

**Meeting of the Overview and Scrutiny Management Board  
Wednesday, 25<sup>th</sup> November, 2020 at 6.00pm  
on Microsoft Teams**

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**Agenda - Public Session**  
**(Meeting open to the public and press)**

1. Chairs Announcement

Welcome to this virtual meeting. This is a formal Council Committee. The public proceedings will take place live on the Internet. The meeting will be recorded for future viewing.

It will assist the conduct of business if participants speak only when invited.

Members of the public are welcome to view the proceedings but should not make contributions at this meeting.

All Members of the Committee have received the reports in advance and had the opportunity to read them. The reports are published on the Internet.

All participants should mute their microphones and video feed when they are not speaking.

Anyone wishing to speak should indicate using the 'raise your hand' button on Microsoft Teams. Please remember to unmute your microphone and switch on your video feed when it is your turn to speak. Speak clearly and slowly into your microphone.

If you do not have the hand button, please type your request to speak in the chat function.

May I ask for everyone's patience with the use of the technology. I apologise in advance if we experience any unforeseen difficulties which we shall try to resolve as soon as possible.



2. Apologies for absence.
3. To report the appointment of any substitute members serving for this meeting of the Committee.
4. To receive any declarations of interest under the Members' Code of Conduct.
5. [To confirm and sign the minutes of the meeting held on 15<sup>th</sup> January, 2020 as a correct record.](#)
6. [Update on Annual Centre's Healthcheck Survey \(Pages 1 – 6\)](#)
7. [Future Designation of Overview and Scrutiny Committees \(Pages 7 – 12\)](#)
8. [Feedback from Scrutiny Committees \(Pages 13 – 15\)](#)
9. To consider any questions from Members to the Chair where two clear days' notice has been given to the Monitoring Officer (Council Procedure Rule 11.8).



**Chief Executive**

**Dated: 17<sup>th</sup> November, 2020**

**Distribution:**

Councillor R Burston (Chair)

Councillor C Barnett (Vice-Chair)

Councillors J Cooper, T Crumpton, A Finch, J Foster, L Jones, A Millward, J Roberts, M Rogers, P Sahota, D Tyler and S Waltho



**Please note:**

- This meeting will be held virtually by using Microsoft Teams. The meeting will be held live via the Internet link.
- This is a formal Council Committee and it will assist the conduct of business if participants speak only when invited by the Chair.
- The Chair reserves the right to adjourn the meeting, as necessary, if there is any disruption or technical issues.
- All participants should mute their microphones and video feed when they are not speaking.
- Please remember to unmute your microphone and switch on your video feed when it is your turn to speak. Speak clearly and slowly into your microphone.
- Members of the public can view the proceedings by clicking on the link provided on the agenda.
- The Council reserves the right to record meetings. Recording/reporting is only permitted during the public session of the meeting.
- Information about the Council and our meetings can be viewed on the website [www.dudley.gov.uk](http://www.dudley.gov.uk)
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- Elected Members can submit apologies by contacting Democratic Services: Telephone 01384 815238 or E-mail [Democratic.Services@dudley.gov.uk](mailto:Democratic.Services@dudley.gov.uk)



**Minutes of the Overview and Scrutiny Management Board  
Wednesday, 15<sup>th</sup> January, 2020 at 6.00 pm  
In Committee Room 2 at the Council House, Dudley**

**Present:**

Councillor C Barnett (Vice-Chair in the Chair)  
Councillors H Bills, R Burston, J Cooper, T Crumpton, J Foster, L Jones, A Millward, J Roberts, M Rogers, P Sahota, D Tyler and S Waltho.

**Dudley MBC Officers**

M Rodgers (Director of Housing), P Davies (Interim Director of Housing), S Haywood (Head of Community Safety), K Lafferty (Community Safety Officer), S Griffiths – Democratic Services Manager/Statutory Scrutiny Officer and M Johal – Senior Democratic Services Officer

**Also in Attendance**

S Middleton – Chief Executive (Black Country Consortium)

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25    **Apology for Absence**

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

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26    **Appointment of Substitute Member**

It was noted that Councillor H Bills had been appointed to serve as a substitute Member for Councillor A Finch for this meeting of the Board only.

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## 27 **Minutes**

### **Resolved**

That the minutes of the meeting held on 27<sup>th</sup> November, 2019, be approved as a correct record and signed.

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## 28 **Public Forum**

### **West Midlands Transport**

A member of the public made a statement about the history and situation of West Midlands Transport, in particular the following comments:-

- Referred to the total destruction of the tram network in the Black Country and Birmingham;
- The destruction of about 100kms of the railway train network and it had been considered that homes, shops, offices and roads should run down them instead of trains, or simply 'mothballed';
- Failure to build 15 tram lines of 200kms by the year 2000;
- One tramline on a mainline railway was built that led to the loss of a mainline railway station (low level Wolverhampton), resulting in 3 or 4 kms of train lines destroyed on either side of the station and a quarter of the platforms of a second station, Snow Hill;
- Even after 25 years of railway passenger numbers rising, the railway network continued to be wasted, destroyed and struggling to cope with increasing passengers;
- Costs associated with HS2 and the Metro extension were mentioned and it was opposed that only a prestigious, extravagant tram network would attract car commuters.

A Member concurred with some comments made and referred to the lack of an adequate public transport infrastructure. Mention was made of employees currently working at the Merry Hill Centre who were being asked to travel to Birmingham as the Civil Service Offices in Brierley Hill were due to close. The journey to Birmingham would take approximately one and a half hours which was extremely difficult for employees with children or caring responsibilities. Another alternative was to work in Telford but employees would have to rely on the use of their cars as there was no public transport serving the area which would add to congestion problems.

Other Members concurred and conveyed their experiences of using public transport and comments were made about the West Midlands Combined Authority in that assurances had been given that there would be sub-regional offices in Wolverhampton and Coventry alongside the regional office in Birmingham. The agreement of the Devolution Deal was intended to ensure links to transport were connected by collaborative working. Reference was made to the transport infrastructure in Manchester which had positively resulted in the reduction of people using their cars.

A Member agreed that Dudley Rail had closed but commented that if the line was opened between Walsall and Stourbridge it would still not serve Dudley or Merry Hill. It was considered that the Metro extension would serve these destinations and would attract passengers due to its frequency.

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## 29 **Presentation – Black Country Local Enterprise Partnership**

The Chief Executive (Black Country Consortium) gave a presentation on the work of the Black Country Local Enterprise Partnership. The presentation slides had been circulated to Members of the Board and were available on the Committee Management Information System for viewing.

Arising from the presentation the following comments and queries were made by Members and responses were provided, where appropriate, as follows:-

- There was a vast amount of energy wasted in factory premises due to high ceilings and the need to encourage businesses to install heat capturing systems such as solar panels;
- The role of the Black Country Consortium (BCC) and how they were funded was queried.

The BCC were a Limited Company by guarantee. Four Local Authorities made annual subscriptions of £100,000 and it was pointed out that 30% of firms were located in Dudley. The role of the BCC was to work in partnership to steer and support the delivery of the Black Country Strategy on Growth and Competitiveness.

- Reference was made on the need to educate, advise and encourage pupils from a young age to set up their own businesses and it was queried what role was played by the LEP to achieve this.

The Chief Executive (Black Country Consortium) explained about the range of initiatives schools could access but undertook to provide a written response specific to Business Entrepreneurship.

- Thanks were placed on record for the advice and support received from the BCC to employees working at the Brierley Hill Civil Service offices.

- In referring to the Dudley Economy and that resident wages were increasing averaging £29,122 in 2019, it was queried where this information had derived from and further statistical information was requested on how many people earning that wage lived within the Borough. It was commented that although there may be some high quality jobs in the Borough there were a large number of retail and contact centres which did not pay high wages. Further statistical information providing details of the higher paid jobs, the locations and whether employees lived in the Borough and travelled to other locations to earn a higher wage was requested.

The Chief Executive (Black Country Consortium) undertook to provide a written response on the information requested.

- It was queried whether there were any funding opportunities through LEP to improve businesses in the Borough.

The Chief Executive (Black Country Consortium) reported that the Capital Programme was due to cease and to be replaced with the UK Share Prosperity Fund. In the interim there was growth help and further information could be provided.

- The need to have a balance on the number of houses and businesses in the Borough and how the BCC assisted in ensuring this happened.

The LEP worked closely with the Association of Black Country Authorities (ABCA) to ensure a flourishing business environment and also that there was a balance in housing developments. The biggest challenge faced was where land within the Black Country was contaminated and support was needed from the Government to invest in this land.

- It was queried whether there was any scope to invest in research and development in the future to achieve increased growth.

The Chief Executive (Black Country Consortium) stated that it was important to invest in research and development and the need to work collaboratively.

## Resolved

- (1) That the information contained in the presentation be noted.
- (2) That the Chief Executive (Black Country Consortium) be requested to submit responses to queries raised above relating to educating young people in Business Entrepreneurship and statistical information relating to the higher paid jobs, the locations and whether employees lived and worked in the Dudley Borough or travelled to other locations to earn a higher wage.

A report of the Director of Housing was submitted providing an overview of Hate Crime work within Dudley and the partnership approach that Safe and Sound, Dudley's Community Safety Partnership were taking.

The Director of Housing stated that he would be leaving the Council on 31<sup>st</sup> January, 2020 and introduced P Davies who would be taking on the role following his departure.

Arising from the presentation of the report the following comments and queries were made by Members and responses were provided, where appropriate, as follows:-

- Whether there was a budget for Safe and Sound and Hate Crime Initiatives.

There was no specific budget allocated to Hate Crime and work was undertaken through existing resources. Partners in Dudley were committed to offering a variety of reporting mechanisms, these include reporting to the Police, online or via the Borough's Third Party Reporting Centres. £4000 was allocated from Community Safety Partnership which was used on all partnership communications.

- Reference was made to public and partnership consultation on the refresh of the Community Cohesion and Hate Crime Strategy and on the low level of respondents which was not a true reflection and representative of Dudley. There was also no detailed information on the consultation exercise or the respondents and delegates, for example the type of questions asked and what locations had been visited to base their responses. It was suggested that the matter be considered by the Corporate Scrutiny as consultation problems were recurring across the Council. It was considered that the item should have been included as an agenda item at Community Forums and information given to residents to take away and complete.

Whilst there were only twenty seven respondents and eighty delegates the strategy would not just be based on these responses and work would be undertaken in conjunction with other work streams and the regional Police Hate Crime Control Plan. The consultation exercise had been extensive through internal and external communications, online and through various community groups with a request to share the information. The information including hard copies of the strategy and questions had also been shared through Community Forums although it was accepted that it may not have been considered as a specific agenda item but this could be reviewed in the future.



- Of the 342 hate crimes recorded in Dudley during 2018/19 it was queried how many of these had led to prosecutions.

The Head of Community Safety undertook to provide a response in writing on the number of successful prosecutions. However, it was reported that discussions were ongoing with the Crown Prosecution Service with a view to promoting and publicising successful prosecutions.

- It was queried how the Local Authority was working with schools to identify and tackle issues in respect of hate crime and bullying.

The Community Safety Officer (Reducing Vulnerability) commented that work was ongoing in relation to anti bullying and stereotyping/prejudice in conjunction with the Diana Awards, in addition to the Prevent Ambassador Project. Continued efforts were made to work with schools and to make people aware by ensuring a range of educational resources were made available online.

- Clarity was sought with regard to the information in the Community Cohesion and Hate Crime Strategy under the section 'The Picture in Dudley' in relation to the third paragraph relating to 'name-calling'. The quality and sufficiency of the data was questioned and further background information was requested on who the victims were, whether there was a connection to certain roles or whether specific types of groups were more prone to suffering this type of abuse and the locality of the issues.

Information provided had been based on police data, however, some further information was available to provide a breakdown of age and ethnic origin of victims. If possible, any information on whether these were racially motivated would also be provided.

- Reference was also made to insufficient details relating to the 24% increase of hate crimes in 2017/18 to identify why there had been an increase, the locality of the incidents and whether these occurred in the community or had been targeted at people in certain professions. It was stated that the increase, in part, was likely to be due to work taking place to increase reporting. Details to include how the community are affected by incidents of hate crime and how the Local Authority engaged with these people were also not included.

The Director of Housing accepted that there was the need to obtain background details for information provided by other organisations and further acknowledged the need to provide robust and sufficient information in future reports.

- It was queried whether a child reporting a hate crime to a teacher in school was treated as a recorded incident or whether were they dealt with internally. A Member also referred to her experience in reporting bullying at a school and on the hate crime and racism incidents that subsequently followed online and queried what protection there was for Councillors.

There was no longer the requirement for schools to report incidents of hate crime to the Local Authority. There was Online Safety Training which includes a section on hate crime and there was an Online Safety Group whose remit was currently being reviewed to look at the risks and harms online.

Members requested that a letter be sent to the Secretary of State making representations and seeking consideration of a statutory requirement to compel schools to provide statistical information on hate crimes to the Local Authority to enable the Council to identify patterns and trends so that support could be provided, where needed.

- Further comments were made by Members in relation to the scrutiny process and it was considered that the Chair and Vice-Chair should inform Officers on the content required in reports, that Working Groups be used to scrutinise single big issue items and that partners such as the Police, Health and Fire Service should be requested to attend meetings.

It was agreed that Hate Crime should be included on the Work Programme of the Board for the 2020/2021 Municipal Year and potentially considered by a Working Group as a single agenda item and relevant partners be invited.

The Statutory Scrutiny Officer referred to comments made about the scrutiny process and stated that a report on the Future Designation of Overview and Scrutiny Committees would be presented to the next meeting of the Board.

## **Resolved**

- (1) That the information contained in the report providing an overview of Hate Crime work within Dudley, be noted.
- (2) That representations be made to the Secretary of State seeking consideration of a statutory requirement to make it mandatory for schools to provide statistical information on hate crimes to the Local Authority to enable the Council to identify patterns and trends so that support could be provided, where needed.
- (3) That the Head of Community Safety be requested to provide a written response to Members providing details on the number of successful hate crime prosecutions.

- (4) That the Head of Community Safety be requested to provide a written response to Members detailing further statistical information relating to the Community Cohesion and Hate Crime Strategy under the section 'The Picture in Dudley' as referred to above.
- (5) That Hate Crime be included as an item on the Work Programme of the Board for the 2020/2021 Municipal Year.

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## 31 **Forced Marriage and Honour Based Abuse Overview**

A report of the Director of Housing was submitted providing an overview of Forced Marriage and Honour Based Abuse work within Dudley and the partnership approach that Safe and Sound, Dudley's Community Safety Partnership were taking.

Arising from the presentation of the report the following comments and queries were made by Members and responses were provided, where appropriate, as follows:-

- It was commented that there were a small number of victims coming forward to report these type of incidents, however, they are sometimes disclosed within the context of domestic abuse incidents.

Attempts were made to engage with communities and ongoing projects were referred to such as referrals from General Practitioners (GP's).

- Concerns were expressed that people were not aware of reporting mechanisms and the need to offer appropriate training to Councillors.
- To ensure an in-depth explicit scrutiny session could take place, and to protect the identity of any individuals, the need to consider the item at a Working Group.
- It was suggested that the issue should also include the Lesbian, Gay, Bisexual and Transgender (LGBT) group as there could potentially be links to forced marriages and honour based abuse, particularly with young people from specific family backgrounds.

Acknowledging the issue it was reported that there was a new group based at the WHAT Centre to support LGBT individuals and other support groups were also referred to.

### **Resolved**

- (1) That the information contained in the report providing an overview of Forced Marriage and Honour Based Abuse work within Dudley, be noted.
- (2) That Forced Marriage and Honour Based Abuse be included as an item on the Work Programme of the Board for the 2020/2021 Municipal Year.

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32 **Feedback from Scrutiny Committees**

The Board received an update on the work being undertaken by Scrutiny Committees and Working Groups.

The Board noted comments made on the need to review Scrutiny and it was suggested that consideration be given to dedicated Scrutiny support.

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The meeting ended at 8.25 pm

CHAIR

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## **Overview and Scrutiny Management Board - 25th November 2020**

### **Report of the Director of Regeneration and Enterprise**

#### **Update on Annual Centres Healthcheck Survey**

##### **Purpose**

1. To inform the Board of the work undertaken to monitor the vacancy rates of retail units within the Borough's strategic centre, Town Centres, district and local centres and the potential impact of vacant retail units to the Council's finances. The report also provides an overview on the work being undertaken to support the recovery of the Borough's Town Centres and High Streets more generally.

##### **Recommendations**

2. It is recommended that the Board:-
  - Note the contents of the report and the work undertaken to monitor the number of vacancy rates of retail units within the borough's strategic centre, town centres, district and local centres on an annual basis.
  - Note the ongoing work being undertaken to support the recovery of businesses within our Town Centres and High Streets, as well as the emerging plans in Dudley and Brierley Hill Town Centres.

##### **Annual Centre Health Checks**

3. As part of the local planning authorities monitoring report officers from within the Council's Planning Department conduct an annual survey of the Borough's centres to includes the strategic centre of Brierley Hill (including The Merry Hill Shopping Centre and Brierley Hill High Street Local Shopping Area) Dudley, Halesowen and Stourbridge Town Centre', the district centres of Kingswinford, Lye and Sedgley as well as the sixteen local centres across the Borough.



4. The survey assesses the levels of retail and other uses within each centre, together with the vacancy levels. Whilst mixed uses are promoted in local centres, the importance of local retail provision is also recognised. Data gathered from the surveys is used to inform the planning process both in the determination of planning applications and to influence future policies.
5. The latest 2020 Health check findings can be viewed on the Council's website at <https://www.dudley.gov.uk/residents/planning/planning-policy/dudley-local-plan/authorities-monitoring-report/borough-centres-health-checks/>
6. For the Strategic Centre of Brierley Hill, The Merry Hill Shopping Centre had a vacancy rate as, at 17<sup>th</sup> August 2020, of 18%, with 52 units vacant from a total of 306 units. This compares with a 2019 vacancy rate of 16%. For Brierley Hill Town Centre the vacancy rate was 17% with 27 units empty from a total of 162 units which compares with a 2019 vacancy rate of 19%.
7. In Dudley Town Centre the vacancy rate, as at 18<sup>th</sup> August 2020, was 12%, with 83 units vacant from a total of 697 units. This figure remained unchanged from 2019.

In Halesowen Town Centre the vacancy rate, as at 24<sup>th</sup> August 2020, was 15% with 31 units vacant from a total of 201 units. This compares with a 2019 vacancy rate of 14.5%.

8. Finally, in Stourbridge Town Centre where the latest survey was undertaken pre-lockdown (17<sup>th</sup> March 2020) the vacancy rate was 10% with 24 units vacant from a total of 233 units. This compares with a 2019 vacancy rate of 8%.
9. Whilst it is difficult to compare Dudley figures to those at a national level, the Q3 2020 vacancy rates from the British Retail Consortium indicate that vacancy rates on the High Street nationally were 13.3% and for Shopping Centres slightly higher at 16.3% (British Retail Consortium 2020). Based on these figures it would indicate that Dudley is performing in line with those at a national level.
10. The Council have also recently commissioned Springboard to provide footfall data information for Brierley Hill and Dudley Town Centres to support the Future High Street Fund and Towns Fund bids respectively. As you would expect the latest monthly footfall figures (September 2020) for both Town Centres indicate a reduction in footfall from the similar period in 2019, with Brierley Hill seeing a footfall reduction of -26.4% and Dudley at -29.3%, however, this compares with a West Midlands figure of -36.5% and a UK figure of -43.9%, indicating that the footfall figures for the Borough's Town Centres are performing above the regional and national averages.



### **Financial implications of vacant shops**

11. Whilst it is not possible to breakdown the cost to the Council of unoccupied rate relief for retail properties only, in financial year 2019/20, the cost to the Council for unoccupied rate relief on all non-domestic properties was £3.9 million.
12. As the Council is taking part in a 100% Business rates retention pilot as part of the West Midlands Combined Authority, the Council incur the majority of that relief (99%) however, the calculation of this relief has been built into the Council's annual forecasts based on historic amounts paid. It is only when the actual amount paid in unoccupied relief exceeds the budgeted amount that this will impact on the amount of Council resources available to spend in the next financial year.
13. It should also be noted that unoccupied properties only receive an initial 3 months exemption from paying business rates after which full rates are payable by the property owner.
14. According to business rates records there are currently 236 retail properties in Dudley which are classed as unoccupied for the purposes of business rate relief.
15. For the financial year 2020/21, the Government has also introduced 100% retail relief for occupied (in use) non-domestic retail properties across Dudley. This relief is paid by Central Government and so, providing retail properties have remained occupied, Dudley will be guaranteed the non-domestic rates income on these properties.

### **Covid 19 Business Support**

16. The fact that shop vacancy rates in the Borough haven't seen a huge increase as a result of the Covid 19 pandemic is in part due to the huge amount of work undertaken by Council departments to ensure small businesses and retail, leisure and hospitality businesses benefited from the Small Business Grant Fund (SBGF), and the Retail Hospitality and Leisure Fund (RHLF) launched by Government following the lockdown measures introduced on 23rd March 2020.
17. In total circa £58.7 million business grants have been paid out to circa 5270 businesses in Dudley via the business grant schemes (including the discretionary grants fund which launched in May 2020).
18. The recently announced Local Restrictions Grants following the introduction of national lockdown measures from 5<sup>th</sup> November to 2<sup>nd</sup> December will continue to provide grant support to businesses who have been forced to close or have seen their business severely affected due to national restrictions including all non-essential retail. The Council are currently finalising the applications process for these schemes.





19. In addition, officers from Regeneration and Enterprise, Public Realm and Communication and Public Affairs (CAPA) have led on the “Reopening the High Streets Safely” programme (European Regional Development Fund) to support the safe re-opening of Town Centres and High Streets.
20. Funding has been used for the *Shop Local*, *Explore Local* and *Stay Local* campaigns, which has included the development of posters, barrier covers, and bollard covers which will start appearing around the Borough. The Reopening High Streets team are also working with local community groups in Dudley and Stourbridge to develop more permanent public realm interventions to encourage social distancing including raised decking and parklets.
21. This has complemented the work of the Directorate of Public Realm who led on the Emergency Active Travel Funding (EATF) to support the use of physical infrastructure (barriers, cones and signage) to enable the safe reopening of High Streets within Dudley.

### **The Future of our Town Centres and High Streets**

22. Whilst the above measures are providing immediate support for our Town Centre and High Street businesses it is clear that there is a structural change occurring in the way that local residents and communities access services and the affect this will have on the future role of the Borough’s Town Centres and High Streets.
23. As part of the People’s Panel project (Innovation in Democracy project) in November 2019, the Council engaged with 50 randomly selected local residents to identify their top three priorities for Dudley and Brierley Hill Town Centres.

#### **Dudley Town Centre**

- Be safer with less crime
- Be full of public squares to meet, eat, relax
- Be home to first rate entertainment with venues for live music, comedy and festivals

#### **Brierley Hill Town Centre**

- Be livelier with open public spaces for people to sit and congregate
- Involve local people in creating community events and participation
- Be safe with less crime





24. This focus on the development of community spaces as a focal point for Town Centres moving forward, where people can eat, meet and relax in a safe and secure environment are fundamental to the emerging plans being developed as part of the Brierley Hill Future High Street Fund application and St Thomas' Quarter / Dudley Towns Fund bids.
25. These bids will also see a greater focus on residential uses within the respective Town Centre's through the repurposing of underutilised retail uses to reflect the changes occurring within the wider retail sector and to ensure the future sustainability of our Town Centres moving forward.

### **Finance**

26. There are no direct financial implications arising directly from this report.

### **Law**

27. There are no direct legal implications arising directly from this report.

### **Equality Impact**

28. There are no equality implications arising from this report.

### **Human Resources/Organisational Development**

29. Officers from within the Planning Service undertake the Centres Health Check Survey on an annual basis. In addition, staff resources from across the Council have been redirected to support businesses to access Covid 19 business grants as well as working to ensure the Borough's Town Centres and High Streets were able to open safely through the introduction of social distancing measures.

### **Commercial/Procurement**

30. None arising directly from this report. The procurement of Springboard was undertaken via the Council's Contract Standing Orders.

### **Health, Wellbeing and Safety**

31. In continuing to deliver support to businesses throughout lockdown the health and wellbeing of staff and businesses has been considered throughout.





**Helen Martin**  
**Director Regeneration and Enterprise**

Contact Officer: Paul Mountford  
Telephone: 01384 814186  
Email: [paul.mountford@dudley.gov.uk](mailto:paul.mountford@dudley.gov.uk)

### **List of Background Documents**

Dudley Borough Strategic, Town, District and Local Centre Healthchecks April 2020

<https://www.dudley.gov.uk/residents/planning/planning-policy/dudley-local-plan/authoritys-monitoring-report/borough-centres-health-checks/>

Springboard Footfall Report September 2020 Brierley Hill High Street

Springboard Footfall Report September 2020 Dudley High Street

<https://brc.org.uk/news/corporate-affairs/shops-shutter-as-covid-continues/>



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**Overview and Scrutiny Management Board**  
**25<sup>th</sup> November, 2020**

**Report of the Director of Finance and Legal and the**  
**Monitoring Officer**

**Future Designation of Overview and Scrutiny Committees**

**Purpose**

1. To consider the future designation of Scrutiny Committees for implementation in the 2021/22 municipal year.

**Recommendations**

2. That the existing designation of Scrutiny Committees be retained for the remainder of this municipal year to complete the Annual Scrutiny Programme for 2020/21.
3. That recommendations be included in the annual review of the Constitution concerning the re-designation of Scrutiny Committees for the 2021/22 municipal year as set out in paragraph 10.
4. That Members consider budget scrutiny arrangements and potential improvements as set out in paragraphs 15 to 18.

**Background**

5. On 31<sup>st</sup> October, 2019, the Cabinet approved a senior management restructure. As a consequence, there are no longer People and Place Directorates. Proposals were subsequently developed to amend the designation of Overview and Scrutiny Committees to reflect the restructure. A report was scheduled for consideration by the Overview and Scrutiny Management Board on 26<sup>th</sup> March, 2020
6. In view of the Covid-19 pandemic, the meeting on 26<sup>th</sup> March, 2020 was cancelled. The Government then issued the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings (England and Wales) Regulations 2020. Amongst other things, the Regulations provided for the cancellation of the Annual Council meeting in May, 2020.

7. The Regulations also provide that any appointments normally made at the Annual Council meeting will remain in place until the next Annual Meeting or until such time as the Council may determine. In the interests of continuity, no changes were made to the structure of Dudley's Overview and Scrutiny Committees in May 2020.
8. The Board is invited to revisit the proposals that were developed earlier this year. Any recommendations will need to be incorporated in the annual review of the Constitution to be reported to the Cabinet in December, 2020 and Full Council in February, 2021. Any changes to the Committee structure will be subject to formal confirmation at the Annual Meeting of the Council in May, 2021.
9. The existing Scrutiny Committees are:-
  - Overview and Scrutiny Management Board
  - Children's Services Scrutiny Committee
  - Corporate Scrutiny Committee
  - Place Scrutiny Committee
  - Health and Adult Social Care Scrutiny Committee

### **Scrutiny Committees for 2021/22**

10. In order to reflect the restructure and balance the workloads of Committees, it is proposed to establish four Scrutiny Committees for 2021/22:

#### **Future Council Scrutiny Committee**

To undertake overview and scrutiny functions relating to the following Directorates and appropriate Cabinet Members:

- Chief Executive's
- Digital, Customer and Commercial
- Finance and Legal
- Regeneration and Enterprise

#### **Health and Adult Social Care Scrutiny Committee**

To undertake overview and scrutiny functions relating to the following Directorates and appropriate Cabinet Members:

- Adult Social Care
- Public Health and Wellbeing

#### **Children and Young People Scrutiny Committee**

To undertake overview and scrutiny functions relating to the Directorate of Children's Services and appropriate Cabinet Members.

#### **Housing and Public Realm Scrutiny Committee**

To undertake overview and scrutiny functions relating to the following Directorates and appropriate Cabinet Members:

- Housing
- Public Realm

To undertake overview and scrutiny functions associated with the strategic Crime and Disorder Reduction Partnership (Safe and Sound).

### **Overview and Scrutiny Management Board**

11. The Council established the Overview and Scrutiny Management Board in 2013. The main functions of the Board are currently:
  - To oversee and co-ordinate the Council's Overview and Scrutiny functions.
  - To approve and monitor the Annual Scrutiny Programme.
  - To submit an annual report to the Council on the work of the Overview and Scrutiny Committees.
12. In recent years, the functions originally allocated to the Overview and Scrutiny Management Board have been delegated to individual Scrutiny Committees. For example, the consideration of individual scrutiny 'call-ins', corporate performance management and making amendments to the Annual Scrutiny Programme. Each Scrutiny Committee is now producing its own section of the Annual Report to full Council.
13. It is therefore proposed that the Board is not re-established in May, 2021 and its functions are integrated in the terms of reference of the other four Scrutiny Committees.
14. It has been recognised that work needs to be undertaken to strengthen the Council's overview and scrutiny arrangements. This includes further Member development activity, learning from best practice across the sector and the need to ensure that scrutiny work is outcome driven. Of particular importance is the process for developing and giving focus to the Annual Scrutiny Programme. This is the subject of ongoing work with Scrutiny Chairs, Vice-Chairs and other Members with input from Council Directorates.

### **Budget Scrutiny**

15. At the November, 2019 meeting of the Board, Members expressed concerns about the lack of comments on the budget from Scrutiny Committees and suggested that budget scrutiny arrangements should be reviewed. The Director of Finance and Legal was requested to report back to a future meeting of the Board.
16. Formal financial reporting and scrutiny have in previous years operated as follows:

- Cabinet in June receives a report on the draft outturn for the previous financial year.
  - Audit and Standards Committee in July approves the Statement of Accounts for the previous financial year. The Committee also considers the External Auditor's report for the previous year.
  - Cabinet in October approves a draft budget and Medium Term Financial Strategy (MTFS) for the next three years, as a basis for consultation and scrutiny.
  - During November, all Scrutiny Committees consider the draft budget and MTFS focusing on proposals relevant to their own portfolio. The Board also considers the same report and receives a verbal outline of issues arising from the other Scrutiny Committees.
  - Where they wish, Scrutiny Committees may request further detailed reports on particular issues of concern to come to their January meeting and they may also choose to consider these issues through a Working Group.
  - Cabinet in February reconsiders the budget and MTFS, including any observations from scrutiny, and makes recommendations to Full Council.
  - Full Council in March gives final approval to the budget and MTFS.
  - Where appropriate at any point in the year, Cabinet may also make recommendations to Full Council for changes to the current budget.
17. In parallel with the formal process, there is informal consideration of the budget through a series of Cabinet Summit meetings, normally in June, October and January. These may be single party or cross party at the discretion of the Leader of the Council.
18. The process and timetable during the current year has been affected by Covid-19 (in particularly the timing of the Comprehensive Spending Review and the uncertainty about financial support in future years). It is hoped that next year the timetable (for setting the 2022/23 budget) will return to normal. In that event, there are a number of potential improvements that could be considered so as to strengthen the role of Scrutiny Committees. These proposals reflect the revised structure of Committees outlined elsewhere in this report:
- The Future Council Scrutiny Committee could take lead responsibility for scrutinising the Council's overall financial position and budget process.
  - The involvement of the Future Council Scrutiny Committee could start earlier in the budget cycle, in parallel with the informal Cabinet Summit meetings.
  - The Future Council Scrutiny Committee could undertake some or all of its budget scrutiny role through dedicated workshop sessions.

- Individual Scrutiny Committees could continue to undertake public scrutiny of proposals relevant to their own terms of reference in November and could consider dedicating more time to the budget in these meetings.
- Individual Scrutiny Committees would still have discretion to focus in depth on specific issues of concern and to convene Working Groups as appropriate.

## **Finance**

19. The costs of operating the Council's scrutiny arrangements are contained within existing budgetary allocations. Any proposals to develop the Council's overview and scrutiny functions have to be set in the context of the financial resources available to support scrutiny work. Enhanced budget scrutiny would have to be supported from within the existing time resources of the Directorate of Finance and Legal.
20. Any decision not to re-establish the Overview and Scrutiny Management Board will result in a saving of £6,438 together with associated administrative savings.

## **Law**

21. Scrutiny Committees are established in accordance with the provisions of the Local Government Act 1972 and the requirements of the Council's Constitution, which was adopted under the Local Government Act 2000, subsequent legislation and associated Regulations and Guidance. The Council's scrutiny arrangements are set out in Article 6 of the Constitution (Overview and Scrutiny) and the associated Scrutiny Procedure Rules are contained within Part 4 of the Constitution.

## **Equality Impact**

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

## **Human Resources/Organisational Development**

23. Scrutiny Committees are primarily administered within the resources available to the Democratic Services Team with support from Directorates and other Officers as required. Any proposals to review the Council's overview and scrutiny functions have to be set in the context of the human resources available and the organisational capacity to support scrutiny work.

## **Commercial/Procurement**

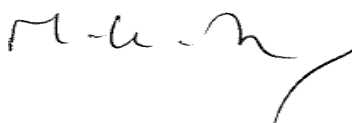
24. Individual items included in the Annual Scrutiny Programme may have commercial implications, which will be reported to the relevant Scrutiny Committee. The proposed Future Council Scrutiny Committee will undertake overview and scrutiny functions relating to the Directorate of Digital, Customer and Commercial.

## **Health, Wellbeing and Safety**

25. The Council's overview and scrutiny arrangements will reflect the objectives of the Council Plan, Borough Vision and Future Council 2030. This includes building stronger, safer and more resilient communities and protecting our residents' physical, and emotional health for the future.



**Iain Newman**  
**Director of Finance and Legal**



**Mohammed Farooq**  
**Monitoring Officer**

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## **List of Background Documents**

[Dudley MBC Corporate Structure \(approved by Cabinet on 31<sup>st</sup> October, 2019\)](#)

[Minutes of the Overview and Scrutiny Management Board – 27<sup>th</sup> November 2019](#)

[Local Authorities and Police and Crime Panels \(Coronavirus\) \(Flexibility of Local Authority and Police and Crime Panel Meetings\) \(England and Wales\) Regulations 2020.](#)



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## **Overview and Scrutiny Management Board – 25<sup>th</sup> November, 2020**

### **Report of the Monitoring Officer**

### **Feedback from Scrutiny Committees**

#### **Purpose**

1. To consider feedback on the work being undertaken by Scrutiny Committees.

#### **Recommendation**

2. That verbal reports from the Chairs/Vice-Chairs, together with any updates to the Annual Scrutiny Programme, be noted.

#### **Background**

3. During the 2018/19 municipal year, it was agreed that a standing item should be included on the agenda for the Overview and Scrutiny Management Board to allow feedback from each Scrutiny Committee.
4. Due to the Coronavirus Pandemic the final cycle of Scrutiny Committees scheduled between March and April, 2020 were cancelled due to lockdown requirements. However, the following Scrutiny Committee meetings have been held in the current Municipal Year:
  - Children's Services Scrutiny Committee  
29<sup>th</sup> June, 9<sup>th</sup> September and 11<sup>th</sup> November, 2020
  - Corporate Scrutiny Committee  
1<sup>st</sup> July, 17<sup>th</sup> September and 12<sup>th</sup> November, 2020
  - Health and Adult Social Care Scrutiny Committee  
10<sup>th</sup> June, 27<sup>th</sup> July, 3<sup>rd</sup> and 16<sup>th</sup> September, 15<sup>th</sup> October, 3<sup>rd</sup> and 16<sup>th</sup> November, 2020
  - Place Scrutiny Committee  
9<sup>th</sup> July, 24<sup>th</sup> September and 19<sup>th</sup> November, 2020

5. Given the current Pandemic it was agreed that the Health and Adult Social Care Scrutiny Committee undertake a review on the topic taking into account the Council's and partner's response. Additional meetings of the Committee were held to consider the issue and recommendations will be submitted to a meeting of the Cabinet in November followed by Council.
6. The reports and minutes of meetings are available on the [Council's website](#). The Chairs/Vice-Chairs are invited to give a verbal progress update on the work of each Scrutiny Committee.

### **Finance**

7. The costs of operating the Council's scrutiny arrangements are contained within existing budgetary allocations.

### **Law**

8. The Council's scrutiny arrangements are set out in Article 6 of the Constitution (Overview and Scrutiny) and the associated Scrutiny Procedure Rules are contained within Part 4 of the Constitution.

### **Equality Impact**

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

### **Human Resources/Organisational Development**

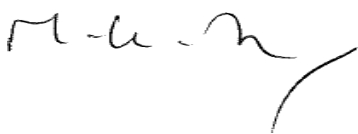
10. Overview and Scrutiny work is primarily administered within the resources available to the Democratic Services Team with support from Directorates and other Officers as required.

### **Commercial/Procurement**

11. Individual items included in the Annual Scrutiny Programme may have commercial implications, which will be reported to the relevant Scrutiny Committee.

## **Health, Wellbeing and Safety**

12. Reports to Scrutiny Committee will consider the impact on the health, wellbeing and safety of the Borough's citizens. This is consistent with building stronger, safer and more resilient communities in line with the Dudley Vision and to protect our residents' physical, and emotional health for the future.



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**Monitoring Officer**

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## **Background Documents**

[The Council's Constitution](#)