

**Minutes of the Housing and Public Realm
Scrutiny Committee
Wednesday 22nd September, 2021 at 6.00 pm
In the Council Chamber, Council House, Dudley**

Present:

Councillor I Bevan (Chair)
Councillor S Henley (Vice-Chair)
Councillors K Ahmed, A Aston, D Borley, J Clinton, A Davies, A Finch, P Sahota, S Saleem,
D Stanley, W Sullivan and T Westwood.

Officers:

B Heran – Deputy Chief Executive, H Marsh-Geyton – Acting Director of Public Realm,
T Johnson – Acting Head of Street and Green Care, I Povey – Grounds Maintenance/Park
Operations and Performance Manager (Directorate of Public Realm) and K Griffiths –
Democratic Services Officer (Directorate of Finance and Legal).

Also in attendance

D Harris – Transport Strategy and Place Manager – for Agenda Item No. 7 – West Midlands
Local Transport Plan (LTP) – Green Paper Engagement and LTP Programme.

Four members of the public

7 Declarations of Interests

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

8	<u>Minutes</u>
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Resolved

That the minutes of the meeting held on 10th June, 2021 be confirmed as a
correct record and signed.

Glyphosate

A representative from Pesticide Free Dudley (PFD) provided a statement on the use of Glyphosate. PFD had been set up by a group of local residents concerned by the Local Authority's use of pesticides in public spaces and was affiliated with the Pesticide Action Network (PAN-UK), an association that worked collaboratively with the Local Authority to reduce pesticide use.

Comments made by the representative included, the use of pesticides should be reduced, and wherever possible eliminated, not only because of the possibility that any particular substance may be banned in the future, or even in response to negative public perception, but because of the potential harm to the environment and in line with legislation.

Various legislation was referred to, including, The Plant Protection Products (Sustainable Use) Regulations 2021, The Government's Code of Practice for using Plant Protection Products, Dudley's Biodiversity Action Plan and The Green Flag Good Practice Guide.

Although PFD accepted the need to control weeds in the Borough to prevent hazard or weakened infrastructure, it was considered that the use of pesticides was for cosmetic reasons, due to public perceptions of neatness or in response to complaints made. Collaborative working with the public was essential to change public perceptions and priorities moving forward.

Although it was accepted that the volume of weeds would increase in the Borough should the use of Glyphosate be banned, the need to promote the view that weeds contributed to biodiversity by providing a habitat and source of food for bees and other insects was considered essential.

Comments in relation to the proposed trials set out in the report submitted to the meeting included:-

- Grass edges be extended to include half mooning and three strimming's per year.
- Shrub beds – the use of mulches to suppress weed growth be considered and hoeing and hand-weeding be trialled in some parks. It was acknowledged that other local authorities had completely eliminated pesticide use in shrub beds by using mulches or bark chippings on leaf litter, which had been well received by the public.
- Trials focused on areas used by vulnerable people, near schools and play areas within parks in line with other local authorities that had either eliminated pesticide use in play areas and cemeteries or had managed to successfully restrict the use of pesticide to highways and on noxious weeds.
- The use of warning signage where pesticides had been sprayed to alert the public to avoid the area.

Suggestions were made for improved processes to be adopted, to consult local residents, encourage and provide assistance to Friends groups that wanted to see a reduced or eliminated pesticide use in local parks, in line with Green Flag best practice and to provide support to volunteers at wildlife reserves.

The operation of a permit scheme to allow the planting and maintenance of wildflower beds and adopting tree pits and verges and an opt-out system by the adoption of blue heart notices were also suggested. The system would be promoted by the Blue Campaign for residents that wished to plant wildflower areas or carry out weeding outside properties, which would identify areas being maintained. Both methods would require less maintenance, reduce carbon footprint and expenses.

It was acknowledged that further consideration and discussion was required with all parties to discuss the matter and work towards a pesticide free Dudley.

Comments were made by a volunteer with Friends of the Earth, Stourbridge, indicating that Glyphosate was a major threat to the Health and resilience of the ecosystem and highlighted the negative impact the use of pesticides had on bees and other pollinators, as well it being a contributory factor to the climate emergency declared by Dudley MBC in 2020. Following consultation with residents in 2021/2022 on the Dudley Borough Climate Change Action Plan, many residents raised concerns in relation to the use of Glyphosate in the Borough and considered its elimination as a key objective.

In 2013, an environmental impact report by The Friends of the Earth highlighted a negative impact on bio-diversity, soils, wildlife, water, including drinking water and some endocrine damage in animal and human cells and as a result, approached national governments to take action to reduce Glyphosate. In 2015, Glyphosate was classified as a probable human carcinogen by the International Agency for Research on Cancer and the World Health Organisation and recent Friends of the Earth studies had further concluded that Glyphosate could be linked to changes in the human hormone system, birth defects and cancer.

Concerns were raised with the use of Katoun Gold and COSH as alternative weed control due to the harmful effect on bees and the use of Chikara was harmful to aquatic life and could potentially cause respiratory irritation.

It was considered that an alternative approach of control weeds in the Borough was essential and the following strategies were suggested:-

- Implement a Glyphosate reduction strategy.
 - Transition to organic weed management in line with Dudley's Bio-diversity Action Plan.
 - Use the budget saved from purchasing herbicides and new top soil to create more gardening jobs and retrain staff.
 - Engage local communities and volunteers in parks, open spaces and streets.
 - Garden year-round flower borders or vegetable plots using organic methods.
 - Develop a Pollinator Action Plan with communities.
 - Reduce mowing and manage grass verges and traffic islands with wildflower planting.
 - Undertake environmental impact assessment in policy and operational decision making.
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Further comments were made by a member of the public with particular reference to the health implications exposure to Glyphosate had on guide dogs. It was essential that safe weed control was considered by the Local Authority as many people that had been registered blind were reliant on guide dogs and could not maintain the level of independence should guide dogs develop health issues associated with the use of Glyphosate. Whilst it was acknowledged that weed control in the Borough was necessary, the Local Authority was urged to consider safe alternatives, particularly around schools to ensure the Borough was a safe place for residents, animals and insects.

In responding to all of the above comments, the Acting Director of Public Realm indicated that the comments made would be addressed during the presentation on the Use of Glyphosate for Weed Control to be considered later in the agenda.

Public Transport

A member of the public referred to issues associated with public transport. It was considered that public transport continued to be divided up into heavy rail trains, light rail trams, very light rail trams, ultra-light rail Stourbridge shuttle trams, second class buses and sprint buses. The public transport system was confusing, time consuming and complicated resulting in car journeys being a more convenient method of travel.

In referring to the improvements the HS2 would create, it was important that alternative transport systems also delivered a similar and reliable service.

Concerns were raised in relation to the implications associated with the infrastructure of the tram system and the potential problems the system would have on bus routes, including expenses, and the increase in greenhouse gases at a time where climate and ecological emergencies had been declared by the West Midlands Combined Authority. It was considered that investment would be better spent on moving towards electric buses and fare free public transport.

Housing Board/Dudley Federation of Tenants and Residents Association

A question was read out by the Chair of the Committee on behalf of a member of the Housing Board, as follows:-

- At the Housing and Public Realm Scrutiny Committee on 10th June, 2021, it was confirmed that an item on the Housing Board/Dudley Federation of Tenants and Residents Association (DFTRA) and tenant participation would be submitted to the 22nd September, 2021 Scrutiny Committee. Reasons for the removal and the proposed meeting date for when the items would be considered was sought.

The Deputy Chief Executive indicated that ongoing work was required in relation to the tenant participation consultation and the production of an improvement plan, which had been delayed due to issues associated with the pandemic. Collaborative working with the Housing Group, DFTRA and residents was essential to ensure a robust improvement plan was developed where all parties had the opportunity to be involved. Further discussion was required and a detailed report would be submitted to a future meeting of the Housing and Public Realm Scrutiny Committee.

Resolved

That the Deputy Chief Executive provide a detailed report on the Housing Board/Dudley Federation of Tenants and Residents Association (DFTRA) and tenant participation to a future meeting of the Housing and Public Realm Scrutiny Committee.

10 Use of Glyphosate for Weed Control

A report of the Acting Director of Public Realm was submitted on the current position regarding Dudley Council's use of Glyphosate and to outline alternative treatments and methods that could be considered to reduce and/or eradicate its application for managing weed control in the Borough.

The Acting Director of Public Realm briefly introduced the report and the Acting Head of Street and Green Care provided an overview of the report, highlighting the importance of weed control in the Borough. There were a number of safety reasons associated with weed growth, in particular, drainage problems, pavement damage and damage to the road structure, increasing the Council's maintenance costs, as well as creating a negative impact on the visual look of areas. The use of pesticides had been a common feature of maintenance schedules for many years. Approved pesticides had a unique Ministry Approved Pesticide Product (MAPP) number granted by the Chemical Regulation Directorate (CRD), part of the Health and Safety Executive (HSE).

Dudley's use of weed control, like many other local authorities, was Glyphosate. Dudley used No Mix G, a ready formulated, oil-based emulsion containing glyphosate and usually applied by a Controlled Droplet Applicator (CDA). The product had been successful since its introduction, and presented a quick remedy for weed control, however, weather conditions were an important factor when using glyphosate as wet conditions reduced the effectiveness of the product, resulting in treatment usually taking place during the Spring and Summer months.

The continued use of Glyphosate was currently being reviewed by the Assessment Group on Glyphosate (AGG), however, following the departure from the European Union (EU) on 1st January, 2021, the UK had responsibility for its own regulatory decisions and rules. As a result, and in line with the Plant Protection Products (Miscellaneous Amendments) (EU Exit) Regulations 2019, the use of Glyphosate had been extended to December 2025. However, local authorities remained under pressure to seek alternatives to Glyphosate, which were outlined in detail in the report submitted to the meeting.

Glyphosate was the most cost effective and efficient method of weed control. The structure of operatives of Dudley were limited and a maintenance regime had been adopted to reflect the workforce, however, it was envisaged that the introduction of alternatives would result in budget pressures and a potential decrease in standards. It was accepted that the use of Glyphosate could be limited to key areas and adopt a suitable alternative in the future.

It was noted that as part of Dudley's development of an Integrated Management Programme for weed control, mechanical sweeping regimes were currently being reviewed in terms of location and frequency. Additional work was required to establish operational impact, such as storage of additional sweepers, management of

waste and staffing issues. Trials would be limited to smaller geographical areas and following a cost benefit analysis, could then be implemented Borough-wide.

Ongoing collaborative work with local communities and neighbouring local authorities was required to ensure the level of service continued. Dudley was committed to identifying a holistic approach to satisfy the requirements of the services and the general public.

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

- The consensus of the Committee was for a safer Borough for residents, staff and animals and it was queried what risk assessments had been carried out associated with the use of Glyphosate. Whilst it was acknowledged that Glyphosate dried approximately one hour following treatment and was not a hazardous substance, alternative products were considered necessary. It was confirmed that full risk assessments were carried out in line with data sheets supplied with any products used to maintain weed control in the Borough. Collaborative working with schools was essential when applying chemicals in the vicinity and such maintenance work was usually carried out outside of school hours to ensure the safety of vulnerable people. Although approximately half of the schools in the Borough maintained their own area, consideration would be provided to identifying an alternative method around those areas. Data sheets which provided details of the day/time/areas where maintenance was carried out were produced by operatives for ongoing monitoring of the service. A copy of the risk assessments would be provided to all Members of the Committee.
- It was acknowledged that, in some parts of the Borough, increased weed control was required, particularly in gullies located around the borough. The need to identify key areas of concern was essential and welcomed a joint and more transparent approach to working with other services to create a safer environment for all that lived and worked in the Borough. Although the Local Authority was committed to working towards a suitable alternative to Glyphosate, it was envisaged that residents would need to accept an increase in wildflowers and weeds, however, it was acknowledged that weeds contributed to biodiversity by providing a habitat and source of food for bees and other insects.
- Concerns were raised in relation to alternative methods of weed control, as outlined in the report, and the cost implications associated with the proposed trials. It was acknowledged that improved systems were required, however, it was not clear in the report whether there was sufficient investment available to cover the costs of resources required for the proposed work associated with any trials. It was acknowledged that outside support was available, however, issues associated with public liability was an issue. It was suggested that collaborative working with outside organisations and groups be considered to deliver a safer environment and bring the maintenance programme back on track.
- The use of tree chippings was referred to as an alternative to spraying roots. Although the method could be considered, it was envisaged that it would be time consuming and labour intensive and could potentially have a more damaging effect as the method would remove nitrogen from the ground.

- It was acknowledged that the Green Care staff had worked effectively, continuing the level of level of service in the Borough despite the low level of staff and issues associated with COVID-19. Priorities needed to be identified and support offered to ensure the standard of service was maintained. Ward plans highlighting various issues in areas were being considered, which would provide transparency and a message to residents that issues were being addressed and improvements made. Consulting residents was key in improving the delivery services. Members would be consulted on progress by update reports being submitted to future Scrutiny Committees.

Members welcomed the information contained in the report and requested that the issues raised during the discussion be forwarded to the Cabinet Member for Public Realm for consideration.

Resolved

- (1) That the information contained in the report, presentation, and as presented verbally at the meeting on alternative methods of weed control, subject to the approval of funding, be noted.
- (2) That the Acting Head of Street and Green Care be requested to circulate risk assessments to Members of the Housing and Public Realm Scrutiny Committee on the use the Glyphosate.
- (3) That the information outlined above be circulated to the Cabinet Member for Public Realm for consideration.

11 West Midlands Local Transport Plan (LTP) – Green Paper Engagement and LLP Programme

A report of the Acting Director of Public Realm was submitted on the development of a new West Midlands Local Transport Plan including the publication of the transport Green Paper, proposed West Midlands Leaders' summit and COP26 prospectus together with the wider programme for developing and adopting a new Local Transport Plan.

Developing and managing Local Transport Plan (LTP) was one of the West Midlands Combined Authority's (WMCA) key statutory functions. The current LTP, Movement for Growth, was adopted in 2016, however, significant developments and changes had taken place over the last five years, including increasing concerns regarding the Climate Emergency and the current COVID-19 global pandemic. Transport for West Midlands (TfWM) was currently in the process of supporting the WMCA to update the current LTP, a plan setting out policies to promote safe, integrated, efficient and economic transport to, from and within the West Midlands as well as plans to implement the policies. The consultation process had been extended to enable wider discussions and feedback sessions with key stakeholders and members of the public across the region, an approach essential in ensuring the LTP delivered its key objectives.

The Transport Strategy and Place Manager of Transport for West Midlands provided a presentation to Members on reimagining transport in the West Midlands. The way in which people travelled had changed over many years and it was important to deliver a

robust LTP to support economic recovery, inclusive growth and address carbon emissions in line with the commitments set out in the WM2041 plan.

Challenges with the transport system were expected and had been considered as part of the five Motives for Change, sustaining economic success, tackling climate change, creating a fairer society, supporting local places and communities and becoming more active. The Motives for Change were all important, however, it was considered the need to tackle the climate emergency had a particular urgency due to the significant pace and scale of the desired carbon reductions that had been set out at local and national level.

Specific travel improvements for Dudley were referred to. It was acknowledged that the aim of the Green Paper was to support difficult decisions over the future of transport in the West Midlands.

A transport summit with West Midlands Leaders had been arranged for late September to discuss key messages and to confirm the scope of ambition and approach for the new West Midlands LTP. It was confirmed that Council Officers were engaged in the process and Cabinet Members were invited to Regional Working Groups.

The high-level programme for developing the Local Transport Plan was outlined in paragraph 25 of the report submitted.

In concluding, The Transport Strategy and Place Manager indicated the importance of ensuring a LTP was delivered effectively as the decisions made now would impact on future generations.

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

- Collaborative working was considered essential with key stakeholders, Councillors and members of the public to understand the changes in travel and achieve strategic outcomes.
- Concern was raised in relation to the detrimental effect large freight vehicles had on the climate. Car use, road freight and aviation were the principal contributors to greenhouse gas emissions and the need to “clean up” the fleet was essential. To achieve a stabilisation of greenhouse gas emissions from transport, behavioural and policy change was necessary, however, the requirement to change legislation and policy would need to be considered at national level.
- The advantages of using public transport were referred to, however, the need to change public perception on public transport was essential. Initiatives were required to highlight and promote the benefits of using public transport, developing a safer, reliable, direct and cheaper mode of transport to achieve the objectives outlined in the LTP.
- Attitudes to car travel in the West Midlands was both comfortable and convenient and remained the most suitable method of travel. Although it was acknowledged that car usage would not be eliminated, plans to reduce vehicles on the road network were being considered, together with the proposals to move towards the use of electric vehicles to support climate change. Concerns were raised in relation to the infrastructure to support electric vehicles and the need to provide

electric charging points. In responding, the Acting Director of Public Realm confirmed that the charging infrastructure was currently being considered.

- The use of trains was considered an ideal method of travel, however, with the lack of car parking available in some areas, people were discouraged from using the railway network. Investment was essential in providing facilities to support public travel.
- Disruptions to public transport was referred to due to maintenance/repair work on the highway infrastructure and the need to work collaboratively with local authorities and agencies to reduce delays was essential.

Good reliable transport was a vital factor in building sustainable local communities and contributed to the achievement of stronger and safer communities, healthier children and young people, equality and social inclusion, environmental objectives and better local economies. Dramatic changes were essential in order to provide a robust LTP to improve transport in the West Midlands and deliver its key objectives.

Resolved

- (1) That the information contained in the report, presentation and comments made verbally at the meeting, be noted.
- (2) That the progress on development of the West Midlands Local Transport Plan (LTP) and the publication of the West Midlands Transport Green Paper, be noted.
- (3) That the planned approach for engaging with Leaders on key transport challenges through a transport 'summit' proposed to be held in September, be noted.
- (4) That the high-level programme timescales for developing the core Local Transport Plan strategy through to Summer 2022, be noted.
- (5) That the plan to publish a West Midlands Transport Plan Prospectus to tie into wider West Midlands representation at COP 26 in Glasgow in November, be noted.

12 Future Council's Programme – Directorates of Housing and Community Services and Public Realm

A verbal presentation was provided at the meeting by the Deputy Chief Executive updating Members on the Future Council Improvement Programme specifically relating to the Directorates of Housing and Community Services and Public Realm.

A hierarchy of plans had been developed focusing on the Borough Vision, Council Plan and Future Council Programme identifying aspirations on what the Council wanted to achieve, and Directorate Service Plans and Divisional Delivery Plans enforcing the 'one council approach' and ensuring that priorities and work were not being overlooked.

Work was being undertaken to review future work styles, which included, productivity and performance, teamwork and collaboration, leadership and management, health

and wellbeing, equality, diversity and inclusion, smart working and technology, use of buildings, locations and workspaces, financial implications, governance and accountability and service provision. The need to shape Dudley's service delivery model to meet the changing requirements of residents, businesses, learners and visitors living in the Borough was essential. Workstyles and digital offerings would be tailored around the service/business needs and development to ensure the service requirements ran smoothly and efficiently.

The challenges faced in recruitment were referred to and the need to build a compelling package to attract, retain and build a skilled workforce. The opportunity to maximise the transformation achieved during COVID-19, including digital payments, was mentioned. It was stated that resident engagement, appropriate support and developing programmes was critical to assist those that were not comfortable or confident in utilising digital technologies.

Specific reference was made to the services provided by Housing and Community Services and Public Realm, in relation to future ambitions for reporting road maintenance work and housing issues and the benefits of a single digital front door service for Dudley to enable citizens, businesses and visitors to access all public services in one place.

Future aspirations also included Dudley being accountable, transparent and open about the services provided, reducing carbon emissions and fully exploit the use of digital processes, reduce paper and duplications of work and move towards a "tell us once" concept, together with delivering the People's Strategy and providing the right conditions to adapt/sustain change with a greater focus on culture, engagement, health and wellbeing, ongoing development/training, improving engagement and feedback and maximising the use of technology.

Reference was made to the timescales involved and next steps in relation to workforce, digital and facilities. It was anticipated that proposals would follow a three-year programme and a more detailed report would be submitted to a future meeting of the Committee.

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

- The Chair commented positively on the presentation and queried the impact the proposals would have on elected Members. Members would be equipped with appropriate technology and tools to enable casework to be carried out. The lack of correspondence received from Officers in relation to Councillor casework and responses to issues raised was a concern. It was recognised that there were inefficiencies with current work practices in relation to public enquiries and responses, however, the issue would be addressed as part of the Future Council's Programme and Councillors and residents would see a quicker and more transparent approach as well as receiving real time updates in relation to issues raised. It was acknowledged that not all residents would be confident with using or would be able to use alternative online facilities, however, by providing alternative options and making services easier to access online, it would free up operatives to focus on telephone enquiries and reduce waiting times.
- The move towards Dudley becoming a paperless Council would see considerable costs savings, resulting in investment being placed to protect frontline services. Although it was considered a positive move in the right direction, the project

would be time consuming and collaborative working with Councillors, stakeholders and residents was essential in delivering key objectives.

- The need to evolve and adapt to new ways of working was essential moving forward. Staff and Councillors would be consulted on the process and offered the opportunity to provide feedback on proposals.
- The Deputy Chief Executive referred to the development of ward based plans that enabled residents, businesses, Councillors and partners to identify issues within each ward and the opportunities for improvements as well as providing information from the National Health Service and Police.

Resolved

That the information presented be noted and that a progress report be submitted to a future meeting of the Housing and Public Realm Scrutiny Committee.

The meeting ended at 9.05pm

CHAIR