.

Officers:

I Newman (Director of Finance and Legal), G Harrison (Head of Audit and Risk Management), and K Taylor (Senior Democratic Services Officer).

Officers in Attendance via Microsoft Teams:

A Taylor (Senior Principal Auditor), M Landy (Principal Auditor) and E Newman (Principal Auditor).

Also in Attendance:

T Robbins (Head of Procurement) – for Agenda Item No. 5 – Risk Management Report.

M Granger (Corporate Fraud Manager) – for Agenda Item No. 9 – Annual Fraud Report.

59 Apology for Absence

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

60 Appointment of Substitute Member

There were no substitute Members appointed for this meeting of the Committee.

61 **Declarations of Interest**

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

62 **Comments of the Chair**

The Chair shared an update received from the Deputy Chief Executive following consideration of the findings of an internal audit report in November, 2022, in particular that a further update report together with proposed Action Plan to address the issues identified was due to be brought to this meeting, but as the report of the External Monitoring Officer was only considered by the Appointments Committee on 5th April, 2023 this had caused a delay and the Action Plan would now be brought to the July meeting. The Deputy Chief Executive apologised for the delay.

63 **Internal Audit Plan 2023/24**

The Committee considered a report of the Director of Finance and Legal of the proposed Internal Audit Plan for 2023/24, which was attached as Appendix A to the report submitted.

In presenting the report, the Head of Audit and Risk Management advised that the Plan was produced to enable him to deliver an internal audit opinion on the overall adequacy and effectiveness of the Council's framework of governance, risk management and internal control.

The detailed process to produce the Audit Plan was then presented, as set out in paragraph 7 of the report. It was noted that Audit Services ensured that the list of auditable areas was complete and scored based on perceived risk, and then adjusted for any assurance received.

Members were advised that Heads of Service had received a questionnaire requesting them to identify any changes to their service area, projects that they were involved with, any emerging risks, any assurance received and suggestions for inclusion in the 2023-24 audit plan.

The Risk Management Framework required Risk Owners to identify any assurance received on the management of their risks, however due to the length of time taken by directorates to identify their risks and understand the new risk processes, the recording of assurance received had been delayed. Risk Owners would be requested to identify sources of assurance against their risks from quarter 1 of the new financial year.

It was noted that meetings had been held with the Chief Executive, Deputy Chief Executive, Directors, and a number of Heads of Service to discuss their risks and any emerging risks and proposals for inclusion in the audit plan. The proposed Audit Plan for 2023/24, which had been approved by the Strategic Executive Board (SEB) was attached as Appendix A to the report, and included a brief description of each audit.

Reference was made to Appendix B to the report submitted which detailed the audit plan reserve list and it was noted that the list would be utilised if an audit that was currently in the plan had to be cancelled, or additional resources allocated to Audit Services. It was noted that Directorates had been informed of the list.

In conclusion, the Head of Audit and Risk Management presented a breakdown of the Audit Plan by Directorates, Schools, and other work.

Arising from the presentation of the report, Members asked questions, made comments and responses were provided where necessary as follows:-

- a) In responding to a question raised by Councillor J Cowell, the Head of Audit and Risk Management confirmed that any planned audits for 2023/24 that were postponed would be included in the reserve list for the next municipal year.
- b) Members raised concerns in relation to the number of ICT audits that had received Minimal assurance ratings, where improvement was dependent on the software provider addressing some serious security deficiencies identified within their software.

In responding, the Head of Audit and Risk Management referred to the challenges in influencing suppliers to address issues identified within their software, but assured Members that the Council would ensure the improvements were made.

- c) In responding to a question raised by the Chair in relation to remunerating the shortfall within the Audit Services income target of £69,000 for 2023/24, should the position of the Principal Auditor be filled, the Head of Audit and Risk Management advised that a review could be undertaken by an external consultant with a view to identifying payment or VAT errors.

Resolved

That the proposed Internal Audit Plan for 2023/2024, attached as Appendix A to the report, be approved.

64 Risk Management Report

A report of the Director of Finance and Legal was submitted on the risks reported to Strategic Executive Board (SEB) and the status allocated by the Risk Owner and to provide an update on the embedding of the Risk Management Framework.

In presenting the report, the Head of Audit and Risk Management referred to the proposed changes to the risk thresholds contained within the Risk Management Framework as outlined in paragraph 6 of the report submitted. It was also proposed that the 'red' description be amended from Extreme to Very High and for the Council's risk appetite to be increased from 16 to 20.

Members were advised that the Risk Assurance Protocol (RAP) would be circulated in April, 2023 for the 2022-23 financial year, and would form a key part of the Council's assurance framework and would be referenced within the Annual Governance Statement.

Reference was made to the current risks which were listed in the table in paragraph 11 of the report and amended to include the proposed amendments referred to in paragraph 6. Appendix A provided further details on the risks included on the SEB risk report that were rated Very High.

The Head of Audit and Risk Management stated that there were sixteen risks rated very high at the gross level and six rated very high at net level which related to recruitment and retention of staff, contract management, budget, statutory building safety and compliance responsibilities, regeneration benefits and programme management. These risk scores were considered generally unacceptable and needed to be addressed.

At this juncture, the Head of Procurement gave a detailed presentation on Risk R.404 in relation to the failure to demonstrate compliance with Contract Standing Orders/Procurement legislation, and in doing so acknowledged the need for a fully resourced Procurement Team, guidance, and training. It was noted that the consequences of the risk affected the ability to ensure value for money and contracts not awarded. Reference was made to the measures implemented to date including the support provided by an experienced Head of Procurement, the development of a Procurement Action Plan, which was managed by the Procurement Management Group, together with the appointment of qualified and experienced procurement staff.

It was recognised that a change in culture, the understanding of procurement compliancy and the centralisation of procurement was needed in order to progress further. Members were advised that training had been delivered to 152 Council officers over the last year with contract management training due to be delivered in the next 12 months which would reiterate key points. New below threshold tender documents and terms and conditions were also being produced to support the self-service and compliance of below threshold tenders, and further consideration would be given to the centralisation of Housing procurement by the end of Quarter 1.

The Head of Procurement referred to the measures required in ensuring the correct governance structures were in place including a review of the Procurement Code in 2022 and the Exemption to the Rules and Waiver processes having been refined in line with the Contract Standing Orders (CSO). It was noted that the Procurement Management Group Terms of Reference would be revised together with the CSO, which would be submitted to the Audit and Standards Committee in September, 2023 for approval. The two documents were being revised to ensure all procurement above the Goods and Services threshold were dealt with by the Procurement team.

Reference was made to the internal audit report that had been key in developing the Procurement Action Plan, together with a Peer Review undertaken with the Cabinet Office with a re-review expected in 2024. The Peer Review produced a benchmark for the team to work towards and help support the Procurement Action going forward.

It was reported that category strategies would be developed by the Procurement team to support service areas and outline analysis of external spend, and that the Procurement Management team would embed new ways of working to assist with procurement support to Council Service areas leading to improvements in compliance, savings, efficiencies and commercialisation. The need to link contract values to Purchase Orders to help create an audit trail was also mentioned.

Arising from the presentation, Members asked questions, made comments and responses were provided where necessary as follows:-

- a) In responding to a question raised by Councillor M Evans, the Head of Procurement suggested that the proposed measures to be implemented had not been affected or delayed by employees working remotely, and that it was evident that the new working styles had provided an opportunity for staff to build relationships and engage more with stakeholders which allowed projects to progress more efficiently.

Reference was made in relation to the internal procurement training session delivered during 2022, and the Head of Procurement confirmed that the training had been delivered to provide an understanding of the principles underpinning the procurement process, the tender process for contracts with thresholds and recognising fraud. It was confirmed that regular brief sessions would be provided ensure training was accurate and current.

- b) It was reported that not all expenditure related to contracts was recorded through Agresso, however the process involved in awarding contracts via a Purchase Order was referred to.
- c) Councillor J Cowell queried whether systems and process were sufficiently robust to prevent officers selecting providers with a personal or financial interest.

The Head of Procurement referred to the ongoing work in linking purchase orders to contract values on existing systems, and stated that further consideration could be given to future controls however it was anticipated that this would be expensive to implement. It was suggested that such orders could be submitted to the Procurement Team for assessment however the complexity associated with this was highlighted.

- d) In responding to a question raised by the Chair in relation to the centralisation and modernising of the supplier database, the Head of Procurement confirmed that there was a centralised database with service areas responsible for recording information. Members were assured that the database provided details of each contract and supplier awarded. It was noted that low level contracts were inputted manually.
- e) The Chair sought assurance as to how successful the ambitious plan would be to align and what was expected to be achieved and the measures needed to ensure that compliance was being adhered to by officers. He also referred to the disparities within functions and directorates and anticipated that funding was needed in order to address the proposals mentioned, in which he fully supported and welcomed.

In responding, the Head of Procurement reiterated the emphasis in the need for a culture change and the extensive time and challenges faced in achieving this. He referred Members to the significant amount of work undertaken and the positive changes already made, and advised that he considered Dudley to be under performing in comparison with neighbouring authorities in Procurement, however, he was confident that this would improve with adequate time and investment.

- f) Councillor D Borley suggested whether the Local Authority would consider introducing cost savings initiatives and reward schemes for officers identifying savings.

In responding, the Head of Procurement welcomed the suggestion and acknowledged that further work was needed to encourage Council employees to consider areas commercially and challenge existing contracts to ensure best value for money.

- g) In responding to a question raised by Councillor J Cowell in relation to sole suppliers, the Head of Procurement confirmed that consideration would be required by the Director as to whether the contract would be exempt from the need for a competitive procurement process. Any exemptions to contract standing orders were reported to the Audit and Standards Committee annually.
- h) The Director of Finance and Legal referred to the discussions held at the Strategic Executive Board in relation to the proposed changes to the Risk Management Framework and confirmed that these would be implemented subject to approval by the Audit and Standards Committee.

- i) It was confirmed that the proposed risk threshold had been assessed against the risks set out in the Risk Management Framework, and that the matrix outlined within the Framework was approved by Audit and Standards Committee in 2022.
- j) Reference was made to the Peer Review undertaken with the Cabinet Office, and it was noted that Dudley had scored 2% below good, however the Head of Procurement was confident that this would significantly improve following the re-review in 2024.
- k) In responding to a question raised by the Chair in relation to Directorates management of spend throughout the year, the Director of Finance and Legal assured Members that clear controls were in place and referred to the annual reporting schedule to Cabinet and regular discussions held with Directorates in near to real time.

Resolved

- (1) That the information contained in the report and Appendix A to the report submitted detailing the SEB risks, be noted.
- (2) That the proposed changes to the Risk Management Framework, as set out in the report, be approved.
- (3) That the information contained in the presentation on risk R.404 relating to failure to demonstrate compliance with Contract Standing Orders/Procurement legislation and comments made by Members as outlined above, be noted.
- (4) That risk R.408 relating to failure to seize the opportunities and exploit the benefits that are envisaged from the huge regeneration programme investment that impacts on the council's vision for 2030 be identified as the specific risk for in-depth scrutiny the next time a risk report was referred to the Committee for consideration.

65 Audit and Standards Committee Annual Report 2022/23

A report of the Director of Finance and Legal was submitted on the Annual Report for Audit and Standards Committee 2022-2023, attached as Appendix A to the report. The report would be submitted to Full Council in July, 2023 for approval.

Resolved

That the Annual Report for Audit and Standards Committee 2022/2023, be approved and referred to full Council at its meeting in July 2023.

66 **Questions Under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

67 **Exclusion of the Public and Press**

Resolved

That the public and press be excluded from the meeting for the following item of business, on the grounds that it involves the likely disclosure of exempt information relating to any individual(s) and to the financial or business affairs of any particular person (including the authority holding that information) as defined under Part I of Schedule 12A to the Local Government Act 1972, as amended.

68 **Annual Fraud Report**

A report of the Director of Finance and Legal was submitted, on the work that Audit Services, and other Council teams, had undertaken and was planning to undertake to manage the risk of fraud and corruption across the Council. Appended to the report submitted was the Fraud Action Plan and further details of Fraud Investigations undertaken during 2022.

Arising from the presentation, Members made comments and raised questions with regard to action taken in relation to Blue Badge misuse, recovery of financial gains from sub-letting Council properties, further engagement and advertising of the Fraud Hotline and the number of fraud investigations that had been ongoing for a long period, which were responded to at the meeting.

Further to comments made, Members raised concern of the information reported on the one prosecution case in particular that after a brief investigation, the Police concluded that there was insufficient evidence to give a reasonable prospect of securing a successful prosecution, despite the evidence that was available at that time. The Committee commended the work undertaken by the Local Authority in instigating its own criminal investigation which resulted in a custodial sentence and the recovery of any criminal gains using powers provided by the Proceeds of Crime Act legislation that was being pursued. The Chair undertook to write to the West Midlands Police and Crime Commissioner in relation to the comments made.

Resolved

- (1) That the information contained in the report, be noted.
- (2) That the Fraud Action Plan for 2023, attached as Appendix A to the report, be approved.
- (3) That the Chair, on behalf of the Audit and Standards Committee, write a letter to the West Midlands Police and Crime Commissioner outlining Members comments in relation to the prosecution case discussed during the meeting.

69 **Chairman's Remarks**

As this was the last meeting of the municipal year, the Chair thanked Members for their attendance and contribution at the meetings and expressed thanks to officers for their assistance and valuable work contribution during the year.

The meeting ended at 7.40pm

CHAIR

**Minutes of the Ernest Stevens Trusts Management Committee
Monday 3rd April, 2023 at 6.00pm
in Dudley Town Hall, St James's Road, Dudley**

Present:

Councillor I Kettle (Chair)
Councillor A Hopwood (Vice-Chair)
Councillors D Borley, T Creed and T Crumpton

Co-opted Member

D Sparks (Friends of Stevens Park, Quarry Bank)

Officers:

M Bieganski (Strategy and Governance Section Manager), D Fildes (Parks Development Manager), H Coldicott (Team Manager - Facilities Management), E Jackson (Community Development Officer), M Wilcox (Principal Lawyer) and S Griffiths (Democratic Services Manager).

34 **Apologies for Absence**

An apology for absence was submitted on behalf of Councillor J Cowell.

35 **Appointment of Substitute Members**

There were no substitute Members appointed for this meeting of the Committee.

36 **Declarations of Interest**

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

37 **Minutes**

Resolved

That the minutes of the meeting held on 30th January, 2023 be confirmed as a correct record and signed.

38 **Public Forum**

No issues were raised under this agenda item.

39 **Lease for Tintern House, Stevens Park, Quarry Bank**

This item was deferred to the next meeting.

40 **Activities and Events held in Stevens Park, Quarry Bank**

The Committee received a presentation from the Community Development Officer on activities and events in Stevens Park, Quarry Bank as outlined in the Heritage Lottery Fund Activity Plan. The presentation included events and activities undertaken in 2021/22 and those planned for 2023.

The Committee welcomed the presentation and expressed appreciation for the ongoing work, including the increased involvement of people from black and minority ethnic communities. Reference was made to the key importance of Friends of the Parks Groups and the need to link activities together more effectively.

The Council was requested to consider the ongoing role of Friends Groups to improve opportunities to join up activities and to maximise levels of involvement and support to Friends Groups. Links could also be made with other organisations to maximise opportunities for the use of green and open spaces across the Borough.

The Parks Development Manager noted the comments made and reported that there were 37 Friends Groups within the Borough. Efforts were being made to bring Groups together to develop the links as referred to by the Committee.

41 **Eco Event at Stevens Park, Quarry Bank**

The Committee received a report of the Director of Regeneration and Enterprise on proposals to hold a Community 'Eco Event' at Stevens Park, Quarry Bank to be organised by the Wild Earth Movement. It was clarified that the event was now planned to take place on Saturday, 22nd July, 2023.

Resolved

That the report be noted and that no objection be raised to the event taking place on Saturday, 22nd July, 2023.

42 **Walled Garden, Stevens Park, Wollescote**

The Committee received an update from the Team Manager – Facilities Management on the rebuilding of the walled garden at Stevens Park, Wollescote (Phase 3).

Works to rebuild the final section of the walled garden commenced on site during summer 2022 and the rebuilding of the wall was now complete. The only outstanding work was the installation of a metal pedestrian gate between the walled garden and the park. A temporary gate had been installed to protect the park and garden during the evenings.

The total budget of £190,000 comprised £170,000 from the Council's Community Infrastructure Levy together with a contribution of £20,000 from the Corporate Landlord repairs and maintenance budget. There was no requirement for the Committee to provide funding towards this phase of the wall rebuild. Reference was made to the options available if similar works were required in the future. The Team Manager – Facilities Management referred to a survey of the remaining walls being undertaken to understand the condition of these walls and any urgent repairs required.

43 **Questions Under Council Procure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8. The Chair referred to double yellow lines that had been painted on an access road through Homer Hill Park. A report would be submitted to the next meeting.

The meeting ended at 7.00pm.

CHAIR

EST/44

**Minutes of the Licensing and Safety Committee
Wednesday 31st May, 2023 at 6.00 pm,
In Conference Room 6, Saltwells Education and Development
Centre,
Bowling Green Road, Netherton**

Present:

Councillor K Razzaq (Chair)
Councillor A Taylor (Vice-Chair)
Councillors J Clinton, J Cowell, T Creed, P Drake, M Evans, A Goddard, M Howard, A Lees and E Taylor.

Officers:

N Slym (Assistant Team Manager (Waste, Fleet and Licensing)), S Wright (Solicitor) and K Taylor (Senior Democratic Services Officer).

1. **Apologies for absence**

An apology for absence was submitted on behalf of Councillor S Mughal.

2. **Appointment of Substitute Members**

There were no substitute Members appointed for this meeting of the Committee.

3. **Declarations of interest**

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

4. **Minutes**

Resolved

That the minutes of the meeting held on 1st February, 2023, be approved as a correct record and signed.

5. **Appointment of Licensing Sub-Committees for the 2023/2024 Municipal Year**

A report of the Lead for Law and Governance was submitted to consider the appointment of four Licensing Sub-Committees for the 2023/2024 municipal year.

A revised proposed membership of the Licensing Sub-Committees was circulated to Members at the meeting.

Resolved

- (1) That the establishment of four Licensing Sub-Committees, to deal with all licensing applications requiring Member determination in accordance with the functions allocated to the Licensing and Safety Committee, be approved.
- (2) That the membership of the Sub-Committees for 2023/24, be approved as set out below:-

Licensing Sub-Committee 1

Councillors A Lees (Chair), T Creed and M Howard

Licensing Sub-Committee 2

Councillors K Razzaq (Chair), P Drake and E Taylor

Licensing Sub-Committee 3

Councillors M Evans (Chair), A Goddard and S Mughal

Licensing Sub-Committee 4

Councillors A Taylor (Chair), J Clinton and J Cowell.

- (3) That the substitution arrangements as set out in the Council's Procedure Rules, be noted and applied to the Licensing Sub-Committees, subject to an eligibility requirement that any named substitute must be:-

- a) appointed to the Licensing and Safety Committee;
 - b) otherwise eligible to serve on any given occasion;
 - c) notified to the Lead for Law and Governance (Monitoring Officer) prior to the commencement of the meeting in question.
- (4) That the Lead for Law and Governance (Monitoring Officer) be authorised to make any necessary changes to the membership or composition of the Sub-Committees that might arise during the municipal year taking account of the wishes of the political groups.
-

6. **Questions Under Council Procure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

The meeting ended at 5.03pm.

CHAIR

Minutes of the Licensing Sub-Committee 1
Thursday, 1st July 2023 at 10.00 am
In Meeting Room 9, Saltwells Education Development Centre,
Bowling Green Road, Netherton

Present:

Councillor A Taylor (Chair)
Councillors T Creed and P Drake

Officers:

J Scobie – Assistant Team Manager (Licensing and Waste Enforcement)
(Directorate of Public Realm), T Holder – Solicitor and K Buckle – Democratic
Services Officer (Directorate of Finance and Legal).

17. Apologies for Absence

Apologies for absence from the meeting were submitted on behalf of
Councillors A Lees and S Mughal.

18. Appointment of Substitute Members

It was reported that Councillors A Taylor and P Drake had been appointed
as substitute members for Councillors A Lees and S Mughal for this
meeting of the Sub-Committee only.

19. Declarations of Interest

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

20. **Minutes**

Resolved

That the minutes of the meeting held on 21st March 2023, be approved as a correct record, and signed.

21. **Application for Review of a Premises Licence – Cocktails and Dreams, 19 Bilston Street, Sedgley**

A report of the Interim Director of Environment was submitted on an application for a review of a premises licence in respect of Cocktails and Dreams, 19 Bilston Street, Sedgley.

The following persons were in attendance, at the meeting:

Ms K Turley – (West Midlands Police)
Mr C Coughlan – (Solicitor for West Midlands Police)
Sergeants J Andrews and J Newton – (West Midlands Police)
Mr C Bates – (Premises Licence Holder)
Ms K Loveridge and Mr S Gowan – (Supporters for the Premises Licence Holder)
Mr N Slym – (Licensing and Waste Enforcement)
Mr A Humphrey (Licensing and Waste Enforcement)
Ms K Mullings – (Licensing and Waste Enforcement)
Mr R Jones – (Environmental Health and Trading Standards)
Ms C Vaughan – (Environmental Health and Trading Standards)
Ms K Wilkinson-Clarke (Health and Wellbeing Environmental Health and Trading Standards)
Mr T Cranston – (Childrens and Young People Safeguarding and Review)

Following Introductions, the Assistant Team Manager (Licensing and Waste Enforcement) presented the report on behalf of the Council.

Mr Coughlan outlined the reasons for the application for a review of the premises licence referring to the photographs contained in the closed circuit television (CCTV) and photographic booklet that had been circulated to all interested parties, stating that children were at risk from harm due to Mr Bates being unable to adhere to the licensing objectives.

Mr Bates confirmed that he had received the booklet referred to above, which contained the photographic evidence.

Mr Coughlan stated that there was clear evidence that children were present on the licensed premises, paying cash over the bar for drinks.

At 22.42 pm on 6th January, 2023, a young female was photographed leaving the licensed premises under the influence of alcohol and it was confirmed that a bottle of Kopparberg cider had been sold to a child, with the bottle being encircled on the photographic evidence.

There was photographs of young girls and boys congregating in the licensed premises with one vaping and of disco lighting being illuminated on the dance floor with what appeared to be a six-year-old child running across the dance floor.

Mr Coughlan advised that the Dormston Secondary School in Sedgley had confirmed that the young girls and boys in the photographs were pupils at the school.

It had never been ascertained which security company were employed by Mr Bates to secure the licensed premises, with no security checking in or out of the premises. There were no door supervisors, breaching the conditions on the premises licence and there were children drinking on the licensed premises.

Ms Vaughan stated that Environmental Health and Trading Standards supported the representations submitted by West Midlands Police, advising that there was likely to have been further noise disturbance based upon the evidence submitted by West Midlands Police, then outlined the reasons for the application for a review of the premises licence, referring to a further complaint received on 20th May 2023 of noise disturbance.

Ms C Vaughan advised that following enquiries of the Council's highways section and a land registry search both had evidenced that Mr Bates had no Pavement Licence, although there was photographic evidence of patrons to the fore of the premises

Following a question from Mr Bates, Ms Vaughan referred to the table and chairs that were in situ to the fore of the licensed premises and the barrier that had been installed.

Mr Bates refuted the allegation that there was a table to the fore of the licensed premises and indicated that he had been advised by Mr Slym to erect a barrier to the fore of the premises and stated that he had been advised not to apply for a pavement licence.

Ms Vaughan referred to the Land Registry Search confirming that the boundary of the licensed premises was up to the blue line to the fore of the premises.

Mr Bates referred to the parking that was allowed to the fore of the premises, advising that it was not public land but belonged to the licensed premises.

Mr Slym confirmed that following checks with the Land Registry the land referred to did form part of the public highway.

Mr Cranston advised that he was making representations on behalf of Ms N Hale, the Head of Childrens Safeguarding who had serious concerns in relation to the protection of children from harm being prevented by the sale of alcohol to children on the licensed premises. The clear conditions in place preventing the sale of alcohol to those under the age of 18 were referred to and having reviewed the documentation submitted by West Midlands Police concurred with the concerns raised by them.

In response Mr Bates stated that there was no evidence that alcohol had been sold to those under the age of 18 advising that drinks referred to were alcohol free drinks.

Mr N Slym made representations on behalf of the Licensing Authority, referring to the summary of breaches of the conditions on the licence which amounted to 27 over a four-month period.

Mr N Slym referred to the images taken of the door staff register on 7th March 2023, which evidenced that only one member of Security Industry Authority staff was on duty with no counter signature appearing for a second which breached conditions j) and i) on the premises licence.

On the 27th and 30th December 2022, and 6th and 7th January 2023 Mr J Allen was the only member of door staff who had signed the door staff register which had resulted in four breaches of the conditions on the premises licence. Further breaches had occurred on 27th and 28th January 2023 when only member of the door staff had signed the register.

On the 24th and 25th February 2023 Mr Tilt had been the only member of the door staff to sign the register.

Mr Slym advised that West Midlands Police had been informed that a children's party had taken place on the licenced premises on 6th January 2023 with a number of those children present being intoxicated. Following the event, Mr Bates had been requested to provide the CCTV for that evening, however he advised that the CCTV had only recorded from the 7th January 2023. West Midlands Police then seized the CCTV hard drive and recovered the deleted footage.

In response to a question from the Chair, Mr Slym confirmed that CCTV recorded on a loop, and there would always be 28 days of coverage.

The CCTV recording checking had been photographed which evidenced that there had been no record of a fault with the system, or a replacement hard drive, made between Christmas and the new year period. It also evidenced that the system had been working correctly on 6th January 2023, however when footage was later requested, Mr Bates had stated that it was not recorded as the system only recorded between the 7th and 7th each month.

Mr Slym advised that when he had visited the licensed premises on 22nd December 2022 the CCTV system was recording on a 28-day loop and on the balance of probabilities the relevant footage had been deleted.

Mr Bates had been reminded on 22nd December 2022 that the licence to serve alcohol permits the sale until 23:00 hours, however the CCTV images evidence alcohol being sold at 00.34 and 01:00 hours.

When the hard drive was returned on 7th March 2023, Mr Bates was questioned in relation to booking parties, where he advised he maintained a diary system. Upon examination of that diary it identified a record on 6th January 2023 as 'Demi party 60 people', however Mr Bates advised that the party did not take place.

On 13th January 2023, a female had entered the premises and handed over a large sum of money, this female has been identified by West Midlands Police as Demi.

On 6th January 2023 the CCTV footage records a female dressed in birthday clothes purchasing alcohol, including a bottle of Kopparberg Cider and drinks from a jagermeister machine. Children also appeared to be drinking tequila shots.

At 22.42 on the same evening, a female was carried out of the licensed premises and has since been identified as a pupil of the Dormston Secondary School.

There were also a number of people vaping opposite the bar area.

The above constituted further breaches of the conditions placed on the licence, as children are not permitted on the licensed premises after 9pm.

The footage of 18th March 2023 highlighting a child running through the dancefloor was again referred to.

Following a compliance visit on 24th May 2023 it was noted that signage was displayed stating that all children need to be out of the premises by 21:30, however the signage was wrong and breaches condition 'o' on the premises licence which states 21:00 hours.

Mr Slym referred to the fact that Mr Bates has no Security Industry Authority (SIA) Licence and cannot employ SIA staff, and when questioned Mr Bates advised that he employed security staff from a company called Lionheart, however they advised that none of their staff had been employed at the licensed premises since December 2022.

Following further enquiries Mr Bates confirmed that he employed RSS Security Services and provided a contract, which was considered false as their trading address was wrongly stated and it indicated that two door staff would be paid £10.00 per hour, which was under the national minimal wage.

Mr Bates referred to signing the security register advising this had been an honest mistake, with the staff since being informed that they must both sign the register. Mr Bates alleges that following photographing the register Mr Slym invited him to sign the register.

Mr Bates stated that he remained in talks with RSS Security Services, their address was correct as stated on the contact and they were providing the licensed premises with security.

Mr Slym stated that the Managing Director had advised that he had never heard of Mr Bates or his licensed premises.

Mr Bates advised that his contact was a Mr Gareth Williams.

Mr Holder confirmed that the operating address could be a different address to that held by Companies House.

Mr Bates confirmed he had checked that the CCTV was recording.

Mr Humphries reported that there had been no record of an error had occurred in relation to the CCTV or that an engineer had been called.

Mr Bates referred to the image of a bottle on 6th January 2023, stating that “this is just a brown bottle, and it is alcohol free”.

Mr Bates referred to a blue ticketing system in operation when purchasing drinks whereby if two drinks are purchased one is left in the refrigerator, the purchaser is then provided with a blue ticket which would be used to exchange with the pre-purchased drink upon production of the ticket.

Mr Bates indicated that he had told patrons not to vape on the licensed premises.

Mr Bates presented his case, providing those present with three invoices from CW Distribution Limited, recording the purchase of various alcohol free drinks including tequila and Kopparberg cider.

Mr Bates advised that he had not received the payment for a party on 6th January 2023 and was not aware that the party was taking place. He had subsequently discovered that his daughter had taken the payment for the party.

Mr Bates reiterated that he had a contract with Mr Gareth Williams for the provision of security staff at the licensed premises.

In response to questions from Councillor Creed, Mr Bates confirmed that the party did take place on 6th January 2023, the room hire was provided, however he did not provide food only alcohol free drinks and mocktails.

Ms Turley asked why children remained on the licensed premises after 9pm on 6th January 2023, Mr C Bates stated that they were accompanied by their parent, who comprised of one aunt.

The Chair referred to the conditions imposed on the premises licence at the hearing of the sub-committee on 11th October 2022, referring to the voucher system and the fact that patrons should not be present on the premises after 23.30 hours. The fact that there were a number of unaccompanied children on the business premises after 9pm was referred to, which also breached the conditions on the licence.

In response to an observation by Councillor Drake in relation to the young lady being escorted from the licensed premises, Mr Bates stated that there

were no issues with intoxicated patrons and two security staff were employed.

Mr Holder referred to the conditions imposed on the licence in October 2023, questioning whether one adult to supervise 60 children was appropriate and in any event children had remained on the licensed premises after 9pm which clearly breached the conditions on the licence.

Mr Bates agreed with Mr Holder's assertions outlined above.

Mr Slym queried the alleged payment made on 13th January 2023, referred to in the photographic evidence and Mr Bates confirmed that the payment had been made.

Following the advice of Mr T Holder all those present viewed the CCTV relating to the images contained in the photographic evidence.

In response to a question from Councillor Creed, Ms Turley advised that West Midlands Police had received intelligence in relation to the party on 6th January 2023. A member of the public had taken their child to the party and there were concerns in relation to the bar staff selling alcohol to children 16 and under.

Mr Bates confirmed that he had no questions on the reports or evidence of Mr Scobie, Mr Cranston or Mr Coughlan.

Following the opportunity for all parties to sum up their cases, all parties withdrew from the meeting to enable the Sub-Committee to determine the application.

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

Resolved

That, following consideration of the information contained in the report submitted and presented at the meeting, the premises licence in respect of Cocktails and Dreams, 19 Bilston Street, Sedgley, be revoked.

Reasons for the Decision

Cocktails & Dreams was last before the Committee on 11th October 2022 when 25 conditions were placed on the Licence. Having heard the evidence before the Sub-Committee today, the Sub-Committee

did not feel that Mr Bates had complied with the majority of those conditions.

The Sub-Committee heard about the lack of Security Industry Authority (SIA) registered door keepers and was not convinced that Mr Bates had undertaken a contract with the Ltd Company as he claimed.

The Sub-Committee heard about issues with the CCTV which prevented Mr Bates showing recordings of specific dates to Dudley Metropolitan Borough Council (DMBC). The Sub-Committee was not convinced by his version of events.

The Sub-Committee heard that Mr Bates still allows customers to use the pavement outside his premises without a pavement licence.

The Sub-Committee, despite the apparent support and involvement of DMBC and West Midlands Police was concerned that Mr Bates had no regard for his opening hours, that under 18's were not properly accompanied by adults, that under 18's were on the premises after 21.00 hrs. Mr Bates did not appear to recognise the difference between sale and supply of alcohol and that, on the balance of probabilities, the evidence seen today appeared to show that under 18's were served and went on to consume alcohol and there was also evidence of vaping on the premises

The meeting viewed the CCTV footage retrieved by West Midlands Police.

Mr Bates acknowledged that he had received a fair hearing and had said all that he wanted

The Sub-Committee resolved that following consideration of the information contained in the report and upon viewing and hearing evidence from those present on 1st June 2023, the premises licence in respect of Cocktails and Dreams, 19 Bilston Street Sedgley be revoked on the basis that the breaches of conditions heard today constitute criminal offences and the premises licence holder did not give adequate attention to the protection of children from harm as required by the Licensing Act 2003.

Mr Bates was notified of his right of appeal

22. **Transfer of Premises Licence and Variation of the DPS (Designated Premises Supervisor) The Broadway Service Station, 154 South Road, Stourbridge**

A report of the Interim Director of Environment was submitted on an application for a transfer of premises licence and to vary the Designated Premises Supervisor in respect of the Broadway Service Station, 154 South Road, Stourbridge.

The following persons were in attendance, at the meeting: -

Ms K Turley (West Midlands Police)
Mr R Jones (Environmental Health and Trading Standards)
Mr Ipchapwa (Haleys Solicitors)

It was noted that neither the Designated Premises Supervisor nor the Premises Licence Holder were in attendance at the meeting.

Following introductions, the Assistant Team Manager (Licensing and Waste Enforcement) presented the report on behalf of the Council, referring to the application that had been received on the 18th April 2023 to transfer the premises licence and vary the Designated Premises Supervisor.

Mr Ipchapwa advised that Hayleys Solicitors had been instructed by the Designated Premises Supervisor on the 31st May 2023 in relation to this application and requested that the application be deferred for them to prepare representations on behalf of their client.

It was noted that the Premises Licence Holder had not instructed Hayleys Solicitors.

Following further consideration, it was

Resolved

That, in view of the representations made by the Solicitors for the Designated Premises Supervisor, the application be deferred to a future meeting of the Sub-Committee.

The meeting ended at 12.30pm

CHAIR

Minutes of the Licensing Sub-Committee 1
Thursday, 1st June 2023 at 12.35 pm
In Meeting Room 9, Saltwells Education Development
Centre, Bowling Green Road, Netherton

Present:

Councillor A Taylor (Chair)
Councillors T Creed and P Drake

Officers: -

N Slym – Assistant Team Manager - Licensing and Waste Enforcement
(Directorate of Public Realm), T Holder – Solicitor and K Buckle - Democratic
Services Officer (Directorate of Finance and Legal).

23. Apologies for Absence

Apologies for absence from the meeting were submitted on behalf of
Councillors A Lees and S Mughal

24. Appointment of Substitute Members

Councillors A Taylor and P Drake were appointed as substitute Members
for Councillors A Lees and S Mughal respectively for this meeting of the
Sub-Committee only.

25. Declarations of Interest

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



20. **Application for a Licensed Premises Gaming Machine Permit – The Cross Inn, High Street, Kingswinford**

A report of the Interim Director of Environment was submitted in respect of an application for the grant of a Licensed Premises Gaming Machine Permit for five category C machines at the premises known as the Cross Inn, High Street, Kingswinford.

The following was in attendance, at the meeting in respect of the application: -

Ms G Tandy – Designated Premises Supervisor

Following introductions, the Assistant Team Manager - Licensing and Waste Enforcement presented the report on behalf of the Council, and Ms Tandy responded to questions asked by the Sub-Committee

The Sub-Committee considered a map detailing the location of the gaming machines.

Resolved

That, following consideration of the information contained in the report submitted, the grant of a Licensed Premises Gaming Machine Permit for one Category C machine in respect of the premises known as The Cross Inn, High Street, Kingswinford, be approved.

The meeting ended at 12:45 am

CHAIR

Minutes of the Licensing Sub-Committee 2
Tuesday, 4th April, 2023 at 10.00 am
In Conference Room 9, Saltwells Education Development Centre,
Bowling Green Road, Netherton

Present:

Councillor E Taylor (in the Chair)
Councillors T Creed and P Drake

Officers:

N Slym – Assistant Team Manager (Licensing and Waste Enforcement)
(Directorate of Public Realm); T Holder – Solicitor and K Malpass – Democratic
Services Officer (Directorate of Finance and Legal).

27 Apology for Absence

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

28 Appointment of Substitute Members

It was reported that Councillor T Creed had been appointed as a substitute
member for Councillor K Razzaq for this meeting of the Sub-Committee
only.

29 Declarations of Interest

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

30 **Minutes**

Resolved

That the minutes of the meeting held on 7th February, 2023, be approved as a correct record, and signed.

31 **Application for a Licensed Premises Gaming Machine Permit – The Queensway, Gauden Road, Stourbridge**

A report of the Interim Director of Public Realm was submitted in respect of an application for the grant of a Licensed Premises Gaming Machine Permit for three Category C machines at the premises known as The Queensway, Gauden Road, Stourbridge.

Mr J Buckley, Licensee, was in attendance at the meeting.

Following introductions, the Assistant Team Manager (Licensing and Waste Enforcement) presented the report on behalf of the Council.

Mr Buckley responded to questions asked by the Sub-Committee and in doing so clarified the positioning of the machines and all entrance doors to the premises. Members were advised that the customers that generally accessed the pool and gaming area were those of a more mature age range and confirmed that all machines would be visible by members of staff from the main bar area.

All parties then withdrew from the meeting to enable the Sub-Committee to determine the application.

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

Resolved

That, following consideration of the information contained in the report submitted, the grant of a Licensed Premises Gaming Machine Permit for three Category C machines at the premises known as The Queensway, Gauden Road, Stourbridge, be approved.

32 **Application for a Licensed Premises Gaming Machine Permit – The Rose and Crown, Hagley Road, Halesowen**

Members were advised prior to the meeting that the application for a Licensed Premises Gaming Machine Permit in respect of The Rose and Crown, Hagley Road, Halesowen had been withdrawn.

33 **Application for House to House Collections Licence – Recycle Proline Limited on behalf of the Ukraine Appeal**

Members were advised prior to the meeting that the application for House to House Collections Licence – Recycle Proline Limited on behalf of the Ukraine Appeal had been withdrawn.

34 **Questions Under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

The meeting ended at 10.18am

CHAIR

**Minutes of the Licensing Sub-Committee 4
Tuesday, 2nd May, 2023 at 10.40 am
At Saltwells Education Development Centre, Bowling
Green Road, Netherton.**

Present:-

Councillor A Taylor (in the Chair)
Councillors M Howard and S Greenaway

Officers:-

N Slym - Assistant Team Manager (Licensing and Waste Enforcement)
(Director of Environment); S Wright – Solicitor and H Mills – Senior
Democratic Services Officer (Directorate of Finance and Legal).

4 Apology for Absence

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

5 Appointment of Substitute Member

It was reported that Councillor A Taylor had been appointed to serve as
substitute Member on behalf of Councillor M Evans, for this meeting of
the Sub-Committee only.

6 **Declarations of Interest**

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

7 **Minutes**

Resolved

That the minutes of the meeting held on 29th November, 2022, be approved, as a correct record and signed.

8 **Application to Vary a Premises Licence – The Crown, High Street, Sedgley**

A report of the Interim Director of Environment was submitted to consider an application for variation of the premises licence in respect of The Crown, High Street, Sedgley.

The following were in attendance at the meeting:-

M Hazelwood – John Gaunt & Partners
S Jackson – Marston's Area Manager
G Morris – Designated Premises Supervisor
A Bayliss – Business Owner
Councillor M Evans – Ward Councillor

Following introductions of those present, the Assistant Team Manager (Licensing and Waste Enforcement) then presented the report on behalf of the Council, advising that the variation application proposed for the premises licence to commence trading earlier to undertake breakfasts and to facilitate the provision of alcohol on an occasional basis with those breakfast, particularly to travelling sports fans. The premises also sought to operate later on Friday's and Saturday's.

It was reported that an amendment to conditions on the licence was requested to bring forward the commencement time for retail sale of alcohol to 8am daily Monday to Sunday and to extend the hours of operation in respect of the sale of alcohol and licensable activities until 2am on Fridays and Saturdays. The consequential amendment in relation to the opening hours of the premises were sought as follows:-

Opening Hours

Monday to Thursday - 08.00 until 00.30

Friday and Saturday – 08.00 until 02.30

Sunday – 08.00 until 23.30

It was reported that the premises had proposed to apply an additional measure in order to promote the four licensing objectives should the variation be approved, which would entail a risk assessment being undertaken of the last entry policy when undertaking licensable activities after 12 midnight.

Councillor M Evans, on behalf of local residents and fellow Ward Councillor, outlined the reasons for his objection, and in doing so stated that the premises was located in a heavily populated residential area with other licensed premises within the vicinity licensed to operate until 23.30 hours. It was considered that the proposed variation would give residents inequality of peace.

Further concerns were expressed with regards to the proposal to cater for travelling sport fans, the majority of which would arrive by coach or minibus and the difficulties that may be encountered of such vehicles accessing the premises designated car park, which was considered impossible due to the need to travel along an extremely narrow street and emphasised that the traffic flow in Sedgley was already extremely congested. It was anticipated that the requested variation could result in public nuisance and would be detrimental to local residents.

As no questions were asked of the objector, M Hazelwood then presented the case on behalf Marston's PLC.

M Hazelwood stated that the premises had been owned and operated by Marstons PLC for a significant period of time and Mr and Mrs Morris were to be the new tenant under a new agreement moving forward. Both Mr and Mrs Morris were local to the area and familiar with Sedgley. It was reported that the premises had historically served and offered breakfasts, although the license did not reflect this. Therefore, this element of the variation, together with the option to sell alcohol on an occasional basis was requested to regulate this offer. It was emphasised that the offer of breakfast would not just be to accommodate sporting fans, but to meet the needs of the dynamic society. It was also stressed that alcohol at that time would only be served with food.

In addressing the concerns raised of coaches and mini-buses being present, it was stated that these would only be in attendance for a brief period of time to allow for users to board. Whilst it was recognised that the designated car park was not big enough for a coach to turn around on, it would allow for a coach to reverse onto to load. Alternative options had also been explored for the vehicle to park for a brief time on the main road outside the premises for people to access directly. It was further emphasised that this would not be on a weekly basis.

In addressing concerns with regards to the premises remaining open until 02:00 hours, M Hazelwood referred to the letter and comments made by Mrs Morris included in the bundle, in that it was not the intention for the premises to revert into a late night venue, but was an option to be used at their own discretion and would not be advertised, but would allow patrons to continue to have an extra drink after the entertainment had ceased. It was reiterated that a risk assessment for last entry at 12 midnight would be implemented as an additional condition.

At this juncture the meeting was adjourned to allow Members and all parties to read the additional information that had been submitted by John Gaunt & Partners on behalf of the applicant, after the agenda had been circulated.

Upon reconvening, the Chair confirmed with all parties and it was unanimously agreed for the meeting to proceed taking into account the additional information that had been provided.

The Solicitor to the Sub-Committee stated that during the adjournment Members had expressed concern with regards to the comments made that the extended opening hours would not be advertised, however were of the view that it was inevitable that it would soon become common knowledge and questioned how this would be managed.

In responding M Hazelwood reiterated that it was not the premises intention to become a late-night venue and the additional hours would not be advertised, but would allow time for patrons to continue their conversations. The current customer base was persons aged 30+ which would continue moving forward to create a community hub. It was further reiterated that a risk assessment at 12 midnight would be undertaken to stop migration from other venues in Sedgley and that no other persons would be admitted after 12 midnight on Friday and Saturday evenings. It was recognised that on some weekends there would not be any migration, however on critical weekends a 12-midnight curfew would be implied by the premises licence holder.

Reference was made to the measures that would be taken to prevent noise breakout, in that the premises would continue to ensure that the fire door that faced on to The Walk would remain closed from 22:00 hours during regulated entertainment, to alleviate any concerns of noise nuisance. This would be made mandatory as part of the variation. It was stressed that no representations had been received from Environmental Health in relation to noise nuisance or from West Midlands Police.

In responding to questions raised, M Hazelwood confirmed that Mrs S Morris was a business partner and the DPS's wife. It was also confirmed that the residents that had provided letters of support, although had been asked if they would be willing to provide, had done so on their own accord.

In addressing the concerns raised in relation to coaches being parked on the highway, it was reiterated that coaches would arrive at designated times and people would automatically migrate out of the premises into the mode of travel to their destination. It was emphasised that it would not be a pub crawl, it would provide the opportunity for local people to gather, meet and eat before attending scheduled events, it was not the intention to host out of the borough coaches on the way to an event. It was also commented that the premises was not a sports pub and there were no televisions in the public areas.

Following further deliberations about the possible impact coaches would have to the congestion at Sedgley, the Solicitor reminded Members that highway congestion did not form part of the Licensing Act or Licensing Guidance. Public safety would be in relation the premises and car park and not the high street.

In referring the proposed extended times, it was commented that the license currently allowed for the premises to remain open until 01:00 hours and there was no record of past nuisance.

Arising from a question raised with regards to extending entertainment until 02:00 hours on Friday's and Saturday's and the impact this may have on nearby residents, it was stated that there had been no request to extend the time for live music. Recorded music was already permitted until 12 midnight.

Following a suggestion by the Sub-Committee, M Hazelwood, in consultation with her client, agreed to a reduction in the hours for regulated music and all aspects of entertainment to cease at 00:30 hours, with alcohol and premises permitted to open until 02:00 hours. This variation would address concerns raised in relation to potential noise nuisance and would be more fitting to the desired community hub environment that was envisaged.

All parties were provided with the opportunity to sum up their cases, following which the Sub-Committees Solicitor provided a legal summary in relation to the application.

All parties withdrew from the meeting to enable to Sub-Committee to determine the application.

The Sub-Commtee having made their decision invited the parties to return and the Solicitor outlined the decision.

Resolved

That following careful consideration of the information contained in the report submitted and presented at the meeting, the application for variation of the premises licence in respect of the premises known as The Crown, High Street, Sedgley, as outlined in the report, be granted, subject to the modified hours, as agreed during the meeting, in respect of licensable activities, namely indoor sporting events, films, recorded music, performance of dance and entertainment of similar description on Friday's and Saturday's, which will cease at 00.30 hours and the additional condition as outlined below:-

- That the premises would continue to ensure that the fire door that faced on to The Walk would remain closed from 22:00 hours during regulated entertainment, to alleviate any concerns of noise nuisance. This would be made mandatory as part of the variation.

The applicant was informed of their right of appeal.

9 **Application to Vary a Premises Licence – The Red Lion, Abbey Road, Gornal Wood, Dudley**

A report of the Interim Director of Environment was submitted to consider an application for variation of the premises licence in respect of The Red Lion, Abbey Road, Gornal, Dudley.

The following were in attendance at the meeting:-

M Hazelwood – John Gaunt & Partners
S Jackson – Marston's Area Manager

The Assistant Team Manager (Licensing and Waste Enforcement) presented the report on behalf of the Council, advising that the application proposed the variation of the premises licence as follows:-

Sale of Alcohol and Regulated Entertainment
(Films/Indoor Sportig Events/Live Music/Recorded Music/Dance)

Monday to Sunday – 09.00 until 00.00

Late Night Refreshment

Monday to Sunday 23.00 until 00.00

Hours open to the Public

Monday to Sunday (Inclusive) 09.00 until 00.30

A review of the conditions had also been undertaken and the following amendment was proposed:-

Children under the age of 16 shall not be permitted to enter the premises after 21;00 hours until attending a pre-booked function or dining.

It was reported that the representations received from a local resident had been withdrawn prior to the meeting, following mediation with Marstons PLC, however the concerns of the Planning Department in relation to the proposed hours and the unacceptable impact this may have on neighbours' amenities in terms of noise and disturbance in unsociable hours of the night, still remained.

M Hazelwood then presented the case on behalf Marston's PLC, and in doing so stated that a new designated premises holder had now been appointed, who was local to the area and had historic experience in working in the pub sector. It was advised that the premises was a community hub and the proposed variation to the licence was to refresh and update the licence.

In referring to the representations received by a local resident, the Sub-Committee were advised that the resident had been spoken with to identify and address the concerns raised, and it had become apparent that the loud music that had been referred to was not directly from the premises itself, although the speaker had been removed from the garden area to alleviate any noise nuisance concerns. The resident had also referred to customers smoking outside of the premises instead of using the dedicated smoking shelter in the garden and it was agreed that the new Premises Licence Holder would encourage customers to smoke within the designated zone.

With reference to the concerns in relation to anti-social behaviour at the bus terminal and the wasteland adjoining the premises, it was reported that whilst it recognised that this was not the responsibility of the premises, the Premises Licence Holder would work collaboratively with local residents to try to alleviate the concerns and as a result the resident was happy to retract their original objection.

On conclusion of hearing all of the representations submitted, it was

Resolved

That the application for variation of the premises licence in respect of the premises known as The Red Lion, Abbey Road, Gornal, as outlined in the report submitted, be granted.

All parties would be informed of their right of appeal.

10 **Application for House to House Collections Licence – Recycle Proline Limited, Ukraine Appeal**

A report of the Interim Director of Environment was submitted to consider an application for the grant of a House-to-House Collections Licence received from Recycle Proline Limited on behalf of the Ukraine Appeal.

The following persons were in attendance at the meeting:-

K Donelaite – Recycle Proline Limited
A Kulikauskas – Recycle Proline Limited

Following introductions, the Sub-Committee's Solicitor advised of the prescribed information that was required in accordance with the House-to-House Collections Act 1939 for the Sub-Committee to be able to consider an house-to-house collections application.

The Assistant Team Manager (Licensing and Waste Enforcement) presented the report and in doing so stated that the Licensing Section in accordance with the Neighbouring Authorities working Group introduced a policy in 1999 requiring all House-to-house collection applicants to submit income and expenditure accounts for the previous financial year. In 2009 a further policy was introduced by the Council that all applicants should also submit income and expenditure accounts for the previous financial year of the charity for which the collection is being made, to ensure that a substantial amount of the monies collected was used for charitable purposes. It was acknowledged that as the Ukraine Appeal was a new organisation, accounts were unable to be produced at this time.

In considering the application, the Chair commented that the accounts provided on behalf of Recycle Proline Limited were dated May 2021, and questioned if the accounts for 2022 were available.

In responding, A Kulkauskas stated that at the time of the application the 2022 accounts were not available however they had since been submitted to Company House.

The Solicitor to the Sub-Committee confirmed that Members should see the relevant accounts for the previous year in advance of a decision being made, therefore it was

Resolved

That the application for grant of a House-to-House Collections Licence to Recycle Proline Limited on behalf of the Ukraine Appeal, be deferred to a future meeting upon receipt of the relevant income and expenditure accounts.

11 Questions from Members to the Chair (Council Procedure Rule 11.8)

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

The meeting ended at 1.30pm

CHAIR

**Minutes of the Planning Committee
Wednesday 19th April 2023 at 6.00 pm
At Black Country & Marches Institute of Technology,
Zoological Drive, Dudley**

Present:

Councillor D Harley (Chair)
Councillors H Bills, B Challenor, R Collins, P Drake, P Miller, W Sullivan, E Taylor and T Westwood.

Officers:

P Reed (Principal Planning Officer) and J Todd (Development Manager) (Directorate of Regeneration and Enterprise); G Breakwell (Solicitor) and H Mills (Senior Democratic Services Officer) (Directorate of Finance and Legal Services).

Observers:

Approximately 12 members of the public.

61 Apologies for Absence

Apologies for absence from the meeting were submitted on behalf of Councillors A Goddard and M Westwood.

62 Appointment of Substitute Members

It was reported that Councillors R Collins and T Westwood had been appointed to serve as substitute Members for Councillors A Goddard and M Westwood (respectively), for this meeting of the Committee only.

63 **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.

64 **Minutes**

Resolved

That the minutes of the meeting held on 8th March 2023, be approved as a correct record and signed.

65 **Plan and Application to Develop**

A report of the Director of Regeneration and Enterprise was submitted on the following plan and application to develop. Details of the plan and application were displayed by electronic means at the meeting.

The following persons were in attendance at the meeting, and spoke on the planning application as indicated: -

<u>Application No.</u>	<u>Objectors/Supporters who wished to speak</u>	<u>Agent/Application who wished to speak</u>
P23/0041	Councillor A Hughes J Richards	M Hammond

Planning Application No. P23/0041 – Edwin Holdens Brewery, George Street, Woodsetton, Dudley – Erection of new Portal Framed Building for B8 use (storage or distribution)

Resolved

That the application be approved, subject to conditions numbered 1 to 9 (inclusive), as set out in the report submitted.

66 **Questions Under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

The meeting ended at 6.35pm.

CHAIR

**Minutes of the Planning Committee
Wednesday 31st May 2023 at 6.00 pm
At Saltwells Education Development Centre, Bowling
Green Road, Netherton**

Present:

Councillor D Harley (Chair)
Councillor W Sullivan (Vice-Chair)
Councillors H Bills, S Bothul, P Drake, S Keasey, P Lee and E Taylor.

Officers:

P Reed (Principal Planning Officer), J Todd (Development Manager), C Golightly (Senior Planning Officer), B Shinton (Planning Officer) (Directorate of Regeneration and Enterprise) and K Taylor (Senior Democratic Services Officer) (Directorate of Finance and Legal Services).

Also in Attendance:

S Evans (Legal Advisor)

Observers:

Approximately 15 members of the public.

1 Apologies for Absence

Apologies for absence from the meeting were submitted on behalf of Councillors B Challenor, P Miller and K Razzaq.

2 Appointment of Substitute Members



It was reported that Councillors S Keasey and P Lee had been appointed to serve as substitute Members for Councillors B Challenor and K Razzaq, respectively, for this meeting of the Committee only.

3 **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.

4 **Minutes**

Resolved

That the minutes of the meeting held on 19th April 2023, be approved as a correct record and signed.

5 **Plan and Applications to Develop**

A report of the Director of Regeneration and Enterprise was submitted on the following plans and applications to develop. Details of the plans and applications were displayed by electronic means at the meeting.

The following persons were in attendance at the meeting, and spoke on the planning application as indicated: -

<u>Application No.</u>	<u>Objectors/Supporters who wished to speak</u>	<u>Agent/Application who wished to speak</u>
P21/1233	Mrs K Highway	Mr G Barton
P22/1657	Councillor S Phipps (written statement) Mrs C Wetton	Mr P Icke

Planning Application No. P21/1233 – Land at Zoar Street, Lower Gornal – Demolition of 23 & 25 (Eggingtons Chemist) Abbey Road and 7, 8 & 9 Zoar Street. Erection of 1 no. retail store and pharmacy (E(a)) with associated access, car parking, servicing and landscaping.

Resolved

That the application be approved subject to:-

- (1) The applicant entering into a unilateral undertaking in relation to providing the requirements outlined in paragraph 80 of the report submitted.
- (2) Conditions numbered 1 to 31 (inclusive), as set out in the report submitted, with delegated powers to the Head of Planning to make amendments to these as necessary.
- (3) That the developer be invited to make an application for an Order to the Secretary of State for the stopping up and provision of new highway based on plan 14079-SK2301112.1-A under S247 of the Town and Country Planning Act 1990 to allow development authorised by planning permission to take place. The costs associated with the Order shall be at the developer's expense.

Planning Application No. P22/1657 – Hayley Fasteners (Site 2), Shelah Road, Halesowen – Demolition of existing commercial buildings to facilitate the erection of 1 no. warehouse with ancillary support offices, car park alterations, fencing, gates with modifications to access from Public Highway, Extension and Alterations to existing Office Block (3) with new fenestration rain screen cladding to existing Block (2). Elevational changes to include new roller shutter entrances. New unloading canopies between existing and new warehouses and control kiosk to front.

Resolved

That the application be approved subject to conditions numbered 1 to 23 (inclusive), as set out in the report submitted.

6 **Costings for Planning Obligations April 2023 – supplementary report**

A report of the Director of Regeneration and Enterprise was submitted on the updated Planning Obligations Costings updated from 1st April in accordance with Council Policy. A report on the Planning Services Fees 2023 was considered by the Planning Committee on 12th December, 2022.

Resolved

- (1) That the continued use of Consumer Price Index in Planning Obligations costings and in accordance with the adopted Supplementary Planning Document (SPD) “Planning Obligations”, as previously reported to the Planning Committee on 12th December, 2023 (Planning Service Fees), be noted.
- (2) That the updated Planning Obligations costings as outlined in Appendix 1, in line with the Consumer Price Index rates since 2019 to 2023, be noted.

7 Questions Under Council Procedure Rule 11.8

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

The meeting ended at 7.05pm.

CHAIR

**Minutes of the meeting of the Taxis Committee
Wednesday 5th April, 2023 at 6.00 pm
At Saltwells Education Development Centre,
Bowling Green Road, Netherton, Dudley**

Present:

Councillor A Hopwood (Chair)
Councillor B Challenor (Vice-Chair)
Councillors M Aston, R Body, D Harley, P Lee, A Lees, J Martin and W Sullivan.

Officers:

N Slym (Assistant Team Manager (Licensing and Waste Enforcement)), T Holder (Solicitor) and H Mills (Senior Democratic Services Officer)

95 **Apologies for Absence**

No apologies were submitted for this meeting of the Committee.

96 **Appointment of Substitute Members**

No substitutes were appointed for this meeting of the Committee

97 **Declarations of interest**

No Member made a declaration of interest, in accordance with the Members Code of Conduct, in respect of any matters considered at the meeting.

98 **Minutes**

Resolved

That the minutes of the meeting held on 15th February, 2023, be approved as a correct record and signed.

99 **Questions Under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8

100 **Exclusion of the Public and Press**

Resolved

That the public and press be excluded from the meeting for the following items of business, on the grounds that they involve the likely disclosure of exempt information relating to an individual(s) as defined under Part 1 of Schedule 12A to the Local Government Act 1972, as amended.

101 **Change in Order of Business**

Pursuant to Council Procedure Rule 1(c), it was:-

Resolved

That the order of business be varied and the agenda items be considered in the order set out in the minutes below.

102 **Application for Grant of a Private Hire Driver's Licence – Mr AS**

A report of the Interim Director of Environment was submitted to consider the application for grant of a private hire driver's licence to Mr AS.

Mr AS was in attendance at the meeting, together with his Solicitor, Mr AS.

Mr AS made detailed representations on behalf of his client in support of his application and responded to questions raised by Members in relation to his previous convictions as outlined in paragraphs 3 and 4 of the report submitted.

Mr AS confirmed that there were no further matters pending that needed to be brought to the Committee's attention.

The Committee's Solicitor provided a legal summary in relation to the case, following which all parties withdrew from the meeting to enable the Committee to determine the application.

Resolved

That following careful consideration of the information contained in the report submitted, the evidence provided at the meeting and having regard to the Committee Guidelines and Statutory Standards, the Committee did not consider Mr AS to be a fit and proper person in view of his previous convictions and circumstances surrounding those convictions, therefore in accordance with Section 51 of the Local Government (Miscellaneous Provisions) Act 1976 the application to grant a Private Hire Driver's Licence to Mr AS, be refused.

Mr AS was informed of his right to appeal the decision.

103 Review of a Private Hire Driver's Licence – Mr WN

A report of the Interim Director of Environment was submitted to consider the review of the Private Hire Driver's licence issued to Mr WN.

Mr WN was not in attendance at the meeting. At the request of the Committee the Assistant Team Manager (Licensing and Waste Enforcement) confirmed that notification of the date, time and venue had been provided accordingly to Mr WN in advance of the meeting.

As Mr WN had been provided with sufficient notice and adequate time to attend the meeting, and due to the urgency of the review, the Committee determined that the review should continue in Mr WN's absence.

Two witnesses were invited and in attendance at the meeting.

The Assistant Team Manager (Licensing and Waste Enforcement) presented the report in detail, in particular referring to the complaints received, as outlined in paragraph 4 of the report submitted and the two separate witness statements taken as a result of those complaints, which were confirmed as a true reflection by both witnesses.

The Committee's Solicitor provided a legal summary in relation to the case, following which all parties withdrew from the meeting to enable the Committee to determine the review.

Resolved

That following careful consideration of the information contained in the report submitted, evidence provided at the meeting and having regard to the Committee's Guidelines and Statutory Guidance, the Committee were of the view that in accordance with Section 61(1)(b) and Section 61(2B) of the Local Government (Miscellaneous) Act 1976, the Private Hire Driver's Licence issued to Mr WN be revoked with immediate effect in the interest of public safety. The Committee determined that the offences, as outlined in the report, amounted to reasonable cause to show that Mr WN was no longer a fit and proper person to hold a licence.

Mr WN would be advised of his right to appeal the decision of the Committee.

104 Application for Grant of a Private Hire Driver's Licence – Mr AA

A report of the Interim Director of Environment was submitted to consider the application for grant of a private hire driver's licence to Mr AA.

Mr AA was in attendance at the meeting, together with his Solicitor, Mr AS.

Mr AS made detailed representations on behalf of his client in support of his application and responded to questions raised by Members in relation to his previous convictions, as outlined in paragraph 3 of the report submitted.

Mr AS confirmed that there were no further matters pending that needed to be brought to the Committee's attention.

The Committee's Solicitor provided a legal summary in relation to the case, following which all parties withdrew from the meeting to enable the Committee to determine the application.

Resolved

That following careful consideration of the information contained in the report submitted, the evidence provided at the meeting and having regard to the Committee Guidelines and Statutory Standards, the Committee determined that given the explanation provided, they were satisfied that Mr AA was a fit and proper person, therefore, the Private Hire Driver's Licence to Mr AA be granted.

105 **Review of a Private Hire and Hackney Carriage Driver's Licence – Mr MKS**

At the request of Mr MKS and with agreement of the Committee, this item of business was deferred to a future meeting.

106 **Review of a Private Hire and Hackney Carriage Driver's Licence – Mr SH**

A report of the Interim Director of Environment was submitted to consider the review of the Private Hire and Hackney Carriage Driver's licence issued to Mr SH.

Mr SH was in attendance at the meeting and explained the circumstances surrounding the endorsements of his Driver and Vehicle Licensing Agency (DVLA) mandate, as outlined in paragraph 4 of the report submitted, and responded to questions asked by the Committee.

Mr SH confirmed that there were no further matters pending that needed to be brought to the Committee's attention.

The Solicitor provided a legal summary in relation to the case, following which all parties withdrew from the meeting to enable the Committee to determine the application.

Resolved

That following careful consideration of the information contained in the report submitted, the evidence provided at the meeting and having regard to the Committee Guidelines and Statutory Standards, the Committee determined that given the explanation provided and as Mr SH had not been carrying passengers when the offence was committed, the Committee were satisfied that Mr SH was a fit and proper person to hold a licence and a warning be issued regarding his future conduct.

107 **Review of a Private Hire Driver's Licence – Mr KSK**

A report of the Interim Director of Environment was submitted to consider the review of the Private Hire Driver's licence issued to Mr KSK.

Mr KSK was in attendance at the meeting and explained the circumstances surrounding a breach of his private hire vehicle licence and the Council's Policy on the maintenance of vehicles, as outlined in paragraph 4 of the report submitted, and responded to questions asked by the Committee.

Mr KSK confirmed that there were no further matters pending that needed to be brought to the Committee's attention.

The Solicitor provided a legal summary in relation to the case, following which all parties withdrew from the meeting to enable the Committee to determine the application.

Resolved

That following careful consideration of the information contained in the report submitted, evidence provided at the meeting and having regard to the Committee's Guidelines and Statutory Guidance, the Committee were of the view that in accordance with Section 61(1)(b) and Section 61(2A) of the Local Government (Miscellaneous) Act 1976, the Private Hire Driver's Licence issued to Mr KSK be suspended for a period of one month, in view of his breach of condition 1(o) of his private hire vehicle licence and the lack of compliance and consideration of the Council's Policy on the maintenance of vehicles.

Mr KSK was advised of his right to appeal the decision of the Committee.

108 **Application for Renewal of a Private Hire Driver's Licence – Mr TH**

At the request of Mr TH and with agreement of the Committee, this item of business was deferred to a future meeting.

The meeting ended at 7.56pm.

CHAIR

**Minutes of the meeting of the Taxis Committee
Thursday 1st June, 2023 at 6.00 pm
At Saltwells Education Development Centre,
Bowling Green Road, Netherton, Dudley**

Present:

Councillor A Hopwood (Chair)

Councillors M Aston, K Denning, D Harley, W Little, J Martin (from Minute No. 10), C Sullivan, W Sullivan and A Taylor.

Officers:

N Slym (Assistant Team Manager (Licensing and Waste Enforcement)), T Holder (Solicitor) and K Taylor (Senior Democratic Services Officer)

1 Chair's Announcement

The Chair referred to the recent death of Councillor R Body, and the meeting observed a period of silence as a token of respect to his memory.

2 Apology for Absence

An apology for absence was received on behalf of Councillor B Challenor.

3 Appointment of Substitute Members

It was reported that Councillor C Sullivan had been appointed to serve as substitute Member for Councillor B Challenor for this meeting of the Committee only.

4 Declarations of interest

No Member made a declaration of interest, in accordance with the Members Code of Conduct, in respect of any matters considered at the meeting.

5 **Minutes**

Resolved

That the minutes of the meeting held on 5th April, 2023, be approved as a correct record and signed.

6 **Questions Under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8

7 **Exclusion of the Public and Press**

Resolved

That the public and press be excluded from the meeting for the following items of business, on the grounds that they involve the likely disclosure of exempt information relating to an individual(s) as defined under Part 1 of Schedule 12A to the Local Government Act 1972, as amended.

8 **Review of a Private Hire and Hackney Carriage Driver's Licence – Mr MKS**

A report of the Interim Director of Environment was submitted to consider the review of the private hire and hackney carriage driver's licence issued to Mr MKS.

Mr MKS was in attendance at the meeting, together with his Solicitor, Mr AS.

Mr AS made detailed representations on behalf of his client and responded to questions raised by Members in relation to the information contained within the report submitted.

Mr AS confirmed that there were no further matters pending that needed to be brought to the Committee's attention.

The Committee's Solicitor provided a legal summary in relation to the case, following which all parties withdrew from the meeting to enable the Committee to determine the application.

Resolved

That following careful consideration of the information contained in the report submitted, the evidence provided at the meeting and having regard to the Committee Guidelines and Statutory Standards, the Committee determined that given the explanation provided they were satisfied that Mr AS was a fit and proper person to hold a licence and a warning be issued regarding his future conduct.

9 Application for Grant of a Private Hire Driver's Licence – Mr MA

It was noted that the application had been withdrawn.

10 Application for Grant of a Private Hire Driver's Licence – Mr SH

At the request of Mr SH and with agreement of the Committee, this item of business was deferred to a future meeting.

11 Review of a Private Hire Driver's Licence – Mr SH

A report of the Interim Director of Environment was submitted to consider the review of the private hire driver's licence issued to Mr SH.

Mr SH was in attendance at the meeting, together with his Solicitor, Mr AS.

Mr AS made detailed representations on behalf of his client and explained the circumstances surrounding the endorsements on his Driver and Vehicle Licensing Agency (DVLA) mandate, as outlined in paragraph 4 of the report submitted. Both Mr AS and Mr SH responded to questions asked by the Committee.

Mr SH confirmed that there were no further matters pending that needed to be brought to the Committee's attention.

The Committee's Solicitor provided a legal summary in relation to the case, following which all parties withdrew from the meeting to enable the Committee to determine the application.

Resolved

That following careful consideration of the information contained in the report submitted, the evidence provided at the meeting and having regard to the Committee Guidelines and Statutory Standards, the Committee determined that given the explanation provided they were satisfied that Mr SH was a fit and proper person to hold a licence and a warning be issued regarding his future conduct.

12 **Review of a Private Hire Driver's Licence – Mr ZM**

A report of the Interim Director of Environment was submitted to consider the review of the Private Hire driver's licence issued to Mr ZM.

Mr ZM was not in attendance at the meeting. Following a brief adjournment, the Assistant Team Manager (Licensing and Waste Enforcement) informed the Committee that following a telephone conversation with Mr ZM's father, he had reported that Mr ZM had forgotten that the hearing was taking place.

As Mr ZM had been provided with sufficient notice and adequate time to attend the meeting, the Committee determined that the review should continue in Mr ZM's absence.

The Assistant Team Manager (Licensing and Waste Enforcement) presented the report in detail, in particular referring to Mr ZM's breach of conditions 1(a) and 8 of his private hire vehicle licence.

The Solicitor provided a legal summary in relation to the case, following which all parties withdrew from the meeting to enable the Committee to determine the application.

Resolved

That following careful consideration of the information contained in the report submitted, evidence provided at the meeting and having regard to the Committee's Guidelines and Statutory Guidance, the Committee were of the view that in accordance with Section 61(1)(b) and Section 61(2A) of the Local Government (Miscellaneous) Act 1976, the Private Hire Driver's Licence issued to Mr ZM be suspended for a period of three months, in view of his breach of conditions 1(a) and 8 of his private hire vehicle licence.

Mr ZM would be advised of his right to appeal the decision of the Committee.

The meeting ended at 6.55pm.

CHAIR

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

Yes No

☐ ☒**Decision Made By** Councillor Ian Bevan**Authorised By** Councillor Ian Bevan, Cabinet Member for Public Health and Wellbeing**In Consultation With** Mayada Abu-Affan, Acting Director of Public Health and Wellbeing**Ward(s) Affected** All**Date of Decision** 26 April 2023**Reference** DP/02/2023**Early Years Public Health Manager Fixed Term 2 Years**

To increase establishment in the public health and wellbeing team to add a 2-year fixed term, full time, grade 13 Public Health manager from April 2023 to March 2025 to support current programme pressure.

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

Yes No

☐ ☒**Decision Made By** Councillor Ian Bevan**Authorised By** Councillor Ian Bevan, Cabinet Member for Public Health and Wellbeing**In Consultation With** Mayada Abu-Affan, Acting Director of Public Health and Wellbeing**Ward(s) Affected** All**Date of Decision** 18 May 2023**Reference** DPH/03/2023**Environmental Health and Trading Standards Fees and Charges 2023/2024**

That approval is given for the fees and charges relating to services described in the appended document

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

Yes No

☐ ☒**Decision Made By** Councillor Paul Bradley**Authorised By** Councillor Paul Bradley, Deputy Leader (Communities and Economic Delivery)**In Consultation With** Helen Martin, Director of Regeneration and Enterprise**Ward(s) Affected** All**Date of Decision** 02 June 2023**Reference** DRE/07/2023**Approval is sought to accept £25,000 capital and £10,000 revenue grants to support additional activities linked to the connected services programme**

1.1 Accept funding from WMCA to a maximum of £35,000, being £25,000 capital and £10,000 revenue to support capital equipment purchases and engagement activities linked to the connected services programme for Dudley residents and community groups and to include the capital element in the Council's Capital Programme.

4.

Delegated Decision Summary

Exempt

Yes No

X	
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Decision Made By Councillor Paul Bradley

Authorised By Councillor Paul Bradley, Deputy Leader (Communities and Economic Delivery)

In Consultation With Helen Martin, Director of Regeneration and Enterprise

Ward(s) Affected Cradley and Wollescote

Date of Decision 08 June 2023

Reference DRE/08/2023

Approval to acquire 122 - 126 Colley Gate

5.

Delegated Decision Summary

Exempt

Yes No

X	
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Decision Made By Councillor R Buttery

Authorised By Councillor R Buttery, Cabinet Member for Children and Young People

In Consultation With Catherine Driscoll, Director of Children's Services

Ward(s) Affected All

Date of Decision 27 March 2023

Reference DCS/07/2023

Change of line management responsibility for the Behaviour Outreach Team from Sycamore
Short Stay School to the Head of Education Outcomes

6.**Delegated Decision Summary****Exempt**

Yes No

☐ ☒**Decision Made By** Councillor Steve Clark**Authorised By** Councillor Steve Clark, Deputy Leader (Finance, Legal and Procurement)**In Consultation With** Iain Newman, Director of Finance and Legal (Section 151 Officer)**Ward(s) Affected** All**Date of Decision** 13 April 2023**Reference** DFL/01/2023**Waiver for preventative and planned maintenance works contracts**

To approve 11 short-term contracts for preventative and planned maintenance works in schools and corporate buildings while a re-procurement exercise is carried out for the contracts in accordance with PCR 2015.

7.**Delegated Decision Summary****Exempt**

Yes No

☐ ☒**Decision Made By** Councillor Steve Clark**Authorised By** Councillor Steve Clark, Deputy Leader (Finance, Legal and Procurement)**In Consultation With** Iain Newman, Director of Finance and Legal (Section 151 Officer)**Ward(s) Affected** All**Date of Decision** 13 April 2023**Reference** DFL/02/2023**Waiver of Contract Standing Orders in respect of residential and nursing care home contracts**

To approve the request to waive contract procedure rules in respect of the residential and nursing care home contracts both in and out of borough for a period of up to 24 months to the value of approx. £30million per annum.

8.**Delegated Decision Summary****Exempt**

Yes No

☐ ☒**Decision Made By** Councillor Steve Clark**Authorised By** Councillor Steve Clark, Deputy Leader (Finance, Legal and Procurement)**In Consultation With** Iain Newman, Director of Finance and Legal (Section 151 Officer)**Ward(s) Affected** All**Date of Decision** 19 April 2023**Reference** DFL/03/2023**Household Support Fund 4 (2023/24) – Application Element Process**

To agree the proposed Household Support Fund Scheme 4 (2023/24) application element process as set out at paragraph 9 and to authorise the Director of Finance and Legal to amend thresholds if required to ensure utilisation of funds as set out at paragraph 11.

9.

Delegated Decision Summary

Exempt

Yes No

<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Decision Made By Councillor D Corfield
Authorised By Councillor D Corfield, Cabinet Member for Highways and Public Realm
In Consultation With Andy Vaughan, Interim Director of Public Realm
Ward(s) Affected All
Date of Decision 30 March 2023
Reference DPR/02/2023

OUTSOURCING OF PARKING ENFORCEMENT

Following Full Council approval of March 6th 2023, Officers are authorised to outsource parking enforcement, as per the detail contained in this report and by completing the following steps:

To commence a procurement exercise as soon as possible, with a tender evaluation completed by the end of April 2023.

To award a contract and commence any TUPE process in May 2023.

To begin contract mobilisation during June 2023, with contract implementation at the end of July 2023.

10.

Delegated Decision Summary

Exempt

Yes No

<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Decision Made By Councillor P Harley
Authorised By Councillor P Harley, Leader of the Council
In Consultation With Iain Newman, Director of Finance and Legal (Section 151 Officer)
Ward(s) Affected All
Date of Decision 26 May 2023
Reference DPR/04/2023

Parks Tennis - Partnership working with the Lawn Tennis Association

To seek approval to enter into an agreement with the Lawn Tennis Association (LTA) to improve tennis facilities within the Borough.

To allocate £280,537.11 of grant funding from the LTA onto the Capital programme.

To allocate £2,991.45 of S106 monies onto the Capital programme, to support improvements to the tennis courts at Mary Stevens Park, Stourbridge.

To authorise and allow the Acting Service Director for Neighbourhood Delivery to sign the funding agreement, JCT Minor Works contracts and order forms for the gate access technology associated with the works.

To recognise that the Council will be required to adopt a more commercial approach to its park courts, which would allow an income to be generated that could be used to create a sustainable sinking fund to cover the future maintenance of the facilities.

11.

Delegated Decision Summary

Exempt

Yes No

<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Decision Made By Councillor Natalie Neale**Authorised By** Councillor Natalie Neale, Cabinet Member for Adult Social Care**In Consultation With** Matt Bowsher, Director of Adult Social Care**Ward(s) Affected** All**Date of Decision** 29 March 2023**Reference** DAS/03/2023Dudley Disability Service direct payment cases invest to save resource

Approval requested to employ 4 Assistant Care Co-ordinators (ACC) Grade 6 (37 hours per week) and 1 Senior Social Worker (SSW) Grade 10 (37 hours per week) for 18 months on a fixed term contract within the Dudley Disability Service (DDS). The staff are required to support a project to review all Direct Payment Cases within the service. The cost of the extra staff will be covered within the total cost of the project.

12.

Delegated Decision Summary

Exempt

Yes No

<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Decision Made By Councillor Natalie Neale**Authorised By** Councillor Natalie Neale, Cabinet Member for Adult Social Care**In Consultation With** Matt Bowsher, Director of Adult Social Care**Ward(s) Affected** All**Date of Decision** 18 May 2023**Reference** DAS/04/2023Dudley Safeguarding People Partnership - Recruitment of 1 FTE Senior Information Analyst

Decision to agree the recruitment of 1 FTE post fixed term for 1 year and recruit a Senior Information Analyst to work exclusively in support of the Dudley Safeguarding People Partnership.

13.

Delegated Decision Summary

Exempt

Yes No

<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Decision Made By Councillor Natalie Neale**Authorised By** Councillor Natalie Neale, Cabinet Member for Adult Social Care**In Consultation With** Matt Bowsher, Director of Adult Social Care**Ward(s) Affected** All**Date of Decision** 24 May 2023**Reference** DAS/05/2023Welfare Benefit Officers x 2 (Household Support Fund support)

To recruit 2 x welfare benefits officers on a temporary basis – funded till 31/03/2024 through the Household Support Fund.

14.

Delegated Decision Summary

Exempt

Yes No

<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Decision Made By Councillor D Stanley**Authorised By** Councillor D Stanley, Cabinet Member for Regeneration and Enterprise**In Consultation With** Helen Martin, Director of Regeneration and Enterprise**Ward(s) Affected** Brierley Hill**Date of Decision** 31 March 2023**Reference** DRE/05/2023Daniels Land and the High Plateau

1.1 Approval for the Director of Regeneration and Enterprise, in consultation with the Cabinet Member for Regeneration, to submit an Expression of Interest Funding Application requesting West Midlands Combined Authority acquires the privately owned Daniels Land and High Plateau sites at Brierley Hill for strategic regeneration purposes.

15.

Delegated Decision Summary

Exempt

Yes No

<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Decision Made By Councillor D Stanley**Authorised By** Councillor D Stanley, Cabinet Member for Regeneration and Enterprise**In Consultation With** Helen Martin, Director of Regeneration and Enterprise**Ward(s) Affected** Castle & Priory**Date of Decision** 28 April 2023**Reference** DRE/06/2023Delivery of a Higher Education Building on Castle Hill funded by Towns Fund Grant

16.

Delegated Decision Summary

Exempt

Yes No

<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Decision Made By Councillor Laura Taylor-Childs**Authorised By** Councillor Laura Taylor-Childs, Cabinet Member for Housing and Communities**In Consultation With** Kathryn Jones, Director of Housing and Communities**Ward(s) Affected** All**Date of Decision** 27 March 2023**Reference** DOH/04/2023Restructure of Housing Services

17.

Delegated Decision Summary

Exempt

Yes No

<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Decision Made By Councillor Laura Taylor-Childs

Authorised By Councillor Laura Taylor-Childs, Cabinet Member for Housing and Communities
Councillor D Stanley, Cabinet Member for Regeneration and Enterprise

In Consultation With Kathryn Jones, Director of Housing and Communities
Helen Martin, Director of Regeneration and Enterprise

Ward(s) Affected Amblecote

Date of Decision 15 May 2023 **Reference** DOH/05/2023

Appropriation of strip of land adjacent 30 School Drive, Amblecote, Stourbridge

That a strip of land adjacent 30 School Drive, Amblecote, Stourbridge, be appropriated from Housing to the purposes of Education in order to be incorporated within Amblecote Primary School.

18.

Delegated Decision Summary

Exempt

Yes No

<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Decision Made By Andy Vaughan

Authorised By Councillor Damian Corfield, Cabinet Member for Highways and Environmental

In Consultation With Andy Vaughan, Interim Director of Public Realm

Ward(s) Affected All

Date of Decision 02 June 2023 **Reference** DPR/05/2023

OUTSOURCING OF PARKING ENFORCEMENT

Following Full Council approval of March 6th 2023, Officers are authorised to outsource parking enforcement, as per the detail contained in this report and by completing the following steps:

To commence a procurement exercise as soon as possible, with a tender evaluation completed by the end of April 2023.

To award a contract and commence any TUPE process in May 2023

To begin contract mobilisation during June 2023, with contract implementation at the end of July 2023.