

COMMITTEE AND SUB- COMMITTEE MINUTES

**APRIL 2012 TO
JUNE 2012**

**AND
DELEGATED DECISION
SUMMARIES**

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

LIST OF MEETINGS

<u>Committee</u>	<u>Dates</u>	<u>From</u>	<u>Pages</u> <u>To</u>
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Stourbridge Area Committee	25/06/2012	TO FOLLOW	
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Regeneration, Culture and Adult Education Scrutiny Committee	11/06/2012	RCAESC/1	RCAESC/4
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Disciplinary/Dismissal/Grading Appeals

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SHADOW DUDLEY HEALTH AND
WELLBEING BOARD

Shadow Dudley Health and Wellbeing Board	30/04/2012	SDHWBB/23	SDHWBB/30
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CABINET

Special Meeting of the Cabinet	26/04/2012	C/61	C/62
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Meeting of the Cabinet	20/06/2012	C/1	C/10
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CENTRAL DUDLEY AREA COMMITTEE

Tuesday, 12th June, 2012 at 6.30 p.m.
In the Council Chamber at the Council House, Priory Road, Dudley

PRESENT: -

Councillors A Ahmed, Ali, Arshad, Aston, Cotterill, Cowell, W Duckworth, A Finch, K Finch, Mrs Roberts, Sparks, Waltho, Wood and Zada

OFFICERS:

Assistant Director (Environmental Management) (as Lead Officer to the Committee), the Group Engineer, the Green Spaces Team Leader – Directorate of the Urban Environment; the Assistant Director of Policy Performance and Resources, Policy Analyst for Communities and Resources, both Directorate of Adult, Community and Housing Services; Area Team Leader for Central and Safe Provision – Directorate of Children's Services, the Senior Solicitor and Ms K Farrington – both Directorate of Corporate Resources

ALSO IN ATTENDANCE

Inspector Gary Malpass and Sergeant Steve Gordon, West Midlands Police – for Agenda Item No. 8

Station Commander Chris Wood, West Midlands Fire Service – for Agenda Item No. 9

7 Members of the public

1. ELECTION OF CHAIR

RESOLVED

That Councillor K Finch be elected Chair of the Committee for the 2012/13 Municipal Year.

(Councillor K Finch thereupon took the Chair).

2. OPENING REMARKS OF THE CHAIR

The Chair welcomed Members and members of the public to the first Committee of the 2012/13 municipal year. He indicated that he was committed to engaging the public in issues affecting the Central Dudley area and invited the public to raise any issues of concern throughout the year either with him or the Vice-Chair.

3. APOLOGIES FOR ABSENCE

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

A further apology for absence was also received on behalf of Ms Little, who was appointed as Co-opted Member for 2012/13 later in the meeting.

4. 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.

5. APPOINTMENT OF VICE-CHAIR

RESOLVED

That Councillor Zada be appointed Vice-Chair of the Committee for the 2012/13 Municipal Year.

6. MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 31st January, 2012 be approved as a correct record and signed.

7. CO-OPTED MEMBERS

A report of the Area Liaison Officer was submitted on the co-option of persons to serve as co-opted members of the Committee for the 2012/13 Municipal Year.

RESOLVED

That the following persons be re-appointed as co-opted members of the Committee for the 2012/13 Municipal Year, representing the organisations indicated:

Mr G Lawley, Dudley Association of Governing Bodies
Ms V Little, Dudley Primary Care Trust.
Mrs J Oakes, Dudley Town Centre Forum
Mr K Rodney, Dudley Centre for Equality and Diversity

8. YOUTH SERVICE

The Area Team Leader for Central and Safe Provision gave an oral update on new projects being undertaken by the Youth Service for young people to participate in, details of which were included in handouts circulated at the meeting.

She referred, in particular, to the projects Dudley Central Youth Services had been involved in over the past few months. She indicated that during the February and Easter half terms, young people had taken part in various activities, such as trips to Water World and the Snow Dome and had participated in a WOW event and an art event. A successful outdoor residential activity had also taken place in March with young people from St Thomas's Youth Club and these young people were now working towards an ASDAN accreditation.

During the presentation, the Area Team Leader for Central and Safe Provision indicated that Russells Hall Youth Centre had been successful in gaining some external funding to redecorate and also confirmed that new equipment had been positioned in the main hall. She stated that new projects for the summer for young people to participate in included choosing art designs and colours, new equipment and to decide on a new layout for the Centre, a cooking project, Disc Jockey taster sessions and nail art. She referred to issues relating to the behavioural problems, which had been experienced at Russells Hall Youth Centre, however, she confirmed that the situation had now improved.

The Area Team Leader for Central and Safe Provision then referred to the successful official opening of the Meadow Road Gym and Beauty room. She indicated that the event had been well supported by local Councillors, local secondary school representatives, young people and parents. In relation to the successful opening of the Gym and Beauty room, young people were now looking at other areas within the Centre, which they would like to develop. She stated that other activities were currently being explored such as starting a Members' Committee at the Centre for young people to have the opportunity to be involved in different aspects of the Youth Centre.

In referring to the Detached Team, the Area Team Leader for Central and Safe Provision indicated that, over the Easter period, young people had participated in a peer education course. The course had been well attended with the course attendees receiving an Open College Network (OCN) level 2 certificate making them eligible to deliver peer education to other young people. She referred to the success of the condom distribution scheme and stated that the detached staff were working towards introducing such a scheme at the Russells Hall Youth Club. She also referred to the success of a cricket project and indicated that young people had mentioned that they would like to attend an international cricket match at Edgbaston. The detached team were also working with older young people at Woodside Youth Club to enable them to become senior members to support the volunteers who ran the youth club and were also working in partnership with the Play Rangers at Netherton Park with a view to offering new activities for young people to access.

Reference was then made to the Youth Team working in partnership with Holly Hall Academy and Castle High School and the Visual Arts Centre, to expand links with the local young people and key partners.

In concluding, the Area Team Leader for Central and Safe Provision indicated that the list of programmed activities for Whitsun and the summer holiday had now been completed and that copies would be available to Members on request.

A Member of the Committee indicated that on speaking to young people walking around the streets of Wrens Nest he had been advised that there was no provision for young people to access in that area. In responding, the Area Team Leader for Central and Safe Provision indicated that she would liaise with the Detached Team with a view to improving youth provision in the area for young people to access and participate in.

In responding to a question from a Member in relation to the derelict White Lion public house and the anti-social behaviour it was attracting, the Area Team Leader for Central and Safe Provision suggested that the Member speak to her following the meeting to discuss the issue further.

In responding to a question from a Member in relation to Russells Hall Youth Centre, the Area Team Leader for Central and Safe Provision indicated that the Centre was working with local Police Community Support Officers and would be contacting the local Sergeant following his return to work to discuss the issues relating to anti-social behaviour with a view to securing an improvement. With regard to the youth participation rate, she confirmed that between seven and twenty young people accessed the Centre on a regular basis, this owing greatly to the new equipment and activities now being offered.

RESOLVED

That the information, as circulated at the meeting and reported orally, be noted.

POLICE ISSUES

Inspector Gary Malpass of West Midlands Police reported on current Police issues in the area of the Committee, with particular reference to crime figures. He indicated that on the whole the number of offences committed compared to this time last year had reduced, however he confirmed that metal thefts had increased. He also referred to an increase in reported thefts to unlocked sheds and garages and urged people to ensure they guarded against this.

The Inspector referred to an increase in the number of reports of anti-social behaviour on the Russells Hall Estate, however he stated that the Sergeant for that area would be liaising with the Youth Service to look at ways to improve the area.

Sergeant Steve Gordon then reported on police issues affecting the Quarry Bank and Dudley Wood Ward. He updated Members on the crime figures for that Ward and stated that on the whole, crime had reduced compared to this time last year. He indicated that a series of robberies involving knife crime had been committed in the Quarry Bank area, however he confirmed that the two people that had been involved had been caught and apprehended.

A Member of the Committee referred to problems affecting the Castle and Priory Ward, particularly Lilic Road and queried what measures had been taken to tackle anti-social behaviour in that area. In responding, Inspector Malpass indicated that reports had shown a reduction in crime in that particular area and although the area would continue to be monitored, resources had been deployed in other 'hot spot' areas. He confirmed that a new team had been set up in the Dudley North area comprising six officers, who had been positioned in areas where crime had increased, particularly the Russells Hall area. Inspector Malpass also indicated that monthly tactical meetings were held to discuss and decide on the location of police officers.

In responding to a further question by the same Member of the Committee, Inspector Malpass undertook to investigate crime figures in the Castle and Priory area and forward them to the Member direct.

The Chair suggested that in view of the issues raised regarding the Castle and Priory Ward, Inspector Malpass consider either submitting a report to the next meeting of the Committee or arrange a meeting on site to discuss the current concerns. In responding, Inspector Malpass welcomed a meeting onsite to discuss the issues raised by Members in relation to the Castle and Priory Ward.

Sergeant Gordon then referred to anti-social behaviour of youths congregating on the steps in Marian Close leading into Robin Hood Road. He indicated that residents had suffered anti-social behaviour and criminal damage to their property for some time and had arranged for a petition to be formed to request the closure of the steps. He confirmed that a petition had been handed in containing thirty signatures from residents of Marian Close and surrounding areas. He also confirmed that there were other walkways that were currently used to get to the Merry Hill Centre.

Sergeant Gordon indicated that on 16th February, 2012 a site visit had taken place with David Jacobs of the Directorate of the Urban Environment and Inspector Hodgetts to discuss a solution to the problems. In concluding, Sergeant Gordon confirmed that he fully supported the residents in the request to close off the steps in Marian Close.

A Member of the Committee expressed his gratitude to the Police and residents for all the work that had been done and confirmed that he also fully supported the closure of the steps in Marian Close and hoped that officers would now pursue the issue. In responding, the Assistant Director (Environmental Management) confirmed that officers were aware of the request of the residents and assured the Committee that the closure of the steps would be investigated.

RESOLVED

- (1) That Inspector Malpass be thanked for his presentation and that the information reported be received and noted.
- (2) That Inspector Malpass be requested to investigate current crime figures for the Castle and Priory Ward and forward them to the Member who raised the issue direct.
- (3) That Inspector Malpass arrange for a meeting to take place on the Castle and Priory Ward with Ward Members to discuss issues affecting that area.

10. FIRE SERVICE ISSUES

Station Commander Chris Wood of West Midlands Fire Service reported on fire issues in the Central Dudley area. He indicated that the number of reported arson fires in dwellings, non-domestic accidental fires and arson rubbish fires had reduced compared to this time last year, although numbers of reported accidental fires in dwellings had increased slightly. He indicated that false automatic fire alarm calls had been a problem, however, he confirmed that this issue had now been rectified. In referring to derelict buildings, the Station Commander indicated that the Fire Service had been proactive in securing buildings or arranging the demolition of derelict buildings once these had been identified, to reduce the risk of arson.

The Station Commander then referred to various activities and projects undertaken by the Fire Service in the last three months, namely, working with Schools to educate young people to identify health and safety fire risks, road safety and on child obesity. The Fire Service was also working with young people to encourage them to participate in courses with a view to increasing self confidence.

A Member of the Committee queried the detection rate of perpetrators of arson fires. In responding Inspector Malpass indicated that he would investigate the issue and respond in writing to the Member direct.

RESOLVED

- (1) That Station Commander Wood be thanked for his presentation and that the information reported be received and noted.
- (2) That Inspector Malpass investigate the issue in relation to detection rates and respond in writing to the Member direct.

11. APPOINTMENT OF WORKING GROUPS

A report of the Area Liaison Officer was submitted on the appointment of Working Groups of the Committee for the 2012/13 Municipal Year.

RESOLVED

- (1) That the Working Groups below be appointed for the 2012/13 Municipal Year with their existing terms of reference and the composition and membership indicated:

Area Committee Grants Working Group – the Chair and Vice-Chair of the Committee and one member of each of the five wards, the full membership being Councillors K Finch (Chair), Councillor Zada (Vice-Chair and Ward Member for Netherton, Woodside and St Andrew's), A Ahmed (St James's Ward), Aston (Castle and Priory Ward), Cotterill (Quarry Bank and Dudley Wood Ward) and Waltho (St Thomas's Ward).

Russells Hall Traffic Working Group – the Chairman of the Committee, Councillor K Finch, together with Councillors A Ahmed, K Ahmed and Roberts (St James's Ward) and Councillors Duckworth, Wood and Zada (Netherton, Woodside and St Andrew's Ward) and that the members of the Council for the Brockmoor and Pensnett Ward continue to be invited to attend and speak at meetings of the Working Group.

- (2) That any member appointed above who does not wish to serve in 2012/13 contact Democratic Services in the Directorate of Corporate Resources and that the Area Liaison Officer, in consultation with the Chairman of the Committee, be authorised to approve the appointment of an alternative member.

12. APPOINTMENT OF COUNCIL REPRESENTATIVES TO OUTSIDE ORGANISATIONS

A report of the Area Liaison Officer was submitted on the appointment of representatives to serve on outside organisations for the 2012/13 municipal year.

RESOLVED

- (1) That the following persons be appointed to serve on the organisations for the period indicated:

Social Inclusion

- | | | |
|-----|---|--------|
| (a) | Castle and Priory Regeneration Group – Councillor Mrs Aston | Annual |
| (b) | Wrens Nest Community Centre – Councillor Mrs Aston | Annual |
| (c) | Withymoore Island Trust – Councillor Zada | Annual |
| (d) | St Francis Parish Centre – Councillor A Finch | Annual |

Community Associations

- | | | |
|-----|------------------------------------|--------|
| (a) | Sledmere – Councillor Waltho | Annual |
| (b) | Woodside – Councillor Zada | Annual |
| (c) | Priory – Councillor Mrs Aston | Annual |
| (d) | Quarry Bank – Councillor Cotterill | Annual |
-

13. PETITIONS

A Petition was received from residents of Netherton and surroundings areas requesting that the public toilets in Netherton be re-opened and asking to be advised of the consultation procedures that had been followed in the decision to close them. It was noted that the petition would be referred to the Petitions Officer for consideration in the first instance and then to the Directorate of the Urban Environment for a report to a future Area Committee.

14. PUBLIC FORUM

- (a) A member of the public submitted a question in relation to traffic problems and air pollution affecting Cinder Bank and surrounding areas. In responding the Assistant Director (Environmental Management) undertook to investigate the issues raised and provide a written response to the questioner.
- (b) The same member of the public drew attention to the large number of potholes on Halesowen Road and Baptist End Road. In responding, the Assistant Director (Environmental Management) undertook to investigate the matter and provide a written response to the questioner.
- (c) A member of the public submitted correspondence in relation to the United Footwear building (the former Co-operative Society Store) located at the top of Dudley Town Centre to which he alleged that no responses had been received and queried the Council policy on response times. In responding, the Assistant Director (Environmental Management) submitted his apologies on behalf of the officers for their lack of response to written correspondence and gave assurances that he would investigate the issue and provide a comprehensive response to the questioner.
- (d) In referring to the concerns raised at the Central Dudley Area Committee on 31st January, 2012 in relation to people spitting when crossing King Street from the Cousins store to the Churchill Precinct, a Member of the Committee requested that the Council look into introducing a by-law prohibiting spitting and introducing fixed penalties. In responding, the Assistant Director (Environmental Management) indicated that he would arrange for the matter to be investigated and provide a written response to the questioner.

15.

WARD ISSUES

- (a) Councillor Arshad expressed gratitude at the progress made in relation to unauthorised parking outside St Joseph's Catholic Primary School and requested that this matter be monitored regularly.
- (b) Councillor Arshad drew attention to the traffic concerns on Blackacre Road and surrounding roads and requested that Council Officers keep Ward Members up-to-date on any progress.
- (c) Councillor Arshad referred to the number of potholes on Fir Street and requested that this matter be investigated.
- (d) Councillor Ali referred to the poor state of repair of the three abandoned public houses in St Thomas's Ward and requested that arrangements be made to contact the owners and request that these be cleaned up.
- (e) Councillor Ali expressed concern with the signal timings of the lighting system on Burnt Tree Island. Although he acknowledged that the equipment to change the timings of the lighting system had not yet been purchased, he requested that investigations be carried out with a view to alleviating the issue.
- (f) Councillor Ali drew attention to the fact that there was no safe crossing facility along the New Rowley Road.
- (g) Councillor Ali stated that traffic issues affecting Oakham Road reported previously had remained unchanged.
- (h) Councillor Cotterill referred to the nail cutting service provided for elderly and disabled people in Quarry Bank in consequence of the closure of the Health Centre in Sheffield Street. He indicated that the alternative provision in Brierley Hill was too far and too difficult for disabled, frail and elderly people to travel to get their nails cut. He requested that consideration be given to providing a nail cutting service for elderly and disabled residents of Quarry Bank through the peripatetic service provided to wheelchair users at Woodhouse Court.
- (i) In referring to a petition raised previously, Councillor Cotterill requested that the bollards in Victoria Road be removed.
- (j) Councillor Aston drew attention to the blocked drains on Priory Road and at the bottom end of the Broadway and queried the number of vehicles that were used to clean drains.

In responding, the Assistant Director (Environmental Management) confirmed that two vehicles were used on a full time basis and one was used as a standby.

- (k) Councillor A Finch drew attention to the health and safety risks on the Broadway, particularly in the area by Bishop Milner Catholic School.
- (l) Councillor Duckworth drew attention to the poor state of the path to the rear of Woodside Park and requested that consideration be given to replacing the cracked slabs as he stated that wheelchair users and people with pushchairs regularly use the path.
- (m) In referring to Cinder Bank Island and the Southern By-pass, Councillor Duckworth requested that consideration be given to installing traffic light systems.
- (n) Councillor Duckworth requested that consideration to be given to introduce a pedestrian phase to the traffic system at the junction of Northfield Road, St Peters Road, Withymoore Road and Cole Street.
- (o) Councillor Wood drew attention to the potholes on the Halesowen Road and surrounding roads and requested that this matter be investigated.
- (p) Councillor Wood drew attention to the slabs outside a residential property in Knighton Road and requested that this matter be investigated.
- (q) Councillor Roberts referred to concerns mature established trees were causing in St James's Ward and requested that an assessment be carried out.
- (r) Councillor Roberts referred to anti-social behaviour on the park at the back of the school in Milking Bank and requested that this matter be investigate.
- (s) Councillor Roberts expressed gratitude to officers involved in arranging for the erection of signage in consequence of the new Traffic Regulation Orders affecting the Russells Hall Estate, however, she indicated that vehicle owners were disregarding the signs and requested that enforcement be pursued.
- (t) Councillor A Ahmed referred to the chemicals currently being to eradicate overgrown weeds on the Milking Bank Estate and indicated that residents had raised health concerns. In responding, the Assistant Director (Environmental Management) indicated that a weed spraying programme was currently being undertaken in the area, however he assured the Member that only approved chemicals were being used.

- (u) Mr Rodney drew attention to the health and safety risks on Stone Street, particularly when juggernauts attempted to turn into the Street and requested consideration to be given to restricting the times during the day these types of vehicles could access the Street.
- (v) Mr Rodney drew attention to the dropping manhole cover on Castlegate Island and requested that this matter be investigated.
- (w) Mr Lawley referred to the health and safety risks on Oakham Road/Turners Hill raised previously at the Area Committee and reported that no action had yet been taken to stop vehicles parking on the corner.
- (x) Mr Lawley queried whether consideration could be given to instigating a Building Schools for the Future initiative from the Government and receive funding to refurbish schools in the area.

In responding, Councillor Sparks confirmed that funding for Building Schools for the Future was no longer available, however, he stated that Dudley Council were looking at options to obtain extra funding for schools.

- (y) Councillor Zada drew attention to the poor state of repair Hockley Lane was currently in and requested that consideration be given to resurfacing the whole Lane.
- (z) Councillor Zada drew attention to the heating system currently used in homes on the Woodside Estate and requested that consideration be given to installing up-to-date heating systems in the area.
- (aa) Councillor Zada drew attention to the speeding problems on Cinder Bank and requested that this matter be investigated.
- (ab) Councillor Zada drew attention to the overgrown piece of land adjacent to Nethercrest Nursing Home and requested that officers liaise with Nethercrest Nursing Home to clean up the area.

DESIGNATION OF PLAYING FIELDS IN COMMEMORATION OF QUEEN ELIZABETH SECOND FOR THE DIAMOND JUBILEE

A report of the Director of the Urban Environment was submitted on options to designate Playing Fields/Open Spaces as Queen Elizabeth II playing fields in commemoration of the Queens Diamond Jubilee and to consider proposals for the Central Dudley Area to be submitted for approval by the Cabinet Member for Environment and Culture.

The report also sought consideration of options to acquire Football Association/Landfill tax funding of sites in the Central Dudley area and to determine which options to submit for approval by the Cabinet Member for Environment and Culture for referral to the relevant funding bodies.

Following discussion, it was

RESOLVED

That a further report be submitted to a future meeting of the Committee.

17

PROPOSED REVOCATION OF PARKWAY ROAD, DUDLEY, ONE-WAY ORDER – PROPOSED PROHIBITION OF RIGHT TURN INTO HIMLEY ROAD FROM PARKWAY ROAD, DUDLEY

A report of the Director of the Urban Environment was submitted on the revocation of a one-way Traffic Regulation Order in Parkway Road and the introduction of a prohibited right turn onto Himley Road from Parkway Road, as shown in Appendix A to the report submitted to the meeting.

The Group Engineer indicated that Parkway Road, Dudley had been made into a one-way street in 2012, following the receipt of a petition from residents. However, since the introduction of the one-way street, a second petition requesting its removal had been received from members of the public.

Following receipt of the petition, the Group Engineer confirmed that new proposals for the removal of the one-way street had been advertised on 16th November, 2012. He also confirmed that a safety audit was conducted at Parkway Road's junction with Himley Road, which indicated that if Parkway Road returned to being a two-way street, the visibility for traffic turning right out of Parkway Road into Himley Road would be poor.

Members of the Committee expressed gratitude to the officers involved in investigating the issue and it was

RESOLVED

That the Cabinet Member for Transportation and Community Safety be recommended to approve the revocation of a one-way Traffic Regulation Order in Parkway Road and the introduction of a prohibited right turn onto Himley Road from Parkway Road.

A report of the Director of the Urban Environment was submitted on the proposed programmes of work for Local Safety Schemes, Safer Routes to School and Pedestrian Crossings within the Central Dudley area for the 2012/13 financial year.

The Group Engineer reported that a number of requests had been received and that the schemes, which had ranked most highly in the Central Dudley area were outlined in the Appendix to the report submitted to the meeting.

A Member of the Committee referred to the problems with the high volume of traffic using Oakham Road and indicated that measures needed to put in place to maximise the use of surrounding roads. It was suggested that improved signage be erected and safe crossing schemes be introduced.

In referring to the proposal to consider a mini roundabout at Tansley Hill Avenue, it was suggested that further investigations be carried out to check feasibility.

In relation to the proposal outlined in Appendix A for the Dudley Southern Bypass, Members acknowledged safety issues as being of paramount importance and requested that consideration be given to investigate remedy further as it was feared that moving poles would not alleviate the problem.

A Member then referred to the new estate on the Priory Road and indicated that traffic issues were a concern for old and new residents and requested that consideration be given to introducing a slip road for residents to use to access the new estate.

A Member referred to the issues on Cole Street previously raised with the Group Engineer and queried why proposals had not been included in the Local Safety Scheme for this year. In responding, the Group Engineer indicated that he would speak to the Member following the meeting.

RESOLVED

That, the proposed 2012/13 programme of work for Local Safety Schemes, Safer Routes to School and Pedestrian Crossings initiatives outlined in the Appendix of the report submitted to the meeting, be supported and referred to the Cabinet Member for Transportation and Community Safety for approval.

CAPITAL ALLOCATIONS

A report of the Area Liaison Officer was submitted on proposals for the allocation of expenditure from the delegated Area Committee Grants budget for the 2012/13 municipal year.

The Policy Analyst for Communities and Resources referred briefly to the decision approved by Full Council on 5th March, 2012 that Area Committee allocations were to be met from revenue resources and no longer restricted to funding capital projects alone. He stated that new criteria had been drawn up to reflect the decision and that any Member who requested advice on the new guidelines, could either speak to him following the meeting or contact him at a later date. The new criteria was circulated to Members of the Committee for perusal.

The Policy Analyst for Communities and Resources informed the Committee that since the last Area Committee two applications had been approved under the urgency provisions.

Mr Rodney welcomed the change regarding revenue expenditure and indicated that this would enable groups to bid for funding that had been previously excluded because their activities were primarily of a revenue nature. However, he stated that Community Groups were not aware of the funding available to them and suggested arranging a meeting with the Policy Analyst for Communities and Resources to discuss options on promoting the funding available to Community Groups.

RESOLVED

- (1) That the process for dealing with Area Committee grants for 2012/13, as set out in the report submitted to the meeting, be noted.
- (2) That the action taken by the Area Liaison Officer, in consultation with the Chair of the Committee, in approving the application in relation to the Enlight Projects in the sum of £2,500, to contribute towards equipment to support the work of the Group at Saltwells Youth Club, on the grounds of urgency, be noted.
- (3) That the action taken by the Area Liaison Officer, in consultation with the Chair of the Committee, in approving the application in relation to St James's Road and Priory Close Neighbourhood Watch in the sum of £159.95, for the purchase of a printer, on the grounds of urgency, be noted.
- (4) That the Area Liaison Officer be authorised to administer the Area Committee grants process in accordance with any decisions made by the Committee.

20. MATTERS RAISED AT THE MEETING OF THE COMMITTEE HELD ON 31ST JANUARY, 2012 RELATING TO THE DIRECTORATE OF THE URBAN ENVIRONMENT

A report of the Director of the Urban Environment was submitted updating the Committee on issues raised at the meeting of the Central Dudley Area Committee held on 31st January, 2012, with regard to services provided by the Directorate of the Urban Environment.

RESOLVED

That the report be noted.

21. MATTERS RAISED AT THE MEETING OF THE COMMITTEE HELD ON 31ST JANUARY, 2012 OTHER THAN THOSE RELATING TO THE DIRECTORATE OF THE URBAN ENVIRONMENT

A report of the Area Liaison Officer was submitted on progress on issues raised at the meeting of the Committee held on 31st January, 2012, other than those relating to the Directorate of the Urban Environment.

RESOLVED

That the report be noted.

22. SCRUTINY COMMITTEE PUBLICITY

The dates of meetings of Scrutiny Committees for the remainder of the current municipal year were noted.

23. DATES OF FUTURE MEETINGS OF THIS COMMITTEE

The dates of meetings of the Committee arranged for 2012/13 were noted, together with the venues arranged to date.

The meeting ended at 8.10pm

CHAIR

NORTH DUDLEY AREA COMMITTEE

Wednesday 20th June 2012 at 6.30pm
at the Coseley School, Henne Drive,
Coseley

PRESENT:-

Councillors Mrs Ameson, A. Aston, Branwood, Casey, Caunt, Evans, Mrs Ridley, S Turner, Mrs Westwood and Wright; Miss A Jenkins (following appointment).

Officers

Assistant Director (Law and Governance) (as Area Liaison Officer); Assistant Director, Leisure and Culture and the Group Engineer, Traffic and Road Safety (Directorate of the Urban Environment); Marketing & Communications Officer (Chief Executive's); Assistant Director, Education, Play and Learning and Area Team Leader (Youth Service) (Directorate of Children's Services); Mrs K Taylor and Mr J Jablonski (Directorate of Corporate Resources)

Also in Attendance

Inspector G. Malpass (West Midlands Police); Station Commander C. Wood and Miss J Winpenny (West Midlands Fire Service), together with ten members of the public.

1 OPENING REMARKS

The Area Liaison Officer welcomed those present to the meeting and welcomed the two newly elected members of the Committee, Councillors Branwood and Casey.

2 ELECTION OF CHAIR

RESOLVED

That Councillor G Davies be elected Chair of the Committee for the ensuing Municipal Year.

3 APPOINTMENT OF VICE CHAIR

RESOLVED

That Councillor Mrs Ridney be appointed Vice Chair of the Committee for the ensuing Municipal Year.

(In the absence of the Chair, Councillor Mrs Ridney thereupon took the Chair)

4 OPENING REMARKS OF THE CHAIR

The Chair welcomed those present and congratulated Councillor Mottram on being elected as the Mayor of the Borough for this Municipal Year.

5 APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were submitted on behalf of Councillors G Davies and Mottram.

6 DECLARATIONS OF INTEREST

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

7 MINUTES

RESOLVED

That the minutes of the meeting held on 1st February 2012, be approved as a correct record and signed

8 APPOINTMENT OF CO-OPTED MEMBERS

A report of the Area Liaison Officer was submitted on the co-option of persons to serve on the Committee for the 2012/2013 Municipal Year.

During the consideration of this matter it was noted that paragraph 5 of the report submitted stated that the Dudley Youth Forum had now nominated a Miss Ashlea Jenkins to be the co-opted member to represent young people on the Committee.

RESOLVED

That Miss Ashlea Jenkins be appointed as the co-opted member for North Dudley Area Committee for the 2012/2013 Municipal Year, representing young people in the North of the Borough.

9 APPOINTMENT OF WORKING GROUPS

A report of the Area Liaison Officer was submitted on the appointment of working groups for the 2012/2013 Municipal Year.

RESOLVED

That the North Dudley Area Committee Capital Allocations Working Group be re-appointed for the ensuing Municipal Year and that the Working Group comprise the Chair and Vice Chair and Councillors Mrs Ameson, Evans and S Turner.

10

APPOINTMENTS TO OUTSIDE BODIES

A report of the Area Liaison Officer was submitted on the nomination of members of the Committee to serve on outside bodies in the 2012/2013 Municipal Year.

RESOLVED

That the following members be appointed to serve on the bodies indicated for the 2012/2013 Municipal Year:-

<u>Strong Communities</u>	<u>Term of Office</u>
Baggeridge Social Welfare Centre - Councillors Branwood and Wright	Annual
<u>Community Associations</u>	
Sedgley and District - Councillor Evans	Annual
Upper Gornal Voluntary Recreation Association - Councillor A Aston	Annual
Hurst Hill - Councillor G.H. Davies	Annual
Rainbow (Coseley) - Councillor Mrs. Ridney	Annual

11

PETITIONS

No petitions were received at the meeting.

12

YOUTH MATTERS

The Area Team Leader for Youth Service gave an oral update on new projects being undertaken by the Youth Service for young people to participate in, details of which were included in handouts circulated at the meeting.

Arising from the presentation of the report submitted the Chair commented that she had attended the come and dine with me cooking project, which was very successful and that the atmosphere and work carried out at the youth centres were very positive.

RESOLVED

That the information contained in the report submitted on Youth matters be noted.

13

POLICE ISSUES

Inspector Malpass reported that there had been a reduction of crime in the area of the Committee, however the number of detections were not as expected, with a number of wards gaining below the average of 28-30%. Inspector Malpass commented that further consideration would be given to improve the figures.

Inspector Malpass also referred to an operation in respect of strong offender management and the ongoing issue in respect of metal theft. He also referred to an increase in reported thefts to unlocked sheds and garages and urged people to ensure they guarded against this.

RESOLVED

That the information reported on be noted.

14

FIRE ISSUES

Station Commander, Mr C Wood reported on issues in relation to the Fire Service in particular the number of fire incidents that had occurred and the types of such incidents throughout the four wards comprising the area of the Area Committee. However, overall the number of incidents was very small.

The Station Commander then referred to various activities and projects undertaken by the Fire Service, namely, working with Schools to educate young people to identify health and safety fire risks and road safety. The Fire Service was also working with young people to encourage them to participate in courses with a view to increasing self confidence.

Councillor A Aston wished to express thanks to the Fire Authority on behalf of himself and Councillor Wright, for the warm welcome they had received since becoming members of the Fire Authority, and looked forward to working with them in the future.

RESOLVED

That the information reported on at the meeting on fire issues be noted.

TRANSPORT ISSUES

The Chair, on the behalf of Councillor Davies, referred to concerns that had been expressed regarding the location of a bus stop on Green Street. It was requested that consideration be given to the possibility of re-locating the bus stop to an area that backed onto council owned land with a view to a shelter being erected.

In response to the concerns expressed, Councillor S Turner, as a member appointed to the Integrated Transport Authority, undertook to pursue this matter.

PUBLIC FORUM

- (a) A member of the public referred to the relocation of the Dudley Archives, with particular reference to the costs of maintaining the Mount Pleasant site, and that the costs reported and actual costs were different.
- (b) The same member of the public asked that a new swimming baths be developed alongside the site of the former Coseley swimming baths.
- (c) In response to a question regarding the final costs following the demolition of the Coseley baths, the Area Liaison Officer undertook to arrange for a written response to be sent to the questioner.

The Chair also indicated that in respect of point (a) the new building for the Dudley Archives were currently being built; therefore it would not be possible to stop the development.

- (d) A member of the public referred to a leaflet that had been published in respect of the Summer Activezone 2012, in particular that there was little mention of any activities in Coseley except for Silver Jubilee Park. Reference was also made as to the possibilities of utilising other areas, such as Coseley Cricket Club for activities.

In responding the Chair advised that Coseley Cricket Club was privately owned and that the Council did not have a right of access, therefore agreements would need to be pursued with them directly. The Chair also reported that a number of schools in the area did carry out summer activities, however the leaflets were not usually published until the end of term.

Officers present also commented on and referred to a number of activities that would be undertaken in the summer details of which would be published in due course.

- (e) In response to a question regarding the sale of the land at the former Coseley baths site, the Chair advised that the land had not been sold and that requests had been made into the possibilities of using the site as a car park.
-

17 AREA COMMITTEE GRANTS

A report of the Area Liaison Officer was submitted on the process for the allocation of expenditure from the delegated Area Committee grants budget for 2012 /2013. It was noted that requests for funding could now include revenue as well as capital schemes.

RESOLVED

- (1) That the information contained in the report submitted be noted.
 - (2) That the Area Liaison Officer be authorised to administer the Area Committee grants process in accordance with any decisions made by the Committee.
-

18 DELEGATED CAPITAL BUDGET

A report of the Area Liaison Officer was submitted on standing authorisations and procedures for distributing funds delegated to this Area Committee and in respect of three applications determined by the Area Liaison Officer under delegated authority. Appendix A to the report set out the criteria for capital bids / allocations.

During the consideration of the report, it was noted that the capital allocation previously approved for Tipton Road Children's Home (Sedgley) had now been withdrawn as the allocation was no longer required.

The Chair also referred to the new criteria for funding capital and revenue schemes and invited all interested parties to apply for funding.

RESOLVED

- (1) That the arrangements for considering funding allocations made to this Area Committee, as set out in paragraphs 2 and 3 and Appendix A to the report submitted, be approved.
- (2) That the action of the Area Liaison Officer under delegated authority and after consultation with Members of the Committee, in determining the following application for funding, be noted, as follows:-
 - (i) An application from the Woodsetton Charitable Trust (Upper Gornal and Woodsetton) in the sum of £4,050 to install fencing.

- (ii) An application from the Coseley Athletic Bowling Club (Coseley East) in the sum of £600 for the purchase of a pedestrian operated power sprayer.
- (iii) An application from the Upper Gornal Funday Committee (Upper Gornal and Woodsetton) in the sum of £329.97 for the purchase of three new gazebo's.

19

HIGHWAYS MINOR WORKS CAPITAL PROGRAMME FOR 2012/13

A report of the Director of the Urban Environment was submitted on the proposed programmes of work for Local Safety Schemes Safer Routes to School and Pedestrian Improvements within the North Dudley Area for the 2012/13 financial year.

Following the presentation of the content of the report and its Appendices the Chair welcomed the proposed programme of works.

RESOLVED

That the proposed initiatives within 2012/13 programmes for work for Local Safety Schemes, Safer Routes to School and Pedestrian Improvements be noted and that the Cabinet Member for Transportation be informed that the proposed initiatives were supported by the Area Committee.

20

DESIGNATION OF PLAYING FIELDS IN COMMEMORATION OF QUEEN ELIZABETH SECOND FOR THE DIAMOND JUBILEE

RESOLVED

That the item be withdrawn for further consideration.

21

WARD ISSUES

- (a) Councillor Caunt raised concerns regarding the issue of inconsiderate parking caused by parents collecting and dropping off their children at schools within the North Dudley area. He stated that enforcement action had commenced in order to combat the issue.
- (b) Councillor Evans referred to the ongoing issue with air pollution and stated that he was still awaiting a response to previous comments made.

- (c) Councillor A Aston referred to Donkey Pool part of the Wrens Nest Nature Reserve and asked that people remained alert due to fish being found dead and that it was not known whether this had happened due to heavy rain or desecration.
- (d) Councillor S Turner raised concerns in regard to the lack of car parking at the shopping area in Gornal, and to an issue with regard to the ownership of the parking bays in Abbey Street. The question of whether or not this part of the highway had been adopted needed to be clarified and the Group Engineer - Traffic and Road Safety was requested to look into this and report back direct to Councillor Turner.
- (e) Councillor S Turner requested that the viability of providing a car park at the Darby and Joan Club be looked at. The Group Engineer - Traffic and Road Safety undertook for this to be done and report back direct to Councillor Turner.
- (f) The Chair raised a number of concerns in respect of the on-going issue of parking in relation to Coseley Railway Station.

In responding to issues raised the Group Engineer - Traffic and Road Safety stated that Traffic Regulation Orders for the Northern part of the Borough were being looked at and confirmed that Orders could be placed on private roads.

Councillor S Turner was also asked to raise the concerns made with Centro.

22

SCRUTINY COMMITTEE PUBLICITY

Information was given regarding the dates of Scrutiny Committees, held at the Council House, Dudley, to which members of the public were invited and were welcome to attend.

RESOLVED

That the information given in respect of the dates of meetings of Scrutiny Committees, be noted.

23

DATES AND VENUES OF FUTURE MEETINGS

The following Information, as to the dates and venues of future meetings, was noted:-

Wednesday, 10th October 2012 at 6.30 p.m. at High Arcal School, High Arcal Drive, Sedgley.

Wednesday 30th January 2013 at 6.30 p.m. at The Dance Studio, Ellowes Hall School, Stickley Lane, Lower Gornal.

24

CLOSING REMARKS

Councillor Mrs Ameson reported that there was to be a funday at the Quarry Club on Saturday 14th July, 2012 between 12 pm and 4 pm.

The meeting ended at 7.30 p.m.

CHAIR

**SPECIAL MEETING OF THE HEALTH AND ADULT SOCIAL CARE SCRUTINY
COMMITTEE**

Thursday, 5th April, 2012 at 6.00 p.m.
in Committee Room 2 at the Council House, Dudley

PRESENT:-

Councillor Mrs Ridney (Chairman)
Councillor J D Davies (Vice-Chairman)
Councillors Mrs Aston, Barlow, K Finch, Mrs Harley, Ms Harris, Miller and C Wilson

Officers

Assistant Director of Law and Governance (Lead Officer to the Committee), Scrutiny Officer and Mrs M Johal (Directorate of Corporate Resources)

Also in Attendance (by invitation)

Councillor L Jones (Leader)
Councillor Vickers (Cabinet Member for Adult and Community Services)
The Chief Executive
Director of Adult, Community and Housing Services

67 **APOLOGY FOR ABSENCE**

An apology for absence from the meeting was submitted on behalf of Ms A Hill, LINK Co-optee.

68 **DECLARATIONS OF INTEREST**

No Member made a declaration of interest in respect of any matter to be considered at this meeting.

69 **CALL-IN OF DECISIONS OF THE CABINET REGARDING THE HEALTH AND SOCIAL CARE BILL AND ITS IMPLICATIONS FOR DUDLEY MBC**

A report of the Lead Officer to the Committee was submitted on the call-in of the decisions of the Cabinet on proposed changes to the National Health Service (NHS) and Public Health systems set out in the 'Equity and Excellence' White Paper and the implications for Dudley MBC. The decision had subsequently been called-in for scrutiny at the request of the Chairman of the Health and Adult Social Care Scrutiny Committee, in accordance with the Scrutiny Committee Procedure Rules, as set out in the Council's Constitution. A copy of the report submitted to Cabinet on 24th March, 2012 had been attached as an appendix to the report submitted to the meeting by the Lead Officer to the Committee. Members had also received a copy

of the background and introductory statement by the Chief Executive and responses to Members' questions, prior notice of which had been given in accordance with the Scrutiny Protocol for Scrutiny Committees, as set out in the Council's Constitution.

Accordingly, this special meeting of the Committee had been arranged to scrutinise the following decisions of the Cabinet:-

- “(1) That Public Health be located within the Directorate of Adult, Community and Housing Services and that the arrangements for ensuring that Public Health be delivered on a corporate basis, as set out in the report now submitted, be approved.
- (2) That the Chief Executive, in consultation with the Leader of the Council, the Cabinet Member for Adult and Community Services and the Leader of the Opposition Group, be authorised to determine whether there should be a joint or single appointment of the Director of Public Health and then make appropriate arrangements for the appointment through the Appointments Committee.”

In her opening remarks the Chairman stated that the questions and answers as contained in the report submitted should be taken as read and that there was no need to read them out verbatim. The Lead Officer to the Committee then outlined the procedure to be followed at the meeting and presented his report giving the background to the key issues to be addressed by the Committee.

The Leader of the Council then addressed the Committee and elaborated upon the background and introductory statement and on the responses to Members' questions as contained in the report. In so doing, he defended the decisions made by Cabinet and stated that a thorough involved discussion had taken place. He also informed the meeting that consideration had been given to the number of staff expected to transfer to the Local Authority together with the indicative budget and it had been considered that there was no justification in there being a stand alone Directorate and that it had been deemed appropriate and correct for Public Health to be placed in the Directorate of Adult, Community and Housing Services.

The Committee then asked supplementary questions which included, that it appeared premature to consider structures at this moment in time as the Secretary of State had not as yet issued any guidelines, how long had negotiations been ongoing with Sandwell and what were the reasons for not accepting recommendations from the Chief Executive of the Black Country Primary Care Trust Cluster and the Regional Director of Public Health in that their view was that Local Authorities should have their own Director of Public Health.

In responding the Leader of the Council and the Chief Executive stated that there were a number of Local Authorities that had already started the process and were well ahead and that Wolverhampton City Council had commenced in December and that Birmingham City Council were advertising for the position of the Director of Public Health. The processes that had been followed had mainly been by taking into account Public Health Guidance that sets out the model and appointment process. It was further stated that it was a difficult year ahead in terms of

administering and integrating Public Health into the Local Authority and it was vital for an appointment for a Director of Public Health to be made at its earliest opportunity to enable the post holder to initiate and be part of the arrangements for the integration. Negotiations had been ongoing with Sandwell over the past six months and detailed discussions had taken place since February of this year.

The Chairman suggested that a briefing/Seminar be arranged for all Members of the Council to enable them to have a fuller understanding of the issues involved. In responding the Leader of the Council indicated that he would ensure that a Seminar or briefing would be arranged for Members of the Council when further progress had been made and additional information was available.

At the conclusion of the detailed consideration and discussion on the questions and answers submitted in advance of the meeting together with supplementary questions raised at the meeting, the Leader of the Council and the Chief Executive made brief final statements to the Committee. The Chairman thanked the Leader of the Council, the Chief Executive, the Cabinet Member for Adult Community and Housing Services and the Director of Adult and Community Services for attending and at this juncture asked them to withdraw from the meeting.

The Committee were then invited to deliberate and consider its decision, and in doing so, comments made by Members included that Sandwell Council would be considering the report to their Cabinet the following week and it was considered that the issue should be deferred pending the outcome, that Public Health would be better located in the Chief Executive's Directorate, that it still did not appear to be clear as to why recommendations for a single Director of Public Health had been ignored and that it was disappointing that formal discussions had not been held with the Clinical Commissioning Groups for both Local Authorities.

At the conclusion of the Committee's deliberations, and taking account of the facts, opinions, responses and comments submitted at the meeting, the motion was put to the vote and it was:-

RESOLVED

That the decision of the Cabinet be upheld and the decision be not referred back.

As some Members did not agree with the conclusions reached by the majority, as set out in the resolution above, provision was made for a minority report pursuant to the Scrutiny Protocol for Scrutiny Committees in the Council's Constitution. The minority report would be attached as an Appendix to these minutes.

The meeting ended at 7.30 p.m.

CHAIRMAN

HASCSC/37

HEALTH AND ADULT SOCIAL CARE SCRUTINY COMMITTEE

Tuesday, 19th June, 2012 at 6.00 p.m.
in Committee Room 2 at the Council House, Dudley

PRESENT:-

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

Officers

Assistant Director of Law and Governance (Lead Officer to the Committee),
Assistant Director Older People and Physical Disabilities and the Scrutiny Officer
(Directorate of Adult, Community and Housing Services) and Mrs M Johal
(Directorate of Corporate Resources)

Also in Attendance

Mr Steve Corton – Head of Community Engagement, Dudley Primary Care Trust
Ms Mandy Green – Communications Manager (Dudley and Walsall Mental Health
Partnership NHS Trust)

1 APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were submitted on behalf of Councillor
Miller and Ms A Hill (LINK Co-optee).

2 APPOINTMENT OF SUBSTITUTE MEMBER

It was reported that Councillor Taylor had been appointed as a substitute member
for Councillor Miller for this meeting only.

3 DECLARATIONS OF INTEREST

Councillor Harris declared a personal interest in respect of agenda item No 6
(Terms of Reference and Brief Introductions) in view of reference made to the
regulations for the Health and Social Care Act 2012, as she had been involved in
the Department of Health's consultation exercise.

4 MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 28th March 2012 and the Special Meeting held on 5th April 2012 be approved as correct records and signed.

5 PUBLIC FORUM

No issues were raised under this agenda item.

6 TERMS OF REFERENCE AND BRIEF INTRODUCTIONS

A Guide to Health Scrutiny 2012 had been circulated to Members prior to the meeting and the Lead Officer to the Committee briefly presented the information in that document and, in particular, highlighted the changes affecting health scrutiny under the Health and Social Care Act 2012.

Ms Mandy Green – Communications Manager (Dudley and Walsall Mental Health Partnership NHS Trust), Mr Steve Corton, Head of Community Engagement, Dudley Primary Care Trust and the Assistant Director Older People and Physical Disabilities then briefly introduced themselves and explained their respective roles to the work of the Committee.

RESOLVED

That the information contained in the Guide to Health Scrutiny 2012, be noted.

7 WORK PROGRAMME AND UPDATES FOR 2012/13

A report of the Lead Officer to the Committee was submitted on the proposed Work Programme for the Committee for the 2012/13 Municipal Year, key considerations for the Committee, particularly in light of the Health and Social Care Act 2012 and on the reappointment of a Local Involvement Network representative continuing as a co-opted Member to the Committee for 2012/13.

Arising from the presentation of the report it was suggested that consideration be given to health problems in looked after children, impact of the healthy hubs, excess winter deaths and obesity linked with diabetes being included in the Work Programme.

Reference was made to the enhanced scrutiny review items as contained in the appendix to the report submitted and it was indicated that relevant information in the form of statistics and comparable information should be submitted to enable consideration to be given to determine its effectiveness and for performance to be measured. It was also suggested that immunisation could be considered as a review item.

During the ensuing discussion a Member referred to the item contained in the Appendix to the report submitted on the Strategic Health Authority: Birmingham Children's Hospital – transfer of non-specialist surgery (specialised commissioning) and suggested that, as this matter covered such a wide area and impacted on a large population, consideration should be given to discussing the issue at a Regional level. In responding the Scrutiny Officer undertook to discuss the issue with the West Midlands Regional Group and to report back as appropriate.

A Member referred to the providers of primary care services that were preparing to take on the responsibility for commissioning the majority of healthcare by establishing Clinical Commissioning Groups and expressed concern that Members were not always fully informed on all processes and consequently, in the midst of the changes, aspects of key decisions and certain information could be missed.

In concluding the debate the Chair asked that Members inform the Scrutiny Officer or the Democratic Services Officer on items they wished to consider for the in-depth review and also on any further items they wished to be considered and included in the Work Programme.

RESOLVED

- (1) That the information contained in the report on the impact of the Health and Social Care Act 2012 and other developments, be noted.
- (2) That, subject to the inclusion of health problems in looked after children, impact of the healthy hubs, excess winter deaths and obesity being linked with diabetes, the Work Programme, as set out in Appendix 1 of the report submitted, be noted.
- (3) That approval be given to the continuation of a representative from LINK to serve as a co-opted member on the Committee for 2012/13.

The meeting ended at 7.00 p.m.

CHAIR

**COMMUNITY SAFETY
AND COMMUNITY SERVICES SCRUTINY COMMITTEE**

Thursday, 7th June, 2012 at 6.00 p.m.
in Committee Room 2, The Council House, Dudley

PRESENT:-

Councillor Kettle (Chair)
Councillor Branwood (Vice-Chair)
Councillors Burston, Caunt, Cotterill, K Finch, Ms Nicholls, Perks and C Wilson.

OFFICERS

Assistant Director of Corporate Resources (Customer Services), (Directorate of Corporate Resources), (Lead Officer to the Committee), The Chief Executive and Drugs and Alcohol Action Team Manager, (Both Chief Executive's Directorate), Head of Services, (Children's Services) and Miss K Fellows, (Directorate of Corporate Resources).

1. **COMMENTS OF THE CHAIRMAN**

This being the first meeting of the municipal year, the Chairman welcomed those present to the meeting.

2. **APOLOGIES FOR ABSENCE**

Apologies for absence was submitted on behalf of Councillor Harley and Russell.

3. **APPOINTMENT OF SUBSTITUTE MEMBER**

It was reported that Councillor C Wilson had been appointed as a substitute Member for Councillor Harley 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 matter to be considered at the meeting.

CSCSSC/1

5. MINUTES

RESOLVED

That the Minutes of the meeting of the Committee held on the 15th March, 2012, be approved as a correct record and signed.

6. PUBLIC FORUM

No matters were raised under this Agenda item.

7. SAFE AND SOUND DUDLEY'S COMMUNITY PARTNERSHIP ANNUAL REPORT 2011/12

A report of the Chief Executive was submitted detailing an overview of the work of the Community Safety Partnership (Safe and Sound), including information in respect of the performance of the partnership for 2011/12. The Partnerships priorities for 2012/13 were highlighted as reflected in the Community Safety Annual Plan for 2012/13. The names of the safe and sound board members, the partnership structure, partnership performance and the cost of safe and sound (Dudley's Community Safety Partnership) were Appended to the report submitted.

In presenting the report, the Chief Executive made particular reference to Appendix 3 to the report submitted which recorded the significant reduction in crime figures relating to dwelling burglaries, vehicle crime and robbery.

He also referred to the British Crime Survey, which had determined that recorded crime figures were accurate.

The strategic priority in relation to Troubled Families was referred to and it was noted that work would commence on a major initiative during a three year period, which was partly funded by the Government in order to address issues with troubled families.

The Chief Executive referred to the forthcoming election of a Police and Crime Commissioner and the Government funding that had previously been allocated to the Council by the Home Office and would in future be determined and allocated by the newly elected Police and Crime Commissioner.

In responding to Members questions the Chief Executive advised as follows:-

- That the British Crime Survey related to Households and not businesses, with businesses reporting crimes such as shoplifting directly to the Police;
- The initiative in relation to Troubled Families would address the amount of family members and the savings that could be made in relation to targeting issues and problems in relation to the same would also be measured;
- There would be no right of appeal in relation to the government funding allocated to the Council by the Police and Crime Commissioner;
- That an action plan would be implemented in relation to how to deal with troubled families which would be contributed to by a whole range of Public Sector Agencies with the main aim being to prevent or limit the problems in relation to those families and that by working closely with the above Agencies would alleviate previous defects in providing an efficient service relating to dealing with troubled families;
- That the work in relation to Troubled Families would not impact upon the funding and work of the Community Safety Team relating to the prevention of crime and crime reduction.
- That locally colleagues at a senior level in West Midlands Police were extremely competent and deployed resources in an efficient and effective manner and this may be an explanation for the reduction in crime.
- That neither the British Crime Survey nor recorded crime figures in this report gave details of detection rates or criminal justice outcomes.

The Drugs and Alcohol Team Manager reported that multi agency work was undertaken and partnership responses were made to reduce levels of re-offending which was currently by 18.06% below the predicted re-offending rate.

The Chief Executive advised that there were no trends in relation to the reduction of crime figures, other than the fact that year on year crime was reducing.

The Drugs and Alcohol Team Manager advised that in relation to the Community Safety fund there had been a reduction of 50% in Government funding for 2012/13 and in view of this £95,000 had been carried forward from the previous years budget and the decision to carry the funding forward had been taken by a multi agency working group.

RESOLVED

CSCSSC/3

That the information contained in the report, and Appendices to the report, submitted on the overview of the work of the Community Safety Partnership (Safe and Sound), the performance of the partnership for 2011/12 and the Partnership's priorities for 2012/13 as reflected in the Community Safety Annual Plan for 2012/13, be noted.

8. ANNUAL REPORT OF THE COMMUNITY SAFETY AND COMMUNITY SERVICES SCRUTINY COMMITTEE FOR 2011/12

A report of the Lead Officer to the Committee was submitted on the Annual Report of the Scrutiny Committee for 2011/12.

RESOLVED

That the Annual Report of the Scrutiny Committee for 2011/12 be received and noted and referred to Council.

9. WORK PROGRAMME FOR 2012/13

A report of the Lead Officer to the Committee was submitted on the work programme for the 2012/13 municipal year.

Following consideration of the Work Programme it was

RESOLVED

That the work programme of the Committee for 2012/13 be approved as follows:-

Date of Meeting	Item
07/06/2012	Work Programme for 2012/13 Annual Report of the Safe and Sound Board Annual Report of the Community Safety and Community Services Scrutiny Committee to Council. Any questions/issues to be raised with a Member of the Safe and Sound Board (to be included on all agendas)
06/09/2012	The Police Reform and Social Responsibility Act 2011. Domestic Abuse Service Improvement Review – Update.
01/11/2012	Anti Social Behaviour Review. CSCSSC/4

Proposed Revenue Budget.

17/01/2013 New and amended requirements arising out of the Protection of Freedoms Bill and the findings of the Internal CCTV Review.

14/03/2012 Reporting on Section 17 – Crime and Disorder Act, 1998 (Directorate of the Urban Environment)

Provisional Work Programme for 2013/14

10. TO CONSIDER WHETHER TO REQUEST THE ATTENDANCE OF ANY SAFE AND SOUND BOARD MEMBER OR THE PROVISION OF ANY INFORMATION AT A FUTURE MEETING IN RELATION TO THE COMMUNITY SAFETY AND COMMUNITY SERVICES SCRUTINY COMMITTEE WORK PROGRAMME.

Following discussion on this issue it was:

RESOLVED

That the attendance of any Safe and Sound Board Member or the provision of any information at the next meeting be not pursued.

The meeting ended at 6.50 p.m.

CHAIRMAN

CSCSSC/5

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

Monday, 11th June, 2012

at 6.00 pm in Committee Room 2 at the Council House, Dudley

PRESENT:-

Councillor Tyler (Chair)
Councillor K Turner (Vice-Chair)

Councillors A Ahmed, Blood, Body, Caunt, G.H. Davies, Hale, Herbert, Mrs Rogers and Wright.

Officers

Assistant Director, Housing Strategy and Private Sector (Lead Officer to the Committee); Assistant Director, Culture and Leisure and Head of Sports and Physical Activities (both Directorate of the Urban Environment) and Mr. J. Jablonski (Directorate of Corporate Resources)

1 APOLOGY FOR ABSENCE

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

2 SUBSTITUTE MEMBER

It was reported that Councillor Mrs Rogers had been appointed as a substitute member for Councillor Attwood 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 of the Committee held on the 7th March, 2012, be approved as a correct record and signed.

5 PUBLIC FORUM

No matters were raised under this item.

6 LONDON 2012

A report of the Director of the Urban Environment was submitted updating the Committee on the Cultural Olympiad and London 2012 related matters.

The Head of Sports and Physical Activities commented in detail on the content of the report, and Appendices to the report, submitted on a number of events and projects that had been arranged in relation to the Cultural Olympiad and London 2012.

Arising from the comments made members made a number of comments and queries which were responded to.

RESOLVED

That the information contained in the report, and Appendices to the report, submitted on the Cultural Olympiad and London 2012 related matters, be noted.

7 ANNUAL REPORT OF THE REGENERATION, CULTURE AND ADULT EDUCATION SCRUTINY COMMITTEE FOR 2011/12

A report of the Lead Officer to the Committee was submitted on the annual report of the Scrutiny Committee for 2011/12.

Arising from consideration of the content of the report submitted it was

RESOLVED

That the Annual Report of the Regeneration, Culture and Adult Education Scrutiny Committee for 2011/12 be received and noted and referred to the Council.

8 WORK PROGRAMME FOR 2012/13

A report of the Lead Officer of the Committee was submitted on the proposed work programme of the Committee for the 2012/13 municipal year.

Arising from the presentation of the content of the work programme suggestions were made amending and updating the work programme. In this connection it was agreed that the item 'Issues arising from discussions with Dr Hill' indicated for the September meeting be deleted, as that matter had now been resolved, and that the Update on Planning Obligations item indicated for the March, 2013 meeting now become an information item.

RESOLVED

- (1) That the work programme of the Committee for 2012/13, as updated, be approved as follows

<u>Date of Meeting</u>	<u>Item</u>
11/06/12	Work Programme for 2012/13 Annual Report of the Regeneration, Culture and Adult Education Scrutiny Committee London 2012
10/09/12	Black Country Library Services Project Update on Planning Obligations Progress report – Innovation and Incubation Centre Eco Park Development in Coseley and its effect on the regeneration of Dudley Town Centre Parking in Dudley Town Centre in the light of current redevelopment
06/11/12	Proposed Revenue Budget Update on Recreational Dimension of the Healthy Towns Initiative Glass Feasibility Stage 2 Playing Pitch Report

16/01/13 Update on Regeneration of Local and District Centres including Dudley and Stourbridge Town Centre Modernisation
Local Centres – Measures to encourage more trading
Olympics – Post Event Legacy
Regeneration of Wallbrook
Consideration of Indices of Multiple Deprivation and the provision for Adult Education

06/03/13 Progress Report on Dudley Borough Economic Development Strategy 2012/13 – 2014/15
Update on Policy Development – Stray and Illegally Grazing Horses
Draft Work Programme for 2013/14

- (2) That no formal working groups be appointed in 2012/13 but that should it be considered that a specific issue requires the appointment of a working group then an ad hoc working group be appointed on a time limited basis to consider the specific issue and report back to the Committee.

The meeting ended at 6.55 p.m.

CHAIR

ENVIRONMENT SCRUTINY COMMITTEE

Thursday 14th June, 2012 at 6.00pm
in Committee Room 2, The Council House, Dudley

PRESENT:-

Councillor Hanif (Chair)
Councillor Mrs Shakespeare (Vice-Chair)
Councillors M Aston, Harley, Jordan, J Martin, Roberts, Mrs H Turner and Wright.

Officers

Director of Corporate Resources (As Lead Officer to the Committee), Assistant Director Planning and Environmental Health, and Assistant Director of Environmental Management (Directorate of the Urban Environment), Head of Housing Management-North (Directorate of Adult, Community and Housing Services) and Miss K Fellows (Directorate of Corporate Resources).

1. OPENING REMARKS OF THE CHAIRMAN AND INTRODUCTIONS

This being the first meeting of the municipal year, the Chairman welcomed those present and Members and Officers introduced themselves.

2. APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were submitted on behalf of Councillors Boleyn, Duckworth, A Finch and James.

3. APPOINTMENT OF SUBSTITUTE MEMBERS.

It was reported that Councillors Roberts and Wright had been appointed as a substitute members for Councillors Boleyn and James respectively 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.

5. MINUTES

RESOLVED

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

6. PUBLIC FORUM

No matters were raised under this agenda item.

7. WORK PROGRAMME FOR 2012/13.

A report of the Lead Officer to the Committee was submitted on the Work Programme for the Scrutiny Committee for 2012/13.

In presenting the report submitted the Lead Officer referred to the Anti Social Behaviour Review Report advising that this may not be submitted to this Committee, and may be considered by the Community Safety and Community Services Committee in accordance with their terms of reference.

Arising from the presentation of the report submitted Members made suggestions as follows:-

That a report in relation to Badgers to include residential support and the Council's duties and responsibilities in relation to Badgers be submitted to the September meeting of this Committee.

That a report in relation Recycling be submitted to the January meeting of this Committee.

That the Assistant Director of Planning and Environmental Health be requested to ensure that information in relation to Badgers including residential support and the Council's duties and responsibilities in relation to Badgers are displayed on the Council's website.

RESOLVED

(1) That, the Work Programme for the Committee for 2012/13 be approved as follows:-

- Matters for information, e-mailed to Members, June 2012
that they may wish to ask questions about (eg
Equality and Diversity annual report).
- Work Programme for 2012/13 June 2012
- Food Service Plan 2012/13 June 2012
- Housing Fraud June 2012

- Any questions on matters e-mailed for information (eg Quarterly Corporate Performance Management Report) September 2012
- Annual Report of the Scrutiny Committee to Council September 2012
- Welfare Reforms September 2012
- Badgers to include residential support and the duties and responsibilities of the Council in dealing with Badgers. September 2012
- Matters for information, e-mailed to Members, that they may wish to ask questions about (eg Update on the Council's Capital Strategy and Quarterly Corporate Performance Management Report). November 2012
- Rogue Traders and Age Restricted Products. November 2012
- Anti Social Behaviour Review Update. November 2012
- Proposed Revenue Budget. November 2012
- Any questions on matters e-mailed for information (eg Quarterly Corporate Performance Management Report). January 2013
- Trade Waste and Recycling. January 2013
- Air Quality Management Report January 2013
- The Regulation of Private Landlords January 2013
- Any questions on matters e-mailed for information (eg Quarterly Corporate Performance Management Report and Equality and Diversity Action Plan) March 2013
- Provisional Work Programme 2013/14 March 2013

- (2) That the Assistant Director, Planning and Environmental Health be requested to ensure that information in relation to Badgers including residential support and the Council's duties and responsibilities in relation to Badgers are displayed on the Council's website.
 - (3) That Members be requested to email the Lead Officer and the Chair details of any items that they wished to add to the Work Programme.
-

8. FOOD SERVICE PLAN 2012/13

A report of the Director of the Urban Environment was submitted on the Food Service Plan 2012/13. A copy of the Food Service Plan Summary 2012/13 was attached as an Appendix to the report submitted.

Arising from the presentation of the report submitted, Members asked questions and the Assistant Director, Planning and Environmental Health responded stating that:-

In relation to the Obesity Strategy, work was conducted in partnership with NHS Dudley. She also referred to the work that was undertaken with schools and food businesses in order to ensure that they had healthy food choices, and work with young consumers in relation to food labelling. Details in relation to the project "Dudley Food for Health Award" were also outlined.

The Food and Occupational Safety and Trading Standards Sections were separate sections undertaking all food safety and food standards inspections in accordance with Food Hygiene Legislation.

In outlining the work of the above Sections, that they were responsible for emergency closures and prosecutions, responding to a number of concerns reported by the public and investigating food poisoning outbreaks. It was noted that inspections for Health and Safety were also undertaken.

Details of routine microbiological testing were also provided.

In relation to campylobacter this was the most common form of food poisoning bacteria and that symptoms could be severe and one of the most common place that bacteria resided was in raw chicken.

There were eleven full time qualified Environmental Health Officers working on food safety.

Every food business needed to be registered and inspected and the frequency of inspections would depend upon the relevant risk involved.

Work was conducted with colleges with their catering facilities being inspected.

The procedure in relation to the permanent closure of food business was outlined together with details of the inspections following closure in order to ensure that there was no longer a risk to health and once this was established a certificate would be issued in order that those businesses could be re-opened.

The Chair and Vice Chair praised the work of Environmental Health Officers and the Council's Scores on the Doors Scheme.

RESOLVED

That the information contained in the report, and Appendix to the report, submitted on the Food Service Plan 2012/13, be noted and referred to Cabinet and full Council.

9. HOUSING FRAUD

A report of the Director of Adult, Community and Housing Services was submitted on the approach taken in Housing Services on the prevention and detection of Housing Fraud. The Housing Counter Fraud Policy was appended to the report submitted.

Arising from the presentation of the report submitted Members asked questions, and the Head of Housing Management North responded stating that:-

The moral reasons for investigating housing fraud outweighed the potential cost of doing so and that non-investigation would result in losses occurring to the Council.

In relation to housing fraud regarding "right to buy", this had occurred where properties had been re-possessed and investigations in relation to those cases remained ongoing.

Investigation times would depend upon the complexity of the case.

A charge would be registered against those properties that were purchased through the right to buy scheme, however should those properties be re-possessed, the principal lender would be repaid in the first instance, which could result in the Council's charge not being repaid.

The benchmarking club on housing fraud provided by "HouseMark" had been signed up to recently with the first set of data being populated later in the year.

The agreement with Birmingham City Council to share data from housing records would result in obtaining details as to whether tenants had obtained properties in different areas.

Investigations in relation to housing fraud commenced immediately once these cases came to the Council's attention.

Work in relation to sharing national insurance numbers had commenced with the Council's Housing Benefits department.

A quality impact assessment had raised issues in relation to the use of photograph identity and a consultation exercise was being undertaken in relation to the black, minority and ethnic communities.

All data matching work was conducted with social landlords, however it was intended to widen the scope of the national fraud initiative.

There was not currently a dedicated resource to investigate housing fraud, however this was being reviewed with support being offered by the Council's Audit Services.

The Council were utilising the Corporate Group in order to deal with housing fraud.

The indicative figures referred to at paragraph three of the report submitted also included the costs of temporary housing and the cost of re-building properties.

There may be a loss to the Council should housing benefit be fraudulently claimed.

The Council Fraud Hotline had been introduced at the end of 2011 and other initiatives were being investigated in order to promote this such as posters on the Council's repair vehicles.

In relation to the Council participating with the "best use of stock summit" and the workshop on housing fraud, feedback relating to this would be provided to a future meeting of the Committee.

Following Members raising concerns in relation to the potential cost to the Council of housing fraud it was agreed that a report would be submitted to a future meeting of this Committee detailing the specific costs involved.

RESOLVED

- (1) That, the information contained in the report, and Appendices to the report, submitted on the approach taken in Housing Services on the prevention and detection of Housing Fraud, be noted.
- (2) That the Director of Adult, Community and Housing Services be requested to submit a report to a future meeting of this Committee in relation to the Council's participation with the "best use of stock summit".

- (3) That the Director of Adult, Community and Housing Services be requested to submit a report to a future meeting of this Committee in relation to the actual cost implications to the Council in relation to housing fraud.

The meeting ended at 7.20pm

CHAIRMAN

CHILDREN'S SERVICES SCRUTINY COMMITTEE

Thursday, 21st June, 2012 at 6.00pm
in Committee Room 2 at the Council House, Dudley

PRESENT:-

Councillor S Turner (Chair)
Councillor Boleyn (Vice-Chair)
Councillors Arshad, Mrs Billingham, Bills, Casey, J Jones, Marrey, Miller, Mrs Simms and Mrs Walker; Mrs Ward, Mrs Verdegem, Mrs Coulter and Mr Ridley.

OFFICERS

Assistant Director of Adult, Community and Housing Services (Policy, Performance and Resources) – Lead Officer to the Committee; Acting Director of Children's Services, Assistant Directors of Children's Services (Children and Families) and (Quality and Partnership), Head of Youth Service, Targeted and Service Improvements Manager, Head of Service (Safeguarding and Review Unit) and the Democratic Services Manger.

ALSO IN ATTENDANCE

Detective Chief Inspector R Jones (West Midlands Police – Public Protection Unit), S Marshall (Health Provider for Children's Services) and P Owens (Designated Nurse for Safeguarding Children - NHS, Dudley); Representatives of the Dudley Youth Service and young people/users of the Youth Service attended for the relevant agenda items.

1 **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were received on behalf of Councillor Attwood, Mr Songole and Reverend Wickens and the Cabinet Member for Integrated Children's Services (Councillor Crumpton).

2 **SUBSTITUTE MEMBER**

It was reported that Councillor Miller was serving in place of Councillor Attwood for this meeting of the Committee only.

3 DECLARATIONS OF INTEREST

Councillor Mrs Walker declared a personal interest in Minute No. 8 below in view of her grandson attending one of the young peoples' clubs referred to in the report.

Councillor Mrs Simms declared a personal interest in Minute No. 9 below in view of her employment with Barnardos.

4 MINUTES

RESOLVED

That the Minutes of the meeting of the Committee held on 22nd March, 2012 be approved as a correct record and signed.

5 WORK PROGRAMME FOR 2012/13

The Committee considered a report of the Lead Officer on the work programme for the 2012/13 municipal year.

Reference was made to the forthcoming review of the Council's Scrutiny Committees and the need for the work programme to be flexible to take account of business arising during the year. A view was expressed that Scrutiny Committees should focus on particular topics, scrutinise these in detail and formulate reports/recommendations in a similar way to the operation of Parliamentary Select Committees.

The Chair indicated that the review would aim to increase the overall effectiveness of the scrutiny process whilst recognising the requirements for Members to consider certain reports. Work programmes needed to be flexible enough to respond to changing circumstances. The Chair also requested that the Committee's work programme be amended to include an item on School Exam results later in the year.

RESOLVED

That, subject to the inclusion of an agenda item on School Exam results in the autumn of 2012, the draft work programme of the Committee for 2012/13 be approved.

6 ANNUAL REPORT OF THE CHILDREN'S SERVICES SCRUTINY COMMITTEE FOR 2011/12

The annual report of the Children's Services Scrutiny Committee for 2011/12 was submitted and considered.

Reference was made to the succinct presentation of the report, which it was considered did not entirely reflect the depth and diverse range of issues dealt with by the Children's Services Directorate during the year. The Committee paid tribute to the commitment of Members and Officers in dealing with issues affecting Children's Services and requested that this be reflected in future reports.

The Committee also referred to the importance of the role of elected Members in relation to Corporate Parenting. It was requested that more information be circulated to Members to promote this role.

RESOLVED

- (1) That the annual report of the Children's Services Scrutiny Committee be noted and referred to the Council.
- (2) That the full range of activities dealt with by the Directorate of Children's Services Directorate be more fully reflected in future reports on the work of this Scrutiny Committee.
- (3) That the Acting Director of Children's Services liaise with the Cabinet Member for Integrated Children's Services with a view to circulating a leaflet/newsletter to all Members of the Council on the duties and responsibilities in connection with Corporate Parenting.

7 UPDATE ON THE YOUTH SERVICE

The Committee considered a report of the Acting Director of Children's Services on Dudley Youth Service, including information on the structure of the service and key priorities for 2012/13 onwards.

The following priorities were being pursued by the Youth Service taking account of the views of young people in the ongoing development of the range of services offered:-

- Work with vulnerable and targeted young people
- Active and suitably resourced youth centres contributing to local communities
- Young people actively involved in decision making, service design and quality assurance
- Young-leaders working with peers and the local community
- Secure a wide range of activities to improve the wellbeing of young people
- Local capacity building including the management of risk and workforce development opportunities.

The Committee thanked officers for the presentation of a concise and comprehensive report. Reference was made to the lack of media activity identified in Appendix 2 on the provision of positive activities for young people across the five Area Committee geographical locations. It was noted, however, that in connection with Dudley Grid for Learning, many schools operated 'after school' clubs and media activities were also offered by Dudley College and voluntary organisations.

The Committee noted that 7,772 young people (29.97% of the borough's youth population) had accessed some form of activity provided by the Youth Service in 2011/12. Members supported the continued promotion of the Duke of Edinburgh Award Scheme and various other initiatives to actively engage with the youth population. The Head of the Youth Service referred to the availability of Detached Workers in some areas whose role was to reach out to young people who were not engaged in mainstream activities. Members with any particular issues in their wards were invited to discuss these with the Acting Director of Children's Services.

RESOLVED

- (1) That the Cabinet Member for Integrated Children's Services be advised that this Committee supports the ongoing priorities that have been identified for the Youth Service.
- (2) That the Cabinet Member be briefed on the comments made by Members of the Committee including the need to give consideration to the provision of Detached Workers to pursue further outreach work in certain parts of the Borough.

The Committee considered a report of the Acting Director of Children's Services on the Dudley Youth Service provision for targeted and vulnerable young people and outlining key priorities for 2012 onwards.

The Youth Service had a focused staff team working with targeted groups. The groups being supported were disability, sexual health and teenage pregnancy, looked after children and young people and crime. The wider staff team also worked to improve the outcomes of targeted and vulnerable young people. The report identified examples of provision currently being delivered and developed by the Youth Service.

The Committee heard comments from representatives of the team in addition to young people who attended the clubs, service users and parent/carers. In particular, members of the “Fantastic Fun Club” for looked after children explained how a mixture of structured activities and peer support provided a valuable resource. The Committee also noted comments concerning a group for children with autism in Lower Gornal that had been established by users and their carers and which had grown successfully in recent years.

Members welcomed all the comments made and thanked everyone for their attendance and the direct feedback given and the experiences shared with the Committee.

Members noted comments made by young people concerning facilities that might be available but could not be used due to the lack of trained personnel (eg: a climbing wall). The Committee asked that consideration be given to encouraging schools to engage further with the Youth Service with a view to making such facilities available for use by the clubs concerned. The Acting Director of Children’s Services indicated that links were already in place with secondary schools and efforts to encourage engagement with the Youth Service would be pursued further.

Reference was also made to the possibility of encouraging voluntary sector organisations to set up additional groups and where possible this could be assisted by the provision of small capacity grants from the Council. Such activities would, however, need to take account of the availability of volunteers in certain parts of the Borough that might exclude disadvantaged groups.

The Committee also identified the need for further promotional work on the activities provided and the possibility of Members undertaking visits to Youth Clubs to raise the profile of the work undertaken by the Youth Service.

RESOLVED

- (1) That the report and information provided be noted.
- (2) That the Cabinet Member for Integrated Children’s Services be recommended to support the promotion of elected Member involvement in and visits to Youth Clubs.
- (3) That the Cabinet Member for Integrated Children’s Services be requested to consider the age ranges for service provision to ensure that young people are not excluded from attending clubs or undertaking activities which may be appropriate to them.

- (4) That the Acting Director of Children's Services be requested to continue efforts to encourage schools to engage with the Youth Service to make appropriate facilities available to users of the various Youth Clubs concerned and that these views be communicated to the Cabinet Member for Integrated Children's Services.
- (5) That the Cabinet Member for Integrated Children's Services be informed of the views of the Committee concerning the encouragement of voluntary sector organisations to set up additional groups, with assistance from small capacity grants where possible, subject to appropriate safeguards to ensure that disadvantaged groups are not excluded in certain parts of the Borough.
- (6) That the Acting Director of Children's Services be requested to ensure appropriate communication with Councillors, in particular the Cabinet Member for Integrated Children's Services and the Members of this Scrutiny Committee, to promote the activities offered by the Youth Service.
- (7) That appropriate Councillors be included on the mailing lists for information from individual youth clubs where possible.

9

ACTION PLANS IN RESPONSE TO THE OFSTED INSPECTION OF SAFEGUARDING AND LOOKED AFTER CHILDREN

The Committee considered a report of the Acting Director of Children's Services on the progress of work in connection with the Ofsted inspection of Safeguarding and Looked after children services that had taken place in 2011.

The Committee received four action plans to address specific issues in the inspection report relating to:

- Joint and agreed quality standards for safeguarding practice across the partnership and implementation of a joint quality assurance and performance framework underpinned by efficient information systems.
- Ensure MARAC (Multi Agency Risk Assessment Conference) is fully operational and effective leadership is in place in order to meet the level of demand for such arrangements.
- Improve the consistency of recording and assessments.
- NHS to review the capacity of the specialist health services to looked after children and young people to ensure health support, including dental health care and annual health assessments, is accessible, timely and user-friendly.

The Committee welcomed G Tilby (Head of Service - Safeguarding and Review Unit), Detective Chief Inspector R Jones (West Midlands Police – Public Protection Unit), S Marshall (Health Provider for Children’s Services) and P Owens (Designated Nurse for Safeguarding Children - NHS, Dudley) who made representations to the Committee on issues in the action plans relating to their areas of responsibility.

The Acting Director of Children’s Services emphasised that the actions set out in the detailed action plans were intended to build upon and strengthen work previously undertaken in Dudley. The focus was on developing areas that would have a positive impact and improve outcomes for local children and young people.

Reference was made to the need to submit an annual report on the results achieved. The Acting Director of Children’s Services confirmed that further plans and progress information would be reported to the Committee in 2012/13.

In regard to the MARAC (Multi Agency Risk Assessment Conference), the Committee noted that this group had a key role in identifying and mitigating serious risks by strengthening multi agency working and information sharing in cases of domestic violence and associated child protection issues. The MARAC group had adopted a ‘task and finish’ approach to the development of risk management action plans, which had strengthened the co-ordinated approach taken by all the agencies involved.

In relation to the electronic recording system in Children’s Social Care, the Committee noted the complexity of this ongoing work and the collaborative approach being taken by officers in conjunction with the supplier of the system.

In relation to issues associated with School Health Advisors, reference was made to the possibility of changing working conditions to ensure that such staff were ‘on call’ during the school holidays. Although the Advisors could be contacted during school holidays, the Committee was concerned that more robust arrangements should be in place on a ‘year round’ basis.

A business case was being developed for the Clinical Commissioning Group (CCG). The Committee emphasised the importance of fully representing the health and well being of children and young people in the context of health reforms and within the discussions of the Shadow Dudley Health and Wellbeing Board. The Acting Director of Children’s Services reported that the CCG were represented on the Health and Wellbeing Board and representations would be made on this issue in the context of overall financial pressures. The Committee requested that the Cabinet Member for Integrated Children’s Services and the Chair and Vice-Chair be kept informed of developments.

The Acting Director of Children's Services and the Cabinet Member for Integrated Children's Services had acknowledged the key role of Members in assisting with safeguarding matters and information was circulated on the contact telephone numbers to be used in any cases where child abuse was suspected.

RESOLVED

That subject to the comments of the Committee, as set out above, the action plans presented to the meeting be noted and that further action plans be submitted to future meetings during the 2012/13 municipal year.

10 QUESTIONS UNDER COUNCIL PROCEDURE RULE 11.8

There were no questions asked under the provisions of Council Procedure Rule 11.8. The Lead Officer clarified that answers would be provided to questions asked at the meeting wherever possible and that written answers would be given should this be necessary or appropriate.

At the conclusion of the business, the Chair thanked all those present for their attendance and contributions to the discussions of the Scrutiny Committee.

The meeting ended at 7.55 pm

CHAIR

AUDIT COMMITTEE

Thursday, 19th April, 2012 at 6.00pm
in Committee Room 3 at the Council House, Dudley

PRESENT:-

Councillor Taylor (Chairman)
Councillor Hill (Vice Chairman)
Councillors Ahmed, Burston, Miss Cowell, Ms Partridge, S Turner (from Minute No. 42) and Mrs Westwood.

Officers:-

Treasurer, Head of Audit Services, Principal Auditor, Audit Manager and Mrs K Taylor (all Directorate of Corporate Resources)

Also in attendance:-

Mr S Turner, Audit Manager (Audit Commission)

35. APOLOGY FOR ABSENCE

An Apology for absence from the meeting was submitted on behalf of Councillor Lowe.

36. APPOINTMENT OF SUBSTITUTE MEMBER

It was reported that Councillor S Turner had been appointed as a substitute member for Councillor Lowe for this meeting of the Committee only.

37. DECLARATIONS OF INTEREST

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

38. MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 9th February, 2012 be approved as a correct record and signed.

39. AUDIT COMMISSION AUDIT OPINION PLAN 2011/12

A report of the Treasurer was submitted on the External Auditor's Audit Opinion Plan for 2011/12. A copy of the plan was appended to the report submitted.

Mr S Turner representative from the Audit Commission was in attendance at the meeting and presented the report and appendices to the report submitted.

Arising from the presentation of the report, and Appendix submitted to the report, the Audit Manager and Treasurer responded to questions asked by the Committee.

RESOLVED

That the information contained in the report, and Appendices to the report, submitted, on the External Auditor's Audit Opinion Plan for 2011/12, be noted.

40. AUDIT COMMISSION ANNUAL REPORT ON CERTIFICATION OF CLAIMS AND RETURNS 2010/11

A report of the Treasurer was submitted on the Audit Commission's Annual Report on Certification of Claims and Returns for 2010/11. A copy of the annual report was appended to the report submitted.

Mr Turner, Audit Manager, presented the report and Appendices to the report submitted.

RESOLVED

That the information contained in the report, and the appendix to the report, submitted, on the Audit Commission's Annual Report on Certification of Claims and Returns for 2010/11, be noted.

41. AUDIT COMMISSION AUDIT COMMITTEE UPDATE

A report of the Treasurer was submitted on the report published by the Audit Commission to update Audit Committee members across local government, attached as Appendix A was a list of the questions that the Audit Commission believed Audit Committee members should consider and the management responses.

Mr Turner, Audit Manager, presented the report and Appendices to the report submitted and commented in particular that the purpose of the report was to report progress and highlight national and key issues.

Mr Turner further reported that there were no concerns, and that since the writing of the report it had been confirmed that, Grant Thornton, had been awarded the contracts for audits for the West Midlands, following the abolition of the Audit Commission, therefore from 1st November, 2012, for a period of five years, that company would be responsible for carrying out the external auditing of the Council.

RESOLVED

That the information contained in the report, and Appendices to the Report, submitted be noted.

42. AUDIT PLAN FOR THE PERIOD 2012/13

A report of the Treasurer was submitted on the work that the Audit Services Division planned to undertake during the period from 1st April, 2012 to 31st March, 2013, further details of which together with the Audit Charter and Audit Strategy were appended to the report submitted.

In responding to a question from a Member, the Head of Audit Services provided examples of ways in which income generating work could be developed via Schools and the Third Sector.

The Treasurer undertook to provide Councillor Ms Partridge with supplementary information in relation to the provision of audits to insurance services.

In responding to a question from a Member in relation to ensuring that all areas were being audited, the Head of Audit Services stated that the Audit Services Division consulted with Directors to seek any changes, and that they had access to a database system which includes details of all known systems, services, etc.

RESOLVED

- (1) That the information contained in the report, and in the Appendices to the report, submitted be noted and that the Audit Plan for the period 2012/2013, as set out in Appendix A together with the Audit Charter and Audit Strategy as set out in Appendices C and D to the report submitted be approved.
- (2) That the Treasurer be requested to provide Councillor Ms Partridge with the supplementary information requested in relation to insurance.

43.

REVIEW OF THE CODE OF CORPORATE GOVERNANCE

A report of the Treasurer was submitted on a short history of the Code of Corporate Governance in the Council and on the result of a review of the Code of Corporate Governance. A copy of the revised Code of Corporate Governance was appended to the report submitted.

Reference was made to the columns highlighted in the revised Code of Corporate Governance, and the Head of Audit Services confirmed that the third column represented the existing content of the Code in terms of how the Council meet the requirements and commitments of the core principles and the fourth column represented the proposed wording.

In responding to a question from a Member, the Head of Audit Services undertook to submit a separate action plan highlighting actions that had both been and not been taken by the Council, at a future meeting of the Committee.

In responding to a question from a Member, the Head of Audit Services reported that the feedback received from consultation groups had been proactive.

RESOLVED

- (1) That the information contained in the report, and Appendix to the report, submitted be noted.
- (2) That the revised Code of Corporate Governance, attached as Appendix A to the report submitted, be approved.
- (3) That the Director of Corporate Resources be authorised to take the necessary action to incorporate the revised Code into the Constitution.
- (4) That the Head of Audit Services be requested to submit a further report, highlighting actions that had both been and not been taken by the Council, at a future meeting of the Committee.

44.

EXCLUSION OF THE PUBLIC

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

<u>Item</u>	<u>Paragraph Numbers</u>
Report required under Standing Orders	2 and 7
Annual Fraud Report	2 and 7

45. REPORT REQUIRED UNDER STANDING ORDERS

A report of the Treasurer was submitted on cases arising under Standing Order 3.2 and 9.8 during the period July to December 2011 inclusive.

RESOLVED

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

46. ANNUAL FRAUD REPORT

A report of the Treasurer was submitted on the work that the Audit Services Division had undertaken and was planning to undertake on the issue of fraud, and on the work of the Benefit Fraud Team. The Audit Services Fraud Action Plan, a checklist for those responsible for governance to assess their organisation's approach to Fraud, details of special investigations, and a copy of the Anti-Fraud and Corruption Strategy were appended to the report submitted.

In presenting the report, the Head of Audit Services referred to the National Fraud Authority (NFA) and that it had become a more predominant factor in local government.

Reference was made by a Member in relation to a recent case involving data sharing. The Treasurer undertook to investigate the matter further, and update Members.

RESOLVED

- (1) That the information contained in the report, and Appendices to the report, submitted, be noted.
- (2) That the Anti Fraud and Corruption Strategy, be approved, and that the Director of Corporate Resources be authorised to take the necessary action to incorporate the revised Strategy into the Constitution.

47

COMMENTS OF THE CHAIRMAN

This being the last scheduled meeting of the Committee in the current municipal year, the Chairman thanked Members and Officers for their help and support throughout the municipal year.

The meeting ended at 7.25pm

CHAIRMAN

DEVELOPMENT CONTROL COMMITTEE

Monday 2nd April, 2012 at 6.00 pm
in Committee Room 2, The Council House, Dudley

PRESENT:-

Councillor C Wilson (Chairman)
Councillor Banks (Vice-Chairman)
Councillors Barlow, Ms Harris, J Jones, Mrs Roberts, Mrs Turner, S Turner

OFFICERS:-

Mr J Butler, Mr T Glews, Mrs H Martin, Mr D Owen, Mr P Reed, Mrs A Roberts
(all Directorate of the Urban Environment), Ms S Ahmed and Mrs M Johal
(Directorate of Corporate Resources)

73 CHAIRMANS REMARKS

The Chairman indicated that new regulations, the National Planning Policy Framework, came into force on 27th March, 2012.

The Planning Policy Manager indicated that the National Planning Policy Framework (NPPF) was a key part of reforms to make the planning system less complex and more accessible. Seminars and training on the new regulations and details on how to assess applications under these rules would be arranged following the Elections.

74 APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were submitted on behalf of Councillors Southall and Mrs Wilson.

75 APPOINTMENT OF SUBSTITUTE MEMBER

It was reported that Councillor S Turner had been appointed as a substitute member for Councillor Mrs Wilson for this meeting only.

76 DECLARATIONS OF INTEREST

Councillor C Wilson declared a personal and prejudicial interest in planning application number P11/1603 (Unit 17A Gainsborough Trading Estate, Rufford Road, Oldswinford) as he had worked for the applicant in the past.

Councillor Ms Harris declared a personal and prejudicial interest in planning application number P11/1603 (Unit 17A Gainsborough Trading Estate, Rufford Road, Oldswinford) in view of her being the Chair of the Climate Change Group and judge in the Energy Heroes Awards.

77 MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 12th March, 2012, be approved as a correct record and signed.

78 SITE VISIT

(Having previously declared a personal and prejudicial interest in this application, Councillor C Wilson, the Chairman, left the meeting whilst the application was being considered.)

Councillor Banks (Vice-Chairman – in the Chair)

Consideration was given to the following planning application in respect of which a site visit had been made on Thursday, 29th March, 2012, by Members of the Committee.

Plan No P11/1603 – Unit 17A Gainsborough Trading Estate, Rufford Road, Oldswinford, Stourbridge – New Pitched Roof with Additional Cladding
(Resubmission of Approved Planning Application P11/0375) (Retrospective)

The Chairman reminded Members that, to ensure that the application was not delayed, the Site Visit had taken place prior to the matter being considered by the Committee and that full discussion would therefore take place at this meeting.

The following persons spoke on the planning application:-

Councillor A Turner – objector and Mr Andrew Ward – an agent/applicant

Arising from information and details emanating from Mr Ward during his speaking on the application, Councillor Ms Harris, at this stage, declared a personal and prejudicial interest and withdrew from the meeting and rejoined the meeting following its consideration.

Decision: Approved, subject to the Director of the Urban Environment being authorised to consider the replacement of trees for screening purposes and to conditions, numbered 1 to 4 (inclusive), as set out in the report submitted.

Councillors C Wilson and Ms Harris then returned to the meeting

(Councillor C Wilson – in the Chair)

79

PLANS AND APPLICATIONS TO DEVELOP

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

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

Plan No P12/0074 – John Kendrick Ltd – an agent

Plan No P12/0083 – Councillor K Finch and Miss Rachel Berrington – objectors and Ms Sheila Porter – an agent

- (i) Plan No P12/0074 – Former WYKO Offices, 1 High Street, Dudley – Change of use of Redundant Office Space (B1) to 2 No Apartments (C3) and Associated Parking

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

- (ii) Plan No P12/0083 – 1 Limepit Lane, Dudley – Change of use from Dwelling (C3) to Care Home (C2)

Decision: That consideration of this application be deferred pending a site visit to be held prior to the next meeting of the Committee.

- (iii) Plan No P11/1587 – The Rock Station Public House, 2 Vauxhall Road, Stourbridge – Change of use from Public House (A4) to Hot Food Takeaway (A5) with Two Storey Side Extension. Following Demolition of Single Storey Building, Erection of Two Storey Side/Rear Extension to Incorporate a Coffee Shop/Sandwich Bar on Ground Floor and 6 No Self Contained Flats on First Floor (Resubmission of Previously Withdrawn Application P11/1077)

Decision: Approved, subject to conditions, numbered 1 to 11 (inclusive), as set out in the report submitted, together with an additional condition, numbered 12, as follows:-

12. The applicant entering into a Section 106 Agreement for the provision of nature conservation enhancements and air quality improvements.

- (iv) Plan No P12/0133 – Lister Road Depot, Lister Road, Dudley – Demolition of Existing Concrete Storage Bunkers and Erection of New Salt Barn and Green Waste Facility

Decision: Approved, subject to conditions, numbered 1 to 3 (inclusive), as set out in the report submitted.

- (v) Plan No P12/0144 – 93 New Rowley Road, Dudley – Following Demolition of Existing Dwelling, Erection of 2 No Dwellings and Associated Works (Resubmission of Refused Planning Application P11/0543)

Decision: Approved, subject to conditions, numbered 1 to 15 (inclusive), as set out in the report submitted.

- (vi) Plan No P12/0235 – Blowers Green Recycling Centre (Site B Office and Blowers Green Road, Dudley – Proposed Portakabin Office and Single Storey Extension to Existing Storage Bay

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

- (vii) Plan No P11/1428 – 50 and 51 Long Lane, Halesowen – Change of use of Ground Floor of No 50 Long Lane to Retail (A1) with New Shop Front. Erection of Abattoir (OSG) with Extraction System at Rear of Nos 50 and 51 Long Lane

Decision: Approved, subject to conditions, numbered 1 to 12 (inclusive), as set out in the report submitted, together with an additional condition, numbered 13, as follows:-

13. On commencement of the approved use at the rear of 50 and 51 Long Lane, the use of the buildings to the rear of 49 Long Lane as an abattoir shall cease and revert to storage use associated with the supermarket premises at 48-49 Long Lane.

The meeting ended at 7.15 pm.

CHAIRMAN

DEVELOPMENT CONTROL COMMITTEE

Tuesday 24th April, 2012 at 6.00 pm
in Committee Room 2, The Council House, Dudley

PRESENT:-

Councillor C Wilson (Chairman)
Councillor Banks (Vice-Chairman)
Councillors Barlow, Ms Harris, J Jones, Mrs Roberts, Southall, Mrs Turner and Mrs Wilson

OFFICERS:-

Mr J Butler, Mrs H Martin, Mr P Reed, Mrs A Roberts (all Directorate of the Urban Environment), Mrs G Breakwell and Mrs M Johal (Directorate of Corporate Resources)

80 DECLARATIONS OF INTEREST

No Member made a declaration of interest in respect of any matter to be considered at this meeting.

81 MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 2nd April, 2012, be approved as a correct record and signed.

82 SITE VISIT

Consideration was given to the following planning application in respect of which a site visit had been made on Thursday, 19th April, 2012, by Members of the Committee.

Plan No P12/0083 – 1 Limepit Lane, Dudley – Change of use from Dwelling (C3) to Care Home (C2)

Decision: Approved, subject to conditions, numbered 1 to 5 (inclusive), as set out in the report submitted, together with an additional condition, numbered 6, as follows:-

6. The use hereby permitted shall be carried out only by Mr E Watson for the period during which the premises are occupied for the permitted undertaking.

83

PLANS AND APPLICATIONS TO DEVELOP

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

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

Plan No P08/1544/E1 – Councillor Ali – an objector and Mr Kendal Matty – an agent/applicant

- (i) Plan No P08/1544/E1 – 3 Birmingham Street, Dudley – Extension of Time of Previously Approved Application P08/1544 (Conversion of Existing Offices into 8 No Apartments and Erection of 3 No Townhouses)

Decision: Approved, subject to the conditions attached to the previous scheme being replicated and to conditions numbered 1 to 15 and 18, as set out in the report submitted, together with amended conditions, numbered 16 and 17, as follows:-

16. Where the approved risk assessment (required by condition 15) identifies contamination posing unacceptable risks, no development shall begin until a detailed scheme to protect the development from the effects of such contamination has been submitted to and approved by the Local Planning Authority.
17. Unless otherwise agreed in writing with the Local Planning Authority, the approved scheme (required by condition 16) shall be implemented and a verification report submitted to and approved by the Local Planning Authority, before the development (or relevant phase of the development) is first occupied/brought into use.

- (ii) Plan No P07/2020/E2 – 112 High Street, Amblecote, Stourbridge – Extension of Time of Previously Approved Application for Erection of 1 No Block of 24 One and Two Bedroom Apartments

Decision: That consideration of this application be deferred pending the outcome of the appeal to be heard in May 2012 in relation to Application Number P07/2020/E1.

- (iii) Plan No P11/0106 – Sunrise Business Park, High Street, Wollaston, Stourbridge – Outline Application for Development of up to 150 Dwellings (Access to be Considered with all Other Matters Reserved)

Decision: Approved, subject to the following:-

- 1 The signing of a legal agreement to guarantee the provision of
 - (i) a scheme for the offsite provision and future maintenance of public open space and children's play facilities to be submitted to and approved by the Local Planning Authority in accordance with the requirements of the Open Space and Planning Obligations Supplementary Planning Documents
 - (ii) a contribution of £700 towards the provision of 2 no bus stops in the vicinity of the site
 - (iii) a Travel Plan that includes the provision of a £200 cycle voucher per dwelling, and
 - (iv) A management and monitoring fee.
- 2 The completion of the Agreement by 24th July 2012 and, in the event of this not happening, the application being refused, if appropriate.
- 3 Conditions, numbered 1 to 15, and 17 to 35, as set out in the report submitted together with a reworded condition numbered 16, as follows:-
 16. No works of construction, levels changes, re-grading or other site clearance or infrastructure works involving ground disturbance shall begin until the developer has secured the implementation of a programme of archaeological investigation and recording work including appropriate provision for subsequent analysis, reporting and archiving in accordance with a Written Scheme of Investigation (WSI) which has first been submitted to and approved in writing by the Local Planning Authority. The

WSI shall include details of any physical archaeological evaluation works to areas identified as having the potential for archaeological significance and at the appropriate stage details of proposals for the preservation in situ of archaeological remains identified by evaluation as being of significance or with the written agreement of the Local Planning Authority only appropriate provision for further archaeological investigation and recording required in mitigation of damage to or loss of such archaeological remains. Following approval of the WSI all such works will be carried out in accordance with the agreed details.

and that the Director of the Urban Environment be authorised to amend the foregoing conditions as necessary.

- (iv) Plan No P12/0080 – Land at Tansey Green Road and Oak Lane, Pensnett, Dudley – Approval of Reserved Matters for Erection of 334 Dwellings with Associated Parking and Access (Following Outline Approval P09/1014)
-

Decision: That the Director of the Urban Environment be authorised to approve the application subject to the satisfactory conclusion of the viability assessment and the provision of affordable housing, and to the following:-

- 1 The applicant signing a Deed of Variation to the existing Section 106 Agreement
- 2 The materials condition, numbered 6 being removed as external material plans for both Site 1 and Site 2 respectively, have been received setting out the facing bricks and roof tiles to be used on each individual plot and to conditions, numbered 1 to 5, 7 to 9, as set out in the report submitted, together with additional conditions, numbered 10 to 12, as follows:-
 10. The drainage scheme approved as part of the outline application (P09/1014), incorporating sustainable drainage principles, shall be implemented in accordance with the approved details before the development is occupied.
 11. The traffic roundabout at the site access junction with Stallings Lane shall be completed as per the agreed details prior to the development being occupied.

12. Details of the access roads and parking areas including cross-sections, lines, widths, levels, gradients, drainage and lighting shall be submitted to and agreed in writing prior to the commencement of development and the agreed details implemented and retained for the life of the development.
-

84 PLANNING SERVICES FEES 2012/13

A report of the Director of the Urban Environment was submitted on proposals to amend the Council's Building Regulation Fee Scale from 1st June 2012 in accordance with the Building (Local Authority Charges) Regulations 2010, for no increase to non statutory Planning Service Fees and the continued use of the Consumer Price index for planning obligations in accordance with Council Policy. Appendices C and D to the report submitted had been appended to the Pre-Committee Notes.

RESOLVED

- (1) That the new scheme of Building Regulation Fee Charges, as outlined in Appendix B to the report submitted, be approved.
- (2) That approval be given to the proposal that there be no increase in Planning Service Fee Charges, as outlined in Appendix C to the report submitted.
- (3) That the use of the Consumer Price Index in Planning Obligations costings, as outlined in Appendix D to the report submitted, and in accordance with the adopted SPD "Planning Obligations", be noted.

The meeting ended at 7.40 pm.

CHAIRMAN

DEVELOPMENT CONTROL COMMITTEE

Tuesday 8th May, 2012 at 6.00 pm
in Committee Room 2, The Council House, Dudley

PRESENT:-

Councillor C Wilson (Chairman)
Councillors Ms Harris, J Jones, Mrs Roberts, Mrs Turner and Mrs Wilson

OFFICERS:-

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

85 DECLARATIONS OF INTEREST

No Member made a declaration of interest in respect of any matter to be considered at this meeting.

86 MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 24th April, 2012, be approved as a correct record and signed.

87 PLANS AND APPLICATIONS TO DEVELOP

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

The following person referred to had indicated that he wished to speak at the meeting and spoke on the planning application indicated:-

Plan No P12/0249 – Mr Nigel Joyce – an objector

- (i) Plan No P12/0249 – Former Westhill Clinic, Hagley Road, Stourbridge – Following Demolition of Former Westhill Clinic Erection of 1 No Dwelling and 7 No Flats, New Head Office and Ancillary Store

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

- (ii) Plan No P11/0857 – Land Between Baron Business Centre and 81 Cemetery Road, Lye, Stourbridge – Erection of 2 No Blocks to Create 6 No Apartments with Associated Parking (Resubmission of Withdrawn Application P11/0186)

Decision: Approved, subject to conditions, numbered 1 to 11 (inclusive), as set out in the report submitted.

- (iii) Plan No P12/0022 – Crown Inn Public House, 73 Highgate Road, Dudley – Conversion of Public House into 4 No Apartments and Erection of 3 No Dwellings with New Access to Highway (Resubmission of Withdrawn Planning Application P11/1172)

Decision: Approved, subject to the following:-

- 1 That the applicant be invited to apply to the Secretary of State for the stopping up of highway under Section 247 of the Town and Country Planning Act 1990 to allow development authorised by planning permission to take place.
- 2 Conditions, numbered 1 to 9 (inclusive), as set out in the report submitted.

- (iv) Plan No P12/0392 – 142 Bromley Lane, Kingswinford – Erection of 2 No Dwellings

Decision: Approved, subject to the following:-

- 1 That the applicant be invited to make an application to the Secretary of State under Section 247 of the Town and Country Planning Act 1990 to close highways as shown on the drawing attached to the report submitted to enable development authorised by planning permission to take place. The full costs and works to the Local Authorities satisfaction shall be met by the developer.
- 2 Conditions, numbered 1 to 8 (inclusive), as set out in the report submitted, together with additional conditions, numbered 9 and 10, as follows:-

9. Development shall not begin until details have been submitted to and approved in writing by the Local Planning Authority showing the creation of and improvements to the highway along the whole of the site frontage to Bromley Lane in order to create a two metre wide pedestrian footway. The footway shall be implemented prior to the occupation of the dwellings hereby approved and retained for the lifetime of the development.
 10. Notwithstanding the submitted drawings, no landscaping shall take place in the highway margin adjoining the development and Randall Close.
- (v) Plan No P12/0435 – 26 Priory Street, Dudley – Change of use to A2 (Financial and Professional Services). Elevational Changes to Include Repairs to Brickwork and Roof and New Windows and Doors. Replace Boundary Wall with New Gate Opening to Provide Separate Access to Holloway Chambers

Decision: That, upon expiry of the consultation period on 9th May, 2012 and subject to no adverse representations being received, the Director of the Urban Environment be authorised to approve the application subject to conditions, numbered 1 and 3 to 6 (inclusive), as set out in the report submitted, together with an amended condition, numbered 2, as follows:-

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 9399/EH/PRO/001 revB, - revision dated 30.04.1, 002, 003 – revision dated 26.04.1, 004 – revision dated 26.04.12 and 005 – revision dated 26.04.12.

The meeting ended at 6.35 pm.

CHAIRMAN

DEVELOPMENT CONTROL COMMITTEE

Monday 28th May, 2012 at 6.00 pm
in Committee Room 2, The Council House, Dudley

PRESENT:-

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

OFFICERS:-

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

1 DECLARATIONS OF INTEREST

No Member made a declaration of interest in respect of any matter to be considered at this meeting.

2 MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 8th May, 2012, be approved as a correct record and signed.

3 APPOINTMENT OF DEVELOPMENT CONTROL (SITE VISITING) WORKING PARTY

The Committee considered the reappointment and membership of the Development Control (Site Visiting) Working Party for the 2012/13 Municipal Year.

RESOLVED

That the Development Control (Site Visiting) Working Party be appointed for the 2012/13 municipal year to undertake visits to sites where the Committee has resolved that there should be a site visit and make recommendations to the Committee and that the Working Party comprise all members of the Committee.

PLANS AND APPLICATIONS TO DEVELOP

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

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

Plan No P11/1336 – Ms Carla Lavender-Ward – an objector and Mr G Wilson – Agent/Applicant

Plan No P12/0399 – Councillor Miller and Mrs Shirley Godwin – objectors and Mr Andy Morris – Agent/Applicant

- (i) Plan No P11/1336 – Land at Birmingham New Road and Sedgley Road West, Coseley/Tipton – Demolition of all Buildings (Excluding Building of Local Interest in Sedgley Road West). Mixed Use Redevelopment to Form Coseley Eco Park Comprising Employment (B1, B2, B8), Residential (C3), Retail (A1), Community Hall (D1), Football Pitch (D2), Car Showroom, Trade Wholesale, Household Waste Recycling Facility (OSG) with Associated Access, Roads and Car Parking

Decision: Approved, subject to the following:-

- 1 The applicant entering into a Section 106 Agreement for a contributions education (to be calculated at the relevant reserved matters stage), public open space and recreation (to be calculated at reserved matters stage and if land is to be passed to Dudley Metropolitan Borough Council instead of a management company) and a management and the provision of up to 25 percent affordable housing units (exact number, location, type and tenure to be calculated/agreed at the relevant reserved matters stage) the delivery and management of the sports field and community building, traffic regulation and gap order and the delivery and management of the onsite public open space together with a monitoring charge.
- 2 The completion of the Agreement by 30th September, 2012 and, in the event of this not happening, the application being refused, if appropriate.

3 Conditions, numbered A1 to C9, C11 to D2, D4 to D14 to E3, and F2 to J3 (inclusive), as set out in the report submitted, together with the deletion of condition, numbered C10, amended conditions, numbered D3, D15, D16 and F1 and additional conditions, numbered J4 to J7, as follows:-

D3 Works shall not begin on the residential development on the southern part of the site shown on the master plan for the site until a scheme for protecting residents in the proposed dwellings from noise from road traffic on the new spine road and Sedgley Road West has been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be completed in full before the first occupation of any of the permitted dwellings, unless otherwise agreed in writing by the Local Planning Authority. The protection measures in the agreed scheme shall be maintained throughout the life of the development.

D15 No deliveries or despatches shall be made to or from and no delivery or despatch vehicles shall enter or leave the food store, trade counter or trade retail warehouse units (whether laden or unladen), before the hours of 0700 or after 2300 Monday to Sunday.

D16 There shall be no externally located fixed plant on the southern industrial area bounding the proposed southern housing area and the existing dwellings to Sedgley Road West.

F1 The retail floor space of the foodstore hereby approved shall be limited to no more than 3,720m² gross external floor space. No more than 2,604m² of the floor space of the building shall be used for retail sales, and no more than 25 percent of that floor space shall be used for the sale of comparison goods.

J4 Any works involving Buildings 16, 27, 22, 25, 29 or 32 (as shown in Middlemarch Environmental Drawing C112042-05) will require both a protected species licence from Natural England and a bat mitigation plan before any works can commence. The bat mitigation plan and licence conditions must be submitted to and approved in writing by the Council before any works commence on these buildings. All works must be carried out in accordance to the approved plan and licence.

- J5 Detailed working protocols, based on good practice such as the Pollution Prevention Guidelines PPG1 (general) by the Environment Agency, should be prepared and adhered to during all works. These should ensure no negative impacts could occur, such as contamination, light pollution or disturbance affects the adjacent wildlife site and/or protected species. The location of the temporary compound should be identified on the plan for plant and material storage during construction. These protocols must be submitted and approved in writing by the Council before any works commence. All works must be carried out in accordance to the approved protocols.
- J6 A detailed Ecological Delivery Plan (including establishment and ongoing maintenance programme), taking into account appropriate compensation, mitigation and enhancements for nature conservation should be submitted and approved by the Local Planning Authority prior to the commencement of development. The Plan should encompass the recommendations of the Environmental Statement including:
- Constructing a linear wildlife corridor which functionally links the Canal with the Wrens Nest complex (ES Chapter 10)
 - Creation of wildflower grasslands in amenity areas (ES Appendix 10.4)
 - Wider landscaping using native/wildlife attracting species (ES Appendix 10.4)
 - Use of landscaping techniques and other recommendations to provide compensatory Black redstart brownfield habitats (The Ecology Consultancy (2011) Black redstart Survey report)
 - Artificial bat roost provision including in the improvements to the tunnel (Middlemarch, 2011 and 2012)
 - Retention of swamp and protection during construction due to habitat value and possible water vole presence (Middlemarch, 2011)
 - Development and implementation of a Habitats Management Plan (ES Appendix 10.4)
 - Sensitive outside lighting to avoid impacts on bat roosting, foraging and commuting (ES Appendix 10.4, Middlemarch, 2012) These should be augmented by:
 - Providing suitable gateway habitat in the south-west corner, adjacent to the Birmingham New Road area, to facilitate the functioning of the wildlife corridor
 - Ensuring the swales which function as SUDS are designed as wildlife habitat

- Delivering native wildflower grassland and native tree planting in public open spaces and especially the central east-west roadside greenspace.
- Methodology for the protection of nesting birds
- Methodology for the avoidance of demolition/construction dust harming vegetation
- Methodology for the avoidance of water pollution (especially to swamp and canal habitats). The volume and quality of these should relate to the requirements of the Planning Obligations SPD.

All works must be carried out in accordance to the approved plans and programmes and shall be retained as such thereafter.

- J7 If protected species are found during any stage of the development all works must stop immediately and Natural England, the project's ecologist and the Council's Nature Conservation Officer must be contacted immediately. Works should not re-commence until relevant licences have been obtained and written permission is granted by Natural England and the Council.

and that the Director of the Urban Environment be authorised to amend the foregoing conditions as necessary.

- 4 The applicant is invited to enter into a Section 278 Agreement of the Highways Act with the Authority to enable the implementation of the highway works.
- (ii) Plan No P12/0399 – Ketley Quarry, Dudley Road, Kingswinford – Variation of Condition 6(B) of Planning Application 97/50322 to be Revised to 'On the Dudley Road, Loaded Vehicles Shall not Enter the Site or Leave the Site Before 07.30. Unloaded Vehicles Shall not Enter or Leave the Site Before 07.30. On the Ketley Road, Loaded Vehicles Shall not Enter the Site or Leave the Site Before 08.00. Unloaded Vehicles Shall not Enter or Leave the Site Before 07.30.'

Decision: That the application be approved.

At this juncture, Mr T Glews, Directorate of the Urban Environment left the meeting whilst the following application was being considered as he lived on Barnett Lane and rejoined the meeting following its consideration.

- (iii) Plan No P12/0330 – 169 Barnett Lane, Kingswinford – First Floor Front Extension and Alterations to Existing Roof to Include Removal of Existing Chimneys. Single Storey Side/Rear Extension (Following Demolition of Existing Utility/WC). Loft Conversion to Create Habitable Room with Rear Dormers, New Front Porch and Detached Garage

Decision: Approved, subject to conditions, numbered 1 to 4 (inclusive), as set out in the report submitted.

- (iv) Plan No P12/0379 – 58 Kenelm Road, Coseley – Change of use from Dwelling (C3) to Care Home (C2)
-

Decision: Approved, subject to conditions, numbered 1 and 2, as set out in the report submitted, together with additional conditions, numbered 3 and 4, as follows:-

3. The vehicular crossing to the parking area shall be provided prior to the development being brought into use in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority.
4. The parking area shown on the approved plans shall be retained for no other purpose for the life of the development.

The meeting ended at 7.25 pm.

CHAIR

DEVELOPMENT CONTROL COMMITTEE

Monday 18th June, 2012 at 6.00 pm
in Committee Room 2, The Council House, Dudley

PRESENT:-

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

OFFICERS:-

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

5 APOLOGY FOR ABSENCE

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

6 APPOINTMENT OF SUBSTITUTE MEMBER

It was reported that Councillor Mrs Ameson had been appointed as a substitute
member for Councillor Wright for this meeting only.

7 DECLARATIONS OF INTEREST

No Member made a declaration of interest in respect of any matter to be
considered at this meeting.

8 MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 28th May,
2012, be approved as a correct record and signed.

PLANS AND APPLICATIONS TO DEVELOP

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

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

Plan No P12/0218 – Councillor J Martin – a supporter (not in attendance)

Plan No P12/0496 – Miss Donna Marandola – an agent/applicant

- (i) Plan No P12/0218 – Former Petrol Filling Station, 5 High Oak, Pensnett – Demolition of Vacant Petrol Filling Station and Erection of New Health Centre with Associated Parking

Decision: Approved, subject to conditions, numbered 1 to 15, as set out in the report submitted.

- (ii) Plan No P12/0496 – 22 Gibbons Hill Road, Sedgley, Dudley – Fell 2 Lime Trees

The Committee noted the photographic evidence submitted by the applicant showing the damage that had been caused by the trees and considered the comments made by the applicant as she highlighted the extent of the damage caused to the paintwork of her car by bird mess, falling debris and the arising health and safety issues due to slippage, damage to the drains and wall, light obstruction and friction with neighbours, as damage had also been caused to their cars and drive.

Arising from the representations made Members commented that the trees were very large in size and seemed to be higher than the measurements given and concerns were also expressed about the extent of the damage that had been caused by the trees and perpetual bird mess. Given the extent of the damage it was not considered that the daily washing of affected vehicles and other maintenance was reasonable maintenance and a Member was of the view that the amenity value of the lime trees was lower than stated in the report and that their associated loss would not prove so detrimental to the amenity of the area.

Decision: That, approval be given to the felling of the 2 Lime Trees subject to the following conditions:-

1. The tree works subject of this consent shall be carried out in accordance with British Standard BS 3998:2010 'Recommendations for Treework'.
2. Two replacement trees shall be planted between the beginning of November and the end of March, within one year of felling (and replanted if necessary) and maintained until satisfactorily established. The size, species and location of the replacement trees shall be agreed in writing with the Local Planning authority prior to the felling of the 2 Lime Trees to which this application relates.

(iii) Plan No P12/0331 – 23 Summercourt Square, Kingswinford – Fell 1 Lime Tree, Prune 2 Sycamore Trees, 1 Copper Beech Tree and 1 Oak Tree

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

(iv) Plan No P12/0586 – Electromech, Banners Lane, Halesowen – Telecommunications Joint Operator 17.6m High Monopole Telecommunications Tower Incorporating 6 No Antenna, Head Frame and Transmission Dish, Street Furniture to Include New Equipment and Meter Cabinets and Associated Ancillary Development

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

(v) Plan No P12/0630 – 10 Ashen Close, Sedgley, Dudley – Fell 1 Oak Tree and Group Consisting of Hawthorn, Ash and Field Maple Trees

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

(vi) Plan No P12/0231 – Shop 90A, Watsons Green Road, Dudley – Following Demolition of Existing Refrigeration Building Change of Use of Cake Shop (A1) to 2 No Flats (C3) with Associated Parking with Elevational Changes to Include New Windows and Doors

Decision: That consideration of this application be deferred pending a site visit to be held prior to the next meeting of the Committee.

(vii) Plan No P12/0258 – Land Adjacent 1, Mons Hill, Dudley – Erection of 1 No Dwelling (Part Retrospective)

Decision: Approved, subject to conditions, numbered 1 to 8 (inclusive), as set out in the report submitted, together with an additional condition, numbered 9, as follows:-

9. Notwithstanding the details shown on the approved plans, the dwelling shall not be first occupied until plans showing the

provision of three external off road parking spaces has been submitted to and approved in writing by the Local Planning Authority. The parking shall thereafter be provided in accordance with approved plans prior to the first occupation of the dwelling. The parking shall thereafter be retained for the life of the development.

- (viii) Plan No P12/0406 – Land Between 42 and 44 Cobden Street, Wollaston, Stourbridge – Erection of 1 No Dwelling

Decision: That consideration of this application be deferred pending a site visit to be held prior to the next meeting of the Committee.

- (ix) Plan No P12/0413 – 25 Leafield Gardens, Halesowen – Two Storey Side and Single Storey Rear Extensions. New Front Canopy Roof. (Resubmission of Withdrawn Application P12/0036)

Decision: That consideration of this application be deferred pending a site visit to be held prior to the next meeting of the Committee.

10 REVOCAION OF TREE PRESERVATION ORDERS

A report of the Director of the Urban Environment was submitted on whether the Tree Preservation Orders, as indicated in Appendix 1 of the report submitted, should be revoked due to a change in circumstances since they were originally made.

RESOLVED

That approval be given to the revocation of the Tree Preservation Orders indicated in Appendix 1 of the report submitted, namely: The Borough of Dudley (Land at Beacon Passage, Sedgley (D489) Tree Preservation Order 1996 and The Borough of Dudley (Wordsley Hospital, Wordsley) (D458) Tree Preservation Order 1996.

11 DEVELOPMENT CONTROL PERFORMANCE 2011-2012

A report of the Director of the Urban Environment was submitted on the performance of the Development Control Service for the period April 2011 to March 2012.

RESOLVED

That the information contained in the report submitted, be noted.

12

**PLANNING ENFORCEMENT AND TREE PRESERVATION SERVICE
PERFORMANCE 2011-2012**

A report of the Director of the Urban Environment was submitted on the performance of the Development Control Service with regard to enforcement and matters relating to protected trees over the period April 2011 to March 2012.

Arising from the presentation of the report the Chair requested that future reports include data for previous years to enable comparisons to be made.

RESOLVED

That the information contained in the report submitted, be noted.

The meeting ended at 8.00 pm.

CHAIR

DISCIPLINARY/DISMISSAL/GRADING APPEALS COMMITTEE

Wednesday 30th May, 2012, at 10.00 a.m.
in Committee Room 3

PRESENT

Councillor J Martin (Chair)

Councillor Hale (Vice-Chair)

Councillors Marrey, Ms Nicholls, Mrs Rogers and J Woodall, together with Ms K Jesson - Head of Human Resources, Miss E Kerrigan – Solicitor for the Council, Mrs J Hartley – Senior Solicitor and Miss K Fellows (all Directorate of Corporate Resources)

ALSO IN ATTENDANCE

Assistant Director of Housing

Mr C H (Appellant)

Mr M Orpe (UCATT)

Mrs T Reilly – Assistant Director Corporate Resources (Human Resources and Organisational Development)

1. APOLOGY FOR ABSENCE

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

2. DECLARATIONS OF INTEREST

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

3. MINUTES

That the Minutes of the meeting of the Committee held on 30th January, 2012, be approved as a correct record and signed.

4. EXCLUSION OF THE PUBLIC

RESOLVED

That the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part I of Schedule 12A to the Local Government Act, 1972, as indicated below, and in all circumstances the public interest in disclosing the information is outweighed by the public interest in maintaining the exception from disclosure:-

<u>Description of Item</u>	<u>Relevant Paragraph of Part I of Schedule 12A</u>
Appeal by Mr C H	1

5. APPEAL BY MR CH

The Committee considered an appeal on behalf of a Mr C H against his dismissal from the employment of the Council. The Council's procedure was followed.

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

Mr CH was in attendance at the meeting together with Mr M Orpe (UCATT Representative), who presented the case on behalf of Mr CH.

The Council's representative, Mrs J Hartley, then presented the Council's case in the presence of the Appellant and called Ms D Channings, Assistant Director of Housing, Directorate of Adult, Community and Housing Services as a witness.

Ms Channings responded to questions asked by the Council's representative, the Appellant's Representative and Members of the Committee and the HR and Legal Adviser.

During questioning on the Council's case by the representative of Mr CH and the Committee, an adjournment was requested.

Arising from the detailed consideration given to the written and oral evidence presented in particular the medical opinion of Dr Poole and a proposal that Mr CH be re-deployed with his previous position remaining open for a maximum period of twelve months, and subject to a satisfactory Occupational Health Assessment as to capability, the Council would seek to assist Mr CH back into his previous role, it was: -

RESOLVED

- (1) That Mr CH be re-deployed, with his previous position remaining open for a maximum period of twelve months, and that subject to a satisfactory Occupational Health Assessment as to capability, the Council would seek to assist Mr CH back into his previous role.
- (2) That the first Occupational Health Assessment be conducted after a period of three months.

The meeting ended at 12.15pm

CHAIR

SPECIAL MEETING OF LICENSING AND SAFETY COMMITTEE

Thursday, 12th April, 2012 at 5.00 pm
in Committee Room 3, The Council House, Dudley

PRESENT:-

Councillor Ryder (Chairman)
Councillors Mrs. Ameson, Mrs. Aston, K Finch, Mottram, Mrs. Roberts,
Taylor and Woodall.

Officers:-

Licensing Officer and Mr. J. Jablonski (both Directorate of Corporate Resources) and the Food and Occupational Safety Manager (Directorate of the Urban Environment).

23 COUNCILLOR ANGUS ADAMS

The Chairman referred to the recent death of Councillor Angus Adams and all present stood in silent tribute to his memory.

24 APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were submitted on behalf of Councillors Barlow, Mrs. Dunn and A. Finch.

25 DECLARATIONS OF INTEREST

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

26 MINUTES

RESOLVED

That the minutes of the Meeting of the Committee held on 22nd February, 2012, be approved as a correct record and signed.

CHANGES TO THE LICENSING ACT, 2003

A report of the Director of Corporate Resources was submitted on the effect of the Live Music Act, 2012 and the Police Reform and Social Responsibility Act, 2011 on the Licensing Act, 2003.

In relation to the Live Music Act, 2012, the Licensing Officer reported that the expectation was that the Act would come into effect on 1st October, 2012.

One of the particular provisions of the Act was that it would remove the licensing requirements for amplified live music between 8.00 a.m. and 11.00 p.m. before audiences of no more than 200 people in respect of premises authorised to sell alcohol for consumption on the premises and in workplaces not otherwise licensed under the 2003 Act (or licensed only for the provision of late night refreshment); and unamplified live music between 8.00 a.m. and 11.00 p.m. in all venues. The implication of this, it was considered, was that there would be an increase in noise nuisance complaints received by the Council.

It was further noted that where premises continued to operate licensable activities (such as the sale of alcohol) any conditions relating to the activity set out in the foregoing paragraph would be suspended unless they had been added following a licence review. It would also be possible to reinstate or impose conditions about live music following a review of a premises licence or club premises certificate relating to premises authorised to supply alcohol for consumption on the premises.

As the Government intended to consult on the implementation of the Act, before issuing guidance, under Section 182 of the Licensing Act, 2003, a further report on this matter would be submitted to a future meeting of the Committee.

It was also noted that the consultation responses to the wider de-regulation and reforms of entertainment licensing were still under consideration.

Regarding the Police Reform and Social Responsibility Act, 2011, the Licensing Officer reported that, subject to certain exceptions, a number of alcohol licensing reforms to the Licensing Act, 2003 were now expected to come into effect on 25th April, 2012.

Of the significant measures intended for introduction, as set out in paragraph 9 of the report submitted, it was noted that a Licensing Authority would become a Responsible Authority in its own right. The Home Office would be writing to all Local Authorities in greater detail about these changes shortly but it was considered that the provision relating to becoming a Responsibility Authority could be dealt with by an officer becoming the responsible person for this function.

One of the effects of the significant measures to be introduced would be the need for closer co-operation between various directorates and other agencies in the borough and steps were already being taken in this regard.

RESOLVED

That the information contained in the report, and as reported at the meeting, on the changes to the Licensing Act, 2003, as set out in the report submitted, arising from the introduction of provisions of the Live Music Act, 2012 and the Police Reform and Social Responsibility Act, 2011, be noted and that, when the further guidance and details referred to was available, a further report be submitted to a future meeting of the Committee.

The meeting ended at 5.30 p.m.

CHAIRMAN

LICENSING AND SAFETY COMMITTEE

Thursday, 24th May, 2012 at 6 pm
in Committee Room 2, The Council House, Dudley

PRESENT: -

Councillor Bills (Chair)

Councillor Cowell (Vice Chair)

Councillors A. Ahmed, Mrs Ameson, M. Aston, Blood, A. Finch, K.Finch, James, Roberts, Taylor and J Woodall.

Officers: -

Principal Solicitor, Licensing Officer and Mr J Jablonski (all Directorate of Corporate Resources) and the Food and Occupational Safety Manager (Directorate of the Urban Environment)

1. DECLARATIONS OF INTEREST

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

2 MINUTES

RESOLVED

That the minutes of the Special Meeting of the Committee held on 12th April, 2012, be approved as a correct record and signed.

3. APPOINTMENT OF SUB COMMITTEES

A report of the Director of Corporate Resources was submitted on the appointment of four Licensing Sub-Committees for the municipal year 2012/13.

Details of the proposed membership of Licensing Sub-Committees for 2012/13 were circulated at the meeting.

It was noted that training, to which all Members of the Committee were invited, would be held at the end of this meeting.

RESOLVED

- (1) That four Licensing Sub-Committees, numbered 1 to 4, be established to deal with all licensing functions requiring member determination in accordance with the functions allocated to the Licensing and Safety Committee as set out in the Council's Constitution.
- (2) That the membership of the Sub-Committees for 2012/13, as set out in the details circulated at the meeting, be as follows;-

Sub-Committee 1 –
Councillors Bills *, Blood and Woodall

Sub-Committee 2 –
Councillors Cowell *, Mrs Ameson and A.Finch

Sub-Committee 3 –
Councillors K.Finch *, M.Aston and James

Sub-Committee 4 –
Councillors Roberts *, A Ahmed and Taylor

with those members whose name appears with an asterisk acting as the Chair of the respective Sub-Committee.

- (3) That the substitution arrangements set out in the Council's Procedure rules be noted and be applied to 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; and
 - (c) notified to the Director of Corporate Resources prior to the commencement of the meeting in question and that Democratic Services be responsible for arranging substitutes for Sub-Committees.

4. HEALTH AND SAFETY ENFORCEMENT SERVICE PLAN 2012-13

A report of the Director of Urban Environment was submitted on the Health and
LSC/2

Safety Service plan 2012-13, including a review of achievements of the service in 2011-12.

The Food and Occupational Safety Manager in her presentation of the report, highlighted various aspects contained within the report, in particular the key achievements of the health and safety enforcement service in 2011-12 and the key delivery priorities in the Service Plan for 2012-13.

Following questions on the content of the report it was

RESOLVED

That the information contained in the report submitted, on the Health and Safety Service Plan, 2012-13, be endorsed and that the achievements of the service in 2011-12 be noted .

The meeting ended at 6.25 pm.

CHAIR

LICENSING SUB-COMMITTEE 1

Wednesday 6th June, 2012 at 10.05am
in The Council Chamber, The Council House, Dudley

PRESENT:-

Councillor Bills (Chair)
Councillors Taylor and Woodall

Officers

Miss N Bangar (Legal Advisor), Mrs J Elliott (Licensing Officer) and Mrs K Taylor (Directorate of Corporate Resources).

1. APOLOGY FOR ABSENCE

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

2. APPOINTMENT OF SUBSTITUTE MEMBER

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

3. DECLARATIONS OF INTEREST

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

4. MINUTES

RESOLVED

That the minutes of the meeting held on 27th March, 2012, be approved as a correct record and signed.

5. APPLICATION FOR REVIEW OF A PREMISES LICENCE – JAS LIQUOR STORE, 25 MALVERN AVENUE, LYE, STOURBRIDGE

A report of the Director of Corporate Resources was submitted on an application for the review of the premises licence in respect of Jas Liquor Store, 25 Malvern Avenue, Lye, Stourbridge.

Mr J Singh, Premises Licence Holder was in attendance together with his representative a Mr A Singh.

Also in attendance were Mr C King, Principal Trading Standards Officer and Ms L Ingram, Enforcement Officer, both from the Directorate of the Urban Environment.

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

Mr King then presented the representations of Trading Standards and in doing so highlighted that the grounds for the review had been based on the undermining of the two licensing objectives, namely, the prevention of crime and disorder and the protection of children from harm.

Mr King informed the Sub-Committee that on 16th March, 2012, a sixteen year old child test purchaser had been sold alcohol from the premises contrary to section 146(1) of the Licensing Act 2003.

On 11th August, 2011, an officer from Trading Standards carried out a visit to the premises and spoke to Mr Singh. The purpose of the visit was to provide advice in relation to preventing underage sales of age restricted products, information in respect of acceptable proof of age and how to check it and the benefits of keeping a refusals register. Mr Singh was provided with an information pack that included an advice booklet, a Challenge 25 poster, a refusals register, a poster about proof of age and a sample Proof of Age Standards Scheme card. He was also informed that test purchasing was carried out at premises that sell age restricted products and the possible consequences for underage sales. It was reported that during the course of this visit, Mr Singh signed a form to confirm that he understood the age restrictions for products including alcohol and to acknowledge receipt of the information pack.

Mr King further stated that on 16th March, 2012, following a request by West Midlands Police, Trading Standards carried out a test purchasing exercise to determine compliance with the law on the sale of alcohol to children. During the visit, it was noted that there was a number of youths standing outside the premises, some of which were smoking. On that occasion, a sixteen year old male test purchase volunteer purchased a 1 litre bottle of Frosty Jack's Cider with 7.5% alcohol by volume. The seller made no attempt to ask the age of the volunteer, and did not ask for identification. Following the sale, officers visited the premises and discovered that the individual who sold the alcohol to the test purchaser had been a Mr A Thind. When questioned Mr Thind initially stated that he was the nephew of Mr Singh, however Mr Singh stated that he was not related to Mr Thind, and that he was a friend of Mr Singh's nephew.

During the questioning of Mr Thind in particular of his address, it later became clear that the address Mr Thind had stated had been a temporary address and that he resided in Middlesex. It was noted that Mr Thind was studying at the Lyceum Academy in Edgeware and had obtained a student visa.

Mr Thind initially denied the sale of alcohol and attempts were made to view the sale via the store CCTV, however the system was not working. Mr Thind later admitted to the sale of alcohol, and stated that he was helping Mr Singh in the premises, although he had no experience of working in a shop and had not been given any training. Mr Thind was issued with a Fixed Penalty Notice.

During the questioning of Mr Singh in relation to the underage sale, he stated that he had always asked for age or identification, and that Mr Thind was not an employee but that he was just 'helping out' and that he was in the area for a religious festival. Mr Singh confirmed that no training on the law relating to under age sales had been given to Mr Thind.

It was noted that Mr Singh was able to produce a refusals register, however there had been only two entries recorded for February 2012.

It was further noted that there had been two previous test purchase exercises conducted at the premises in August and December, 2011, which resulted in no sales being made.

A full list of proposed additional conditions had been circulated to all parties prior to the meeting.

In responding to a question by a Member in relation to the lack of entries recorded on the refusals register, Mr King advised that the number of entries varied, however more than two would be expected.

Mr A Singh then presented the case on behalf of Mr J Singh, and in doing so stated that Mr Singh apologised and that he intended to be the only employee serving alcohol. He stated that a number of youths gathered outside the premises on a regular basis, which had caused Mr Singh to become distracted, in particular on 16th March, 2012.

Mr A Singh stated that Mr Singh had adopted the Challenge 25 policy, and had started to use the refusals register, and asked that the licence issued to Mr Singh not be revoked or suspended.

In responding to a question by Mr King, Mr J Singh stated that he was in contact with the local police on a regular basis in relation to the number of youths hanging outside the premises, and that on 16th March, 2012 a child had thrown a can before the officers arrived at the premises following the underage sale of alcohol. Mr Singh did not know the reason why the youths regularly gathered at the premises.

In responding to a question by a Member, Mr A Singh confirmed that the CCTV system was now in operation, and that Mr J Singh's wife would be trained in order to work at the premises. He further confirmed that the previous owner had been working at the premises recently.

It was noted that Mr Singh worked at the premises between the hours of 10.00hrs and 22.00hrs.

In responding to a question by a Member, Mr A Singh confirmed that Mr Thind had not received any training as he was only a visitor of Mr Singh's and not an employee, and that Mr Singh was outside of the premises dealing with the youths.

Reference was made to the importance of implementing a monthly training review and the benefits of maintaining a written training record for all members of staff.

In summing up, Mr King emphasised his concerns in relation to the poor management of the premises, and stated that the representations made by Mr Singh did not reassure him that the premises would change.

In summing up, Mr A Singh confirmed that Mr Singh would address the management of the premises, and implement refresher training to employees including his wife.

In responding to a question by the Legal Advisor, Mr Singh confirmed that he felt that he had a fair hearing.

Following comments from all parties, the Legal Advisor stated that the Sub-Committee would determine the application made on the information submitted and comments made at the meeting by all parties.

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

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

RESOLVED

Following careful consideration of the information contained within the report and as reported at the meeting, the premises licence in respect of Jas Liquor Store, 25 Malvern Avenue, Lye, Stourbridge be suspended for a period of one month.

REASON FOR DECISION

The Sub-Committee is not satisfied that the limited assurances that were put forward today will prevent the undermining of the licensing objectives in particular the protection of children from harm and the prevention of crime and disorder.

In addition the Sub-Committee attaches the following eleven conditions to the premises licence: -

- (1) A Challenge 25 policy will be operated at the premises whereby any individual attempting to purchase alcohol who appears to be under 25 years of age will be asked to provide valid identification to prove they are 18 years or older. All staff must be made aware of this policy.
- (2) Valid proof of identification only to include passport, photographic driving licence or a Proof of Age Standards Scheme (PASS) proof of age card such as Citizen card. No other form of identification shall be accepted.
- (3) Publicity materials notifying customers of the operation of the "Challenge 25" scheme shall be displayed at the premises, including a "Challenge 25" sign of at least A4 size at each point of sale.
- (4) A4 notices to be displayed on the door to the premises and near the point of sale stating that it is an offence to buy alcohol for persons under the age of 18.
- (5) A Register of Refusals of Sale of Alcohol which indicates the date, time and reason for refusal will be operated and maintained at the premises. The Premises Licence Holder (PLH) shall check the book once a week ensuring it is completed and up-to-date. The PLH will sign the book each time it is checked. This book shall be made available for inspection by an officer of the Trading Standards Department and/or Police.
- (6) CCTV to be in place at the premises to the specifications of the West Midlands Police – Crime Reduction Officer so that the alcohol display area and the point of sale area can be viewed. All images are to be recorded and kept for a minimum of 28 days and made available to any responsible authority upon request within 24 hours.
- (7) The premises' CCTV shall be reviewed on a weekly basis in order to identify persons under the age of 18 who are attempting to buy alcohol or persons over the age of 18 buying on their behalf. A record of these

checks shall be maintained and be available for inspection upon request by an officer of the Trading Standards Department and/or Police.

- (8) No supply of alcohol may be made under the premises licence at a time when the Designated Premises Supervisor does not hold the Level 2 Award for Designated Premises Supervisors. Proof of qualification shall be provided to the Police and/or an officer of the Trading Standards Department upon request.
- (9) All persons engaged to sell alcohol will have completed a training programme which includes a written test to verify the competency of that person prior to them being authorised to sell alcohol.
- (10) The premises licence holder shall ensure that monthly reviews are conducted with any persons authorised to sell alcohol in order to reinforce training, promote best practice and policy.
- (11) A file shall be maintained at the premises for each person authorised to sell alcohol. This file shall contain all training records for each person along with copies of monthly reviews as stated in point 10. This file shall be available for inspection by an officer of the Trading Standards Department and/or Police upon request.

6 APPLICATION FOR A HOUSE TO HOUSE COLLECTIONS LICENCE – BREAST CANCER (INTERSECOND LTD) “DO NOT DELAY”

A report of the Director of Corporate Resources was submitted on an application for the grant of a House to House Collections Licence in respect of Breast Cancer (Intersecond Ltd) “Do Not Delay”.

Ms Y Haughey, Administrator, was in attendance at the meeting via a conference call.

Clarification was sought as to Ms Haughey’s position at Intersecond Ltd, and of the non-attendance of the applicant, Mr Bruzdeilinas. Ms Haughey confirmed that she was an administrator of the company and that she was responsible for all licensing matters.

It was noted that in order for the matter to be considered by the Sub-Committee, the applicant, Mr Bruzdeilinas, would need to be in attendance.

Following a brief discussion it was

RESOLVED

That, in view of the applicant's non-attendance, the application for the grant of a House to House Collections Licence in respect of Breast Cancer (Intersecond Ltd) "Do Not Delay", be deferred to a future meeting of the Sub-Committee.

7 APPLICATION FOR A HOUSE TO HOUSE COLLECTIONS LICENCE –
(INTERSECOND LTD) MERCY SHIPS UK

A report of the Director of Corporate Resources was submitted on an application for the grant of a House to House Collections Licence in respect of (Intersecond Ltd) Mercy Ships UK.

Ms Y Haughey, Administrator, was in attendance at the meeting via a conference call.

As Mr Bruzdeilinas, the applicant, was not in attendance it was

RESOLVED

That, in view of the applicant's non-attendance, the application for the grant of a House to House Collections Licence in respect of (Intersecond Ltd) Mercy Ships UK, be deferred to a future meeting of the Sub-Committee.

The meeting ended at 11.40am

CHAIR

LICENSING SUB-COMMITTEE 2

Tuesday 29th May, 2012 at 10.05 am
in The Council Chamber, The Council House, Dudley

PRESENT:-

Councillor Cowell (Chair)
Councillors Mrs Ameson and Bills

Officers

Mr T Holder (Legal Advisor), Mrs J Elliott (Licensing Officer) and Mrs K Taylor (Directorate of Corporate Resources)

1 APOLOGY FOR ABSENCE

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

2 APPOINTMENT OF SUBSTITUTE MEMBER

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

3 DECLARATIONS OF INTEREST

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

4 MINUTES

RESOLVED

That the Minutes of the Meeting of the Sub-Committee held on 28th February, 2012, be approved as a correct record and signed.

5 APPLICATION TO VARY A PREMISES LICENCE – THE DANILO SUITE, (FORMERLY THE PICTURE BOWL COMPLEX), 27-29 HAGLEY ROAD, STOURBRIDGE

It was noted that the application received from C N A Risk Management Limited, on behalf of Stourbridge Academy, for variation of the premises licence in respect of The Danilo Suite, (formerly the Picture Bowl Complex), 27-29, Hagley Road, Stourbridge had been withdrawn.

6 NOTICE OF TEMPORARY EVENT – THE BLACK HORSE, DELPH ROAD, BRIERLEY HILL

A report of the Director of Corporate Resources was submitted to consider objections to the Notice of Temporary Event served on the Council by Mrs Karen Ann Whittaker in respect of The Black Horse, 52 Delph Road, Brierley Hill.

Mrs Whittaker, Applicant, was in attendance.

Also in attendance and objecting to the application was Ms Nellany (Food and Occupational Safety Manager), Directorate of Urban Environment.

Mrs J Elliott, Licensing Officer, Directorate of Corporate Resources, presented the report on behalf of the Council.

In responding to a question by the Legal Advisor, Mrs Whittaker advised that the event was for one twenty one year old only and not two, as outlined in paragraph 3 of the report submitted. She further confirmed that she was in agreement as to the content of the report.

Ms Nellany then presented the representations of Food and Occupational Safety and in doing so highlighted that the objections made had been based under the licensing objective of preventing public nuisance.

A copy of the noise complaints received by Environmental Health in respect of The Black Horse from April 2010, was submitted at the meeting, and it was noted that the majority of complaints were made during St George's Day celebrations which were held outside.

It was also noted that following complaints received, letters were sent to Mrs Whittaker, and a visit was carried out to the premises following three years of complaints received.

Ms Nellany stated that she understood that there would be two DJ's located on the car park, and as this was a private party there would not be an opportunity to police the levels of sound and nuisance.

In responding to questions from the Legal Advisor, Ms Nellany confirmed that there had been no complaints received in regard to the operation of the business, and that formal investigations had not been carried out due to the complaints received being from different residents.

In responding to a question from a Member, Ms Nellany confirmed that the complaints made related mainly to the playing of music.

Mrs Whittaker then presented her case and in doing so highlighted that at the time of the complaints made, the premises were celebrating St George's Day when a 'Help the Hero's' brass band played live music on the car park, and that all outdoor events concluded before 9.00 pm.

She referred to another event that had taken place in 2011, where a DJ was located at the outside of the premises, and confirmed that no complaints had been received following the event. She advised that a DJ was not as loud as the brass bands used for the St George's Day celebrations.

In responding to a question by the Legal Advisor, Mrs Whittaker outlined on a map that had been displayed earlier in the meeting, where the DJ would be located for the event on Sunday 10th June, 2012.

Mrs Whittaker further confirmed that the DJ was not a professional, and that there would not be a lot of equipment used.

In responding to a question from the Legal Advisor, Mrs Whittaker advised that it was not possible for the event to be inside the premises due to the numbers attending and the lack of capacity inside the premises could present a health and safety risk.

She further confirmed that following conversations with the twenty one year old, it was anticipated that the party would take place for a maximum of three hours, and therefore would be finished before the requested time of 8.30 pm.

In responding to a question, Mrs Whittaker confirmed that she would not allow the DJ to be as loud as a live band and if it rained then there were marquees available to be erected.

She further informed the Sub-Committee that the party was for a local resident and advised that the majority of the guests were local and had visited the premises previously.

Arising from comments made in regard to the potential level of noise from the DJ, Mrs Whittaker advised that if the DJ was too loud and refused to turn the noise down then she would turn the music off.

In responding to a question by the Legal Advisor, Mrs Whittaker confirmed that herself, her husband and the father of the twenty one year old would monitor and police the event, however as the event was taking place on a Sunday it was anticipated that any additional people attending would be low.

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

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

RESOLVED

That, arising from consideration of the objections raised to the Notice of Temporary Event served by Mrs Karen Ann Whittaker, the event, to be held on 10th June, 2012 be permitted.

The meeting ended at 10.50am

CHAIR

LICENSING SUB-COMMITTEE 4

Tuesday 17th April, 2012 at 10.20 am
in the Council Chamber, The Council House, Dudley

PRESENT:-

Councillor Taylor (Chairman)
Councillors Mrs Aston and Mrs Roberts.

Officers: -

Mr R Clark (Legal Advisor), Mrs J Elliott (Licensing Officer) and Mrs K Taylor – All Directorate of Corporate Resources.

24 APOLOGY FOR ABSENCE

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

25 APPOINTMENT OF SUBSTITUTE MEMBER

It was noted that Councillor Mrs Aston had been appointed as a substitute member for Councillor A Finch for this meeting of the Sub-Committee only.

26 DECLARATIONS OF INTEREST

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

27 MINUTES

RESOLVED

That the minutes of the meeting of the Sub-Committee held on 13th March, 2012, be approved as a correct record and signed.

28 (HALESOWEN STREET MARKET) BESCOTT PROMOTIONS

A report of the Director of Corporate Resources was submitted on an application received from Mr S Evans on behalf of Bescott Promotions for the variation of the consent to engage in street trading in Halesowen Town Centre, issued to the Halesowen Street Market.

Mr Evans, Bescott Promotions and Mr McGillicuddy, supporter, was in attendance at the meeting.

Also in attendance and objecting to the application were Councillor K Turner, Mr S Fitzpatrick (Chamber of Trade), Ms E O'Connor (Vale Retail) and a member of the press.

Following introductions, the Licensing Officer presented the report on behalf of the Council, and in doing so listed the streets within the proximity of the market and the nature of items sold by traders. She also reported that the issue in regard to electricity usage had been referred to the Directorate of the Urban Environment for consideration.

Mr Fitzpatrick then made his representation and in doing so stated that if the market were to stand on a weekly basis, this would have a detrimental effect on the events that were organised to take place in the Town Centre, and that it would be taking trade from retailers within the town.

Reference was made to a previous Licensing Sub-Committee on 11th October, 2011 where the Sub-Committee agreed that the consent be varied to allow an extra ten stalls, to a maximum of thirty-five stalls in total that may be of general format. Mr Fitzpatrick stated that concerns were raised with regards to the large number of stalls that were currently being used.

Ms O'Connor then made her representation and informed the Sub-Committee that she had concerns over the viability of existing businesses and that having a regular market would change the characteristics of the town. She stated that the positioning of the market restricted access to shops and that it would obliterate trade on Saturdays.

Mr Fitzpatrick stated that 4% of businesses in Halesowen had become vacant, and that the effect of the market extending could cause more businesses to close down.

Councillor K Turner submitted copies of letters received from local residents and retailers outlining their objections. Due to the late submission of the letters, all parties agreed that they were happy for the letters to be submitted and considered.

Councillor K Turner then presented his objections to the application and in doing so informed the Sub-Committee that he had visited the market on Saturday 14th April, 2012 and witnessed that an ice-cream wagon had restricted access to Peckingham Street. He also stated that he had noted that there were twenty-six general trade stalls and six produce stalls.

Reference was made to the Dudley Market Charter, which excluded markets within a statutory distance; Councillor K Turner believed that this applied to Halesowen.

Councillor K Turner further stated that he had been informed that four retailers were considering leaving the town due to the detrimental effect the market has had to their business. He stated that Halesowen was a great town, and that he would ask that the market reduce the trade to once a month and reduce the number of stalls used.

In response to comments made regarding the ice-cream wagon at Peckingham Street, the Licensing Officer stated that it was a misunderstanding on Mr Evans behalf and that Mr Evans had apologised for the inconvenience and assured that it would not happen again.

In response to a question raised by Mr McGillicuddy, Ms O'Conner confirmed that the stock sold in the Cornbow Centre was different to the market.

Mr McGillicuddy then presented the case on behalf of Mr Evans and stated that he was in attendance to support Mr Evans, and that evidence given that may have suggested that Mr Evans had breached his conditions were incorrect.

He stated that the name of the market had been changed to 'street market' due to the market being situated on a street, in order to not mislead people about the general items that were being sold, rather than farmer and craft items.

Mr McGillicuddy confirmed that the Market would work collectively with the events that would take place within the Town Centre, and that if the market conflicted with any events then it would not trade.

He also confirmed that feedback received from traders identified that customers were confused as to the days when the market operated.

Reference was made to a recent government report where Mary Portas had emphasized the importance of markets to the high street, and that Mr Evans would like to let stalls at a lower price to enable people to start a business, however this would not be achievable under the current operation. Mr McGillicuddy stated that the market, in its current format, would make it difficult to regenerate the town.

Reference was made to a statement in regard to Dudley Market on Dudley MBC's website in particular that Dudley Market provided a high quality shopping service to members of the local community. Mr McGillicuddy stated that Mr Evans was keen to adopt this policy and continue to trade but to increase to every Saturday.

Mr Fitzpatrick made reference to the comments made in regard to regeneration, and stated that Halesowen was doing well and did not need regeneration. He also stated that Halesowen was supposed to be a Farmers and Crafts Market with an additional ten stalls on the 2nd, 4th and 5th Saturday of each month and was not a street market, and that he did not agree that markets were beneficial to towns.

He also informed the Sub-Committee that the size of a standard single stall was 8ft by 4ft, however he had witnessed that one trader had four stalls which measured 32ft in total. Mr Evans confirmed that in this instance, the trader would be classed as using one stall rather than four due to the large quantities of stock the trader had.

Mr Fitzpatrick raised concerns regarding the obstructions caused by the market to shops and attractions in Halesowen.

In response to comments made regarding the regeneration of Halesowen Town Centre, Councillor K Turner confirmed that an Area Action Plan had been discussed at a meeting of the Halesowen Area Committee, and that regeneration of the Town Centre was being looked at.

Councillor K Turner informed the Sub-Committee that the Victorian Street Fair, which took place in Halesowen Town Centre, worked in conjunction with the Market.

Clarification was sought with regard to the misconception of the size of the stalls. The Sub-Committee was informed by the Licensing Officer that based on the collective agreement with the planning section and road traffic division, the standard size for a stall was 8ft, and that this would be classed as one stall. If a trader utilised four stalls then this would be classed as four stalls.

In summing up Mr McGillicuddy reiterated the comments he had made and stated that the name of the market was irrelevant and that the reference to street market was a description only.

In response to comments made regarding the rent of the stalls if the trader requested additional stalls, the Chairman confirmed that the concerns raised were not in regard to rent, but of the potential size of the market if all traders were given additional stalls.

In response to comments made regarding the name of the market, the Licensing Officer stated that should the applicant's wish to change the name from Farmer's and Craft Market, then a resolution would need to be considered.

In summing up, Mr Fitzpatrick stated that Halesowen Town Centre was trading well in the weeks that the market was not operating.

In summing up, Ms O'Connor stated that Halesowen received four to six thousand visitors on a Saturday, and that the figures did not vary whether the market was operational or not.

In summing up, Councillor K Turner asked that the Sub-Committee consider the representations made, and that he would prefer a reduction in the amount of times the market operated.

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

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

RESOLVED

That the application received from Mr S Evans on behalf of Bescott Promotions for the variation of the consent to engage in street trading in Halesowen Town Centre, issued to the Halesowen Street Market be refused.

Reasons for Decision

The Sub-Committee finds that the current frequency of market days achieves a reasonable balance between the interests of local shops, the market and its stall holders, and the shoppers.

The Sub-Committee does note that the Sub-Committee of 11 October 2011 stated that the market should be deemed a Farmers and Craft market, and this is how the market should be referred to.

The meeting ended at 11.30 am

CHAIRMAN

LICENSING SUB-COMMITTEE 4

Tuesday 19th June, 2012 at 10.10 am
in the Council Chamber, The Council House, Dudley

PRESENT:-

Councillor Roberts (Chair)
Councillors Mrs Aston and Taylor

Officers: -

Mr R Clark (Legal Advisor), Mrs J Elliott (Licensing Officer) and Mrs K Taylor – All Directorate of Corporate Resources.

1 APOLOGY FOR ABSENCE

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

2 APPOINTMENT OF SUBSTITUTE MEMBER

It was noted that Councillor Mrs Aston had been appointed as a substitute member for Councillor Hanif for this meeting of the Sub-Committee only.

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 of the Sub-Committee held on 17th April, 2012, be approved as a correct record and signed.

5 CHANGE IN ORDER OF BUSINESS

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

RESOLVED

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

Agenda Item No's 6, 7, 8, 9 and 5.

6 APPLICATION TO VARY A PREMISES LICENCE – MULLET PARK SERVICE STATION AND CONVENIENCE STORE, BROMLEY LANE, KINGSWINFORD

A report of the Director of Corporate Resources was submitted on an application for variation of the premises licence in respect of Mullet Park Service Station and Convenience Store, Bromley Lane, Kingswinford.

Mr N Dickinson, Licensing Ltd and Mr A Chancel, Managing Director – Bargainsound Ltd, together with a member of the press were in attendance at the meeting.

Following introductions, the Licensing Officer presented the report on behalf of the Council.

Mr Dickinson then made his representation on behalf of Mr Chancel, and in doing so informed the Sub-Committee that Mr Chancel currently operated nine sites and had not encountered any problems with nearby residents.

Reference was made to the representations received from Ward Members representing Kingswinford South, which had been circulated to all parties in accordance with the Licensing Act 2003 prior to the meeting; in particular to the statement that there were no other licensed premises in the locality. It was noted that the statement made was in respect of the ward and not within the borough of Dudley.

Mr Chancel then explained how he currently operated under standard hours and that the site had previously operated for twenty-four hours, he further stated that the main reason for extending the hours had been following conversations with customers.

It was noted that Mr Chancel had implemented the Challenge 25 policy, and used the “night pay” system of operation whereby at 22:00hrs the entrance door was locked shut until 01:00hrs, therefore all purchases were made solely via the night hatch. He further confirmed that should the application be approved then the hours that the night pay system operated, would be extended.

Mr Dickinson informed the Sub-Committee that the site was secure and there had been no issues in respect of security or nuisance, and that following conversations with West Midlands Police the feedback received was positive of the way the business operated.

In response to comments made regarding the premises previously operating for twenty-four hours, Mr Chancel confirmed that alcohol was not sold at that time, as the licence was not granted.

In response to concerns raised in respect of people gathering at the rear of the premises, Mr Chancel stated that the area was fenced and monitored via CCTV.

In response to a question raised by a member, Mr Chancel confirmed that he had consulted with customers on how to improve customer service, and explained that the majority of customers worked shifts and welcomed extended hours.

In response to a question raised by a member, Mr Chancel confirmed that one member of staff would be based at the premises, and that if any nuisance occurred from customers or youths then the employee would ask that they move via an intercom, if this failed then the employee could contact the West Midlands Police, however there had been no incidents of nuisance at the premises to date.

Clarification was sought with regard to the operation of the “night pay” system should the application be approved. The Sub-Committee were informed by the Licensing Officer that the operating schedule submitted by the applicant outlined the hours in which the “night pay” system would operate and if the applicant did not adhere to the schedule then it would be a breach of his conditions of licence.

Following comments, the Legal Advisor stated that the Sub-Committee would determine the application made on the behalf of Bargainsound Ltd on the thorough information and comments made at the meeting.

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

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

RESOLVED

That the application received from Mr N Dickinson on behalf of Bargainsound Ltd for the variation of the premises licence in respect of Mullet Park Service Station and Convenience Store, Bromley Lane, Kingswinford, be approved, in the following terms.

Sale of Alcohol

Monday – Sunday 00.00 – 23.59

Late Night Refreshment

Monday – Sunday 00.00 – 05.00

Reasons for Decision

The Sub-Committee considered the application. The applicants addressed the concerns raised in the representations made by the relevant ward councillors dated 24th April, 2012. The Sub-Committee had some sympathy for the comments made by the councillors but was assured by the applicant, and its operating schedule, that these had been thoroughly considered and would be well managed.

The Sub-Committee grants the variation of licence.

7 APPLICATION FOR A LICENSED PREMISES GAMING MACHINE PERMIT – THE BRAMFORD ARMS, PARK ROAD, WOODSETTON

A report of the Director of Corporate Resources was submitted on an application for the grant of a Licensed Premises Gaming Machine Permit for four machines in respect of The Bramford Arms, Park Road, Woodsetton.

It was noted that the applicant was not in attendance at the meeting.

The Licensing Officer confirmed that a letter notifying the manager of the premises and the brewery manager of the meeting was sent, but that no contact had been received.

In the absence of the applicant it was

RESOLVED

That the application for the grant of a Licensed Premises Gaming Machine Permit for four machines in respect of The Bramford Arms, Park Road, Woodsetton be deferred to a future Sub-Committee meeting.

8 APPLICATION FOR HOUSE TO HOUSE COLLECTIONS LICENCE – (D & P TEXTILE CO LTD) MUTUAL SUPPORT

A report of the Director of Corporate Resources was submitted on an application for the grant of a House to House Collections Licence in respect of (D & P Textile Co Ltd) Mutual Support.

It was noted that the applicant was not in attendance at the meeting.

The Licensing Officer confirmed that the applicant had requested a deferment.

RESOLVED

That the application for the grant of a House to House Collections Licence in respect of (D & P Textile Co Ltd) Mutual Support be deferred to a future Sub-Committee meeting.

9 APPLICATION FOR HOUSE TO HOUSE COLLECTIONS LICENCE – UK EXPORT TRADE LIMITED (CANCER RECOVERY FOUNDATION)

A report of the Director of Corporate Resources was submitted on an application for the grant of a House to House Collections Licence in respect of UK Export Trade Limited (Cancer Recovery Foundation).

It was noted that the applicant was not in attendance at the meeting.

The Licensing Officer confirmed that the applicant had requested a deferment.

RESOLVED

That the application for the grant of a House to House Collections Licence in respect of UK Export Trade Limited (Cancer Recovery Foundation) be deferred to a future Sub-Committee meeting.

10 REVIEW OF LICENSING STANDARDS

A report of the Director of Corporate Resources was submitted on a review of the Licensing Standards and Performance Indicators.

Following the presentation of the report by the Licensing Officer, the Sub-Committee commented on the very good results as outlined in Appendix 1 to the report submitted.

RESOLVED

That the information contained in the report submitted be noted.

The meeting ended at 10.55 am

CHAIR

TAXIS COMMITTEE

Wednesday 25th April, 2012 at 5.00 p.m.
In Committee Room 4 at the Council House, Dudley

PRESENT:-

Councillor James (Chairman)
Councillor Southall (Vice Chairman)
Councillors Mrs Ameson, A. Aston, Mrs Aston, Body (from Minute No. 169),
Miss J Cowell and Ryder.

Officers:-

Assistant Director, Law and Governance, Licensing Officer and Mrs K Taylor
(all Directorate of Corporate Resources)

Also in attendance:-

Mr TP, Licensing Enforcement Officer (Directorate of Corporate Resources),
and PC CW, Complainant, in respect of agenda item 7 – Review of Private
Hire and Hackney Carriage Drivers' Licences – Mr SB

163. APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were submitted on behalf of
Councillors Mrs Dunn, K Turner and Ms Wood.

164. APPOINTMENT OF SUBSTITUTE MEMBERS

It was reported that Councillors Ryder and Mrs. Aston had been appointed as
substitute members for Councillor Mrs. Dunn and Ms Wood respectively for
this meeting of the Committee only.

165. 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.

166. MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 14th March, 2012,

be approved as a correct record and signed.

167. EXCLUSION OF THE PUBLIC

RESOLVED

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

<u>Description of Item</u>	<u>Relevant Paragraph of Part I of Schedule 12A</u>
Review of Private Hire and Hackney Carriage Drivers' Licences – Mr SB	1
Review of Hackney Carriage Driver's Licence – Mr AI	1
Renewal of Hackney Carriage Driver's Licence – Mr TSS	1
Grant of Hackney Carriage and Private Hire Drivers' Licences – Mr AA	1
Review of Private Hire and Hackney Carriage Drivers' Licences – Mr JA	1
Grant of Private Hire and Hackney Carriage Drivers' Licences – Mr IH	1
Review of Private Hire Driver's Licence – Mr NH	1

168. REVIEW OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR SB

A report of the Director of Corporate Resources was submitted on a review of the private hire and hackney carriage drivers' licences issued to Mr SB in the light of a complaint received.

Mr SB and the complainant in this matter PC CW and Mr TP, Licensing Enforcement Officer were in attendance.

In responding to a question from the Assistant Director, Mr SB confirmed that he was content that the Committee understood the content of the report and that it was not necessary for the Licensing Officer to present the report.

Mr SB made representations disputing the content of the statement made by PC CW.

All parties responded to questions asked by the Committee, and arising from questions asked, it was confirmed by Mr SB that he accepted that he had spit out of his vehicle.

Mr SB informed the Committee that there were no matters pending that they needed to be made aware of.

RESOLVED

That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, the private hire and hackney carriage drivers' licences issued to Mr SB be suspended for a period of one month in the light of the complaint made in respect of the conduct of Mr SB as indicated in the report submitted.

Mr SB was informed of his right to appeal the decision of the Committee.

169. REVIEW OF HACKNEY CARRIAGE DRIVER'S LICENCE – MR AI

A report of the Director of Corporate Resources was submitted on a review of the hackney carriage driver's licence issued to Mr AI, in the light of the information contained in the report submitted.

Mr AI was in attendance at the meeting and responded to questions asked by the Committee, in particular, the circumstances surrounding the delay in renewing his M.O.T certificate.

During the consideration of this matter, in the light of evidence given, concerns were raised by members of the Committee of the possible repercussions and the safety of members of the public had there been an accident whilst Mr AI did not have a valid M.O.T certificate.

Following questions and comments made, Mr AI informed the Committee that there were no matters pending that they needed to be made aware of.

RESOLVED

That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, the hackney carriage driver's licence issued to Mr AI be suspended for a period of two weeks.

Mr AI was informed of his right to appeal the decision of the Committee.

170. RENEWAL OF HACKNEY CARRIAGE DRIVER'S LICENCE – MR TSS

A report of the Director of Corporate Resources was submitted on the renewal of the hackney carriage driver's licence issued to Mr TSS.

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

RESOLVED

That approval be given to the renewal of the hackney carriage driver's licence issued to Mr TSS for a period of six months.

171. GRANT OF HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS' LICENCES – MR AA

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

Mr AA was in attendance at the meeting, together with his representative a Mr Nasar.

Mr Nasar made representations on behalf of Mr AA, and in particular, provided details in relation to the two offences for which Mr AA had been convicted on 17th March, 2008 as indicated in paragraph 9 of the report submitted.

Mr Nasar responded to questions asked by the Committee on behalf of Mr AA and informed the Committee that Mr AA had no matters pending that they needed to be made aware of.

RESOLVED

That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, the application made for the grant of hackney carriage and private hire drivers' licences in respect of Mr AA be refused, in the light of the driving related offences for which he had been convicted, as he was not a fit and proper person.

Mr AA was informed of his right to appeal the decision of the Committee.

172. REVIEW OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR JA

A report of the Director of Corporate Resources was submitted on a review of the private hire and hackney carriage drivers' licences issued to Mr JA, in the light of the Fixed Penalty Notice received as indicated in paragraph 8 of the report submitted.

The Licensing Officer informed the Committee that she had received notification that Mr JA would not be in attendance at the meeting, and that Mr JA requested that the matter be deferred pending a decision as to whether Mr JA wanted to appeal the Fixed Penalty Notice issued on 30th March, 2012.

Having decided to hear the matter in his absence it was

RESOLVED

That, following careful consideration of the information contained in the report submitted, the private hire and hackney carriage drivers' licences issued to Mr JA be suspended for a period of two months in view of this being the second occasion that Mr JA had been convicted of using a mobile phone whilst driving.

173. GRANT OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR IH

A report of the Director of Corporate Resources was submitted on an application made on behalf of Mr IH for the grant of private hire and hackney carriage drivers' licences in the light of his failure to pass, on three separate occasions, his test for local knowledge.

Mr IH was in attendance at the meeting together with two supporters, and responded to questions asked by the Committee.

RESOLVED

That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, no action be

taken on the application made for the grant of private hire and hackney carriage drivers' licences and that it be noted that Mr IH would take a further drivers knowledge test in approximately six months.

174. REVIEW OF PRIVATE HIRE DRIVER'S LICENCE – MR NH

A report of the Director of Corporate Resources was submitted on a review of the private hire driver's licence issued to Mr NH, in the light of his failure to report an accident to his vehicle within 72 hours.

Mr NH was in attendance at the meeting.

Following the presentation of the report, the Licensing Officer informed the Committee that since the writing of the report Mr NH had submitted an application for the renewal of his private hire driver's licence.

Mr NH responded to questions asked by the Committee in relation to his failure to report the accident, and informed them that there were no matters pending that they needed to be made aware of.

RESOLVED

That Mr NH receive a verbal warning in relation to the matter referred to in the report submitted.

175. COMMENTS OF THE CHAIRMAN

This being the last scheduled meeting of the Committee in the current municipal year, the Chairman thanked Members and Officers for their help and support throughout the municipal year.

176. THANKS TO THE CHAIRMAN

At the conclusion of the meeting the Chairman was thanked for the able manner in which he had conducted meetings of the Committee during the preceding twelve months.

The meeting ended at 6.30 p.m.

CHAIRMAN

TAXIS COMMITTEE

Thursday 31st May, 2012 at 5.30 p.m.
In Committee Room 3 at the Council House, Dudley

PRESENT:-

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

Officers:-

Solicitor, Licensing Officer and Mrs K Taylor (all Directorate of Corporate
Resources)

Also in attendance:-

Ms JL, Social Worker (Directorate of Children's Resources), in respect of
agenda item 8 – Review of Private Hire Driver's Licence – Mr AA

1. CHAIRMAN'S REMARKS

This being the first meeting of the municipal year, the Chairman welcomed
new members to the meeting.

2. APOLOGY FOR ABSENCE

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

3. APPOINTMENT OF SUBSTITUTE MEMBER

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

4. DECLARATIONS OF INTEREST

Councillor K Ahmed declared a personal and prejudicial interest, in
accordance with the Member's Code of Conduct in Agenda Item nos. 9 and
10, in view of him personally knowing the driver's.

5. MINUTES

Arising from consideration of the minutes, the Licensing Officer reported that a decision sheet had been approved in respect of M.O.T's being carried out to members of the public as well as taxi's at Lister Road depot. It was noted that one area had been designated for Taxi's only.

It was further noted that the Criminal Records Bureau would be introducing new identity checking procedures from 28th May, 2012 with the existing identity checking procedures until the 31st August, 2012, when the existing procedures would cease to apply. A copy of the letter that had been sent to all taxi drivers was circulated at the meeting.

RESOLVED

That the minutes of the meeting of the Committee held on 25th April, 2012, be approved as a correct record and signed.

6. EXCLUSION OF THE PUBLIC

RESOLVED

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

<u>Description of Item</u>	<u>Relevant Paragraph of Part I of Schedule 12A</u>
Review of Private Hire and Hackney Carriage Drivers' Licences – Mr NA	1
Review of Private Hire Driver's Licence – Mr AA	1
Renewal of Private Hire and Hackney Carriage Drivers' Licences – Mr AH	1
Renewal of Private Hire and Hackney Carriage Drivers' Licences – Mr MH	1
Review of Private Hire and Hackney Carriage Drivers'	1

Licences – Mr MZ	
Review of Private Hire and Hackney Carriage Drivers' Licences – Mr TH	1
Grant of Private Hire Driver's Licence – Mr MG	1
Grant of Private Hire and Hackney Carriage Drivers' Licences – Mr WA	1
Renewal of Private Hire and Hackney Carriage Drivers' Licences – Mr SH	1
Review of Hackney Carriage and Private Hire Drivers' Licences – Mr BA	1
Review of Hackney Carriage Driver's Licence – Mr KL	1

7 CHANGE IN ORDER OF BUSINESS

RESOLVED

That, in accordance with Council Procedure Rule 13(c), the remaining agenda items be considered in the following order; 9, 7, 8, 10 – 17.

8. RENEWAL OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR AH

(Having made a declaration of a personal and prejudicial interest, in accordance with the Members Code of Conduct, Councillor K Ahmed left the meeting for the consideration of this item).

A report of the Director of Corporate Resources was submitted on the renewal of the private hire and hackney carriage drivers' licences issued to Mr AH, in the light of the medical information contained in the report submitted. Additional medical information were attached to the report as appendices 1, 2, 3 and 4.

Mr AH was in attendance at the meeting, together with his representative a Mr Hussain, and responded to questions asked by the Committee in relation to his medical condition.

RESOLVED

That consideration of the renewal of the private hire and hackney carriage drivers' licences issued to Mr AH be deferred, until Mr AH attended the Council's medical practitioner for a further medical examination.

9. REVIEW OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR NA

A report of the Director of Corporate Resources was submitted on a review of the private hire and hackney carriage drivers' licences issued to Mr NA, in the light of the allegations as outlined in the report submitted.

Mr NA was in attendance at the meeting, together with his solicitor, Mr Schiller.

Mr Schiller made representations on behalf of his client and responded to questions asked by the Committee, with particular reference to the allegations contained in the report. It was also noted that there were no matters pending that they needed to be made aware of.

RESOLVED

That, following careful consideration of the information contained in the report, and Appendices to the report, submitted, and as reported at the meeting, the current suspension of the private hire and hackney carriage drivers' licences issued to Mr NA be lifted and that further investigations be carried out in respect of allegations outlined in the report submitted in regard to the Home to School contracts.

10. REVIEW OF PRIVATE HIRE DRIVER'S LICENCE – MR AA

A report of the Director of Corporate Resources was submitted on a review of the private hire driver's licence issued to Mr AA, in the light of the allegations as outlined in the report submitted.

Mr AA and Ms JL, Social Worker who had been involved with case were in attendance.

In responding to a question from the Solicitor, Ms JL confirmed that she was content with the report submitted, although advised that the children were currently being 'looked after'.

All parties responded to questions asked by the Committee, and arising from questions asked, concerns were raised in regard to the way Mr AA reacted following an incident when a stone had been thrown at the car. Further

concerns were raised in respect of the escort being Mr AA's partner.

Mr AA informed the Committee that there were no matters pending that they needed to be made aware of.

RESOLVED

That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, the private hire driver's licence issued to Mr AA be suspended for a period of six months in the light of the conduct of Mr AA and the allegations made as indicated in the report submitted.

Mr AA was informed of his right to appeal the decision of the Committee.

11. RENEWAL OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR MH

(Having made a declaration of a personal and prejudicial interest, in accordance with the Members Code of Conduct, Councillor K Ahmed left the meeting for the consideration of this item.

A report of the Director of Corporate Resources was submitted on the renewal of the private hire and hackney carriage drivers' licences issued to Mr MH in the light of the information contained in the report submitted.

Mr MH was in attendance at the meeting, together with his solicitor, Mr Schiller.

Mr Schiller made representations on behalf of his client, and in doing so informed the Committee that following Mr MH's heart surgery, Mr MH had voluntarily agreed not to work as a private hire or hackney carriage driver until he considered himself to be of good health.

In responding to a question from the Solicitor, Mr MH confirmed that the statement was correct and that he did not wish to return to work at the moment.

Mr Schiller responded to questions asked by the Committee on behalf of Mr MH.

There followed a discussion in regard to whether an offence dated 20th January, 2011 in which Mr MH received six points could be addressed at the meeting, in the light of Mr MH's suspension it was advised that the Committee may wish to defer consideration of this matter until that suspension had been lifted.

It was also noted that there were no matters pending that needed to be

brought to the attention of the Committee.

RESOLVED

- (1) That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, no action be taken in respect of the renewal of the private hire and hackney carriage drivers' licences issued to Mr MH, until Mr MH attended the Council's medical practitioner for a further medical examination.
- (2) That the offence committed on 20th January, 2011 be deferred for consideration at a future meeting of the Committee when Mr MH had attended his medical examination and successfully lifted his current suspension in respect of his private hire and hackney carriage drivers' licences.

12. REVIEW OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR MZ

A report of the Director of Corporate Resources was submitted on a review of the private hire and hackney carriage drivers' licences issued to Mr MZ, in the light of an offence committed as indicated in paragraph 4 of the report submitted.

Mr MZ was in attendance at the meeting, together with his solicitor, Mr Schiller.

Following the presentation of the report, the Licensing Officer informed the Committee that since the writing of the report, Mr MZ had submitted an application for the renewal of his private hire and hackney carriage drivers' licence.

Mr Schiller made representations on behalf of his client, in particular of the circumstances surrounding Mr MZ's failure to bring the meter into action, and responded to questions asked by the Committee.

It was also noted that there were no matters pending that needed to be brought to the attention of the Committee.

RESOLVED

That, following careful consideration of the information contained in the report submitted, Mr MZ receive a strong written warning as to his future conduct in light of the offence committed.

13. REVIEW OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR TH

A report of the Director of Corporate Resources was submitted on a review of the private hire and hackney carriage drivers' licences issued to Mr TH in the light of the offence committed as indicated in paragraph 4 of the report submitted.

The Licensing Officer informed the Committee that Mr TH was unable to attend this meeting due to illness, and that Mr TH had brought notice of a prosecution for speeding.

RESOLVED

That consideration of the review of the private hire and hackney carriage drivers' licences issued to Mr TH be deferred to a future meeting of the Committee.

14. GRANT OF PRIVATE HIRE DRIVER'S LICENCE – MR MG

A report of the Director of Corporate Resources was submitted on an application made for the grant of a private hire driver's licence in respect of a Mr MG.

Mr MG was in attendance at the meeting together with his father.

Mr MG made representations commenting on the offence committed on 2nd November, 2000 and responded to questions asked by the Committee. It was noted that there were no matters pending that they needed to be made aware of.

RESOLVED

That, approval be given to the grant of a private hire driver's licence to Mr MG for a period of twelve months.

15. GRANT OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR WA

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

Mr WA was in attendance at the meeting together with his solicitor, Mr Schiller.

Mr Schiller made representations on behalf of his client, in particular of the errors listed on Mr WA's criminal records bureau as indicated in paragraph 4.

Arising from consideration of this application, it was noted that the Committee's guidelines for considering applications stated that an applicant could only be considered for a licence following the expiration of a period of three years from the end of his disqualification from driving for the offence committed a period, in the case of Mr WA, that would not end until August, 2013.

Mr WA responded to questions asked by the Committee and informed them that there were no matters pending that they needed to be made aware of.

RESOLVED

That the application for the grant of a private hire and hackney carriage drivers' licences in respect of Mr WA be refused as a period of three years from the expiration of his disqualification from driving had not expired.

16. RENEWAL OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR SH

A report of the Director of Corporate Resources was submitted on the renewal of the private hire and hackney carriage drivers' licences issued to Mr SH.

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

RESOLVED

That, approval be given to the renewal of private hire and hackney carriage drivers' licences issued to Mr SH for a period of six months.

17. REVIEW OF HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS' LICENCES – MR BA

A report of the Director of Corporate Resources was submitted on a review of the hackney carriage and private hire drivers' licences issued to Mr BA, in the light of the offence committed as indicated in paragraph 8 of the report submitted, and in view of him having sixteen penalty points endorsed on his DVLA licence.

Mr BA was in attendance at the meeting and responded to questions asked by the Committee in relation the offence committed. It was noted that there were no matters pending that they needed to be made aware of.

It was noted that Mr BA had handed in his badges to the Licensing Office, as he could no longer afford car insurance.

RESOLVED

That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, the hackney carriage and private hire drivers' licences issued to Mr BA be revoked in view of the offence for which he had been convicted, and the sixteen penalty points endorsed on his DVLA licence.

18. REVIEW OF HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS' LICENCES – MR KL

A report of the Director of Corporate Resources was submitted on a review of the hackney carriage and private hire drivers' licences issued to Mr KL, in the light of an offence committed as indicated in paragraph 32 of the report submitted.

Mr KL was in attendance at the meeting, together with his solicitor, Mr Schiller.

Mr Schiller made representations on behalf of his client, in particular of the circumstances surrounding Mr KL's failure to bring the meter into action, and responded to questions asked by the Committee.

It was also noted that there were no matters pending that needed to be brought to the attention of the Committee.

RESOLVED

That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, the hackney carriage and private hire drivers' licences issued to Mr KL be suspended for a period of one month.

Mr KL was informed of his right to appeal the decision of the Committee.

The meeting ended at 8.00 p.m.

CHAIR

TREE PRESERVATION ORDERS COMMITTEE

Tuesday 10th April, 2012 at 2.00pm
in Committee Room 2 at The Council House, Dudley

PRESENT:-

Councillor Knowles (Chairman)
Councillor Mrs Rogers (Vice-Chairman)
Councillors Mrs Aston, Cotteril, Miss Cowell, K Finch, Ms Nicholls and C
Wilson

Officers

Mr J Dunn (Tree Protection Officer), Mr C Mellor (Principal Planning Officer
Enforcement), Mrs S Willetts (Planning Control Manager) – All Directorate of
the Urban Environment, Miss S Ahmed (Solicitor) and Miss H Shepherd
(Assistant Democratic Services Officer) - both Directorate of Corporate
Resources

And three members of the public.

50 DECLARATIONS OF INTEREST

Councillor Mrs Rogers declared a Personal Interest, in accordance with the
Members' Code of Conduct, in relation to agenda item no. 5 – planning
application no. P12/0229 – 2A Berkeley Drive, Kingswinford – Fell 1 Beech
Tree, as her son had provided the applicant with a Tree Survey Report in
June 2011.

51 MINUTES

RESOLVED

That the minutes of the Committee held on 6th March, 2012 be
approved as a correct record and signed.

52 CHANGE IN ORDER OF BUSINESS

Pursuant to Council Procedure Rule 13(c) it was

RESOLVED

That the order of business at agenda item no. 5 be varied so that
planning application no. P12/0229 – 2A Berkeley Drive,
Kingswinford – Fell 1 Beech Tree, be considered as the first
application.

PLANNING APPLICATIONS

A report of the Director of the Urban Environment was submitted on the following planning applications. Pre-Committee notes updating information given in the reports were circulated at the meeting.

The following person referred to had indicated that he wished to speak at the meeting and spoke on the planning application indicated:-

Plan no. P12/0229 – Mr John Slater, Applicant.

- (i) Plan No. P12/0229 – 2A Berkeley Drive, Kingswinford – Fell 1 Beech Tree.

Mr Slater, the applicant, was in attendance and spoke at the meeting.

In presenting his case, Mr Slater stated that he believed the summary of the Chartered Building Surveyors report within the report submitted to the Committee did not resemble the original and that the photograph's presented to the Committee did not show how dominating the tree was when in full foliage. He also informed the Committee that he had contacted two tree officers from different authorities, a private consultant, as well as a firm of solicitors for advice.

Mr Slater stated that he did not realise he would be doing anything wrong by removing the roots of the tree that were on his property whilst carry out works.

Arising from representations made, Members were reminded that the application for consideration was for the felling of the tree and not for any other works. It was also stated that the tree officers from other authorities that Mr Slater had referred to, had not submitted formal comments and it would be unlikely that they had actually visited the site or been aware of the full situation.

Following extensive discussions it was

RESOLVED

That consideration of plan no. P12/0229 – 2A Berkeley Drive, Kingswinford – Fell 1 Beech Tree, be deferred until the next meeting of the Committee following a site visit.

- (ii) Plan No. P12/0061 – 12 Round Hill, Sedgley, Dudley – Fell 1 Lime Tree

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

- (iii) Plan No. P12/0082 – 54 Fernhurst Drive, Pensnett, Brierley Hill – Fell 3 Poplar Trees
-

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

- (iv) Plan No. P12/0125 – Rear of 251 Spies Lane, Halesowen – Fell 1 Sycamore Tree
-

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

- (v) Plan No. P12/0207 – 9 Penns Wood Close, Sedgley, Dudley – Fell 1 Oak Tree
-

During consideration of this application, concerns were raised in relation to the close proximity of the tree to the property. Members were informed that the tree pre-dated the houses and that No. 9 had chosen to extend the property which had increased the proximity.

Arising from discussions it was

RESOLVED

That consideration of plan no. P12/0207 – 9 Penns Wood Close, Sedgley, Dudley – Fell 1 Oak Tree, be deferred until the next meeting of the Committee following a site visit.

The meeting ended at 3.07 pm

CHAIRMAN

TREE PRESERVATION ORDERS COMMITTEE

Wednesday 9th May, 2012 at 2.00pm
in Committee Room 2 at The Council House, Dudley

PRESENT:-

Councillor Mrs Rogers (Vice-Chairman) (In the Chair)
Councillors Mrs Aston, Cotterill, Miss Cowell, K Finch, Ms Nicholls and C
Wilson

Officers

Mr J Dunn (Tree Protection Officer), Mr C Mellor (Principal Planning Officer
Enforcement), Mrs S Willetts (Planning Control Manager) – All Directorate of
the Urban Environment, Mrs G Breakwell (Senior Solicitor) and Miss H
Shepherd (Assistant Democratic Services Officer) - both Directorate of
Corporate Resources

54 APOLOGY FOR ABSENCE

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

55 DECLARATIONS OF INTEREST

Councillor Mrs Rogers declared a Personal Interest, in accordance with the
Members' Code of Conduct, in relation to agenda item no. 5 – planning
application no. P12/0229 – 2A Berkeley Drive, Kingswinford – Fell 1 Beech
Tree, as her son had provided the applicant with a Tree Survey Report in May
2010.

Councillor Miss Cowell declared a Personal Interest, in accordance with the
Member's Code of Conduct, in relation to agenda item no. 5 – planning
application no. P12/0229 – 2A Berkeley Drive, Kingswinford – Fell 1 Beech
Tree, as her nephew had provided the applicant with a Tree Survey Report.

Councillor C Wilson declared a Personal and Prejudicial Interest, in
accordance with the Member's Code of Conduct, in relation to agenda item
no. 5 – planning application no. P12/0438 – Fairfield House, Quarry Park
Road, Stourbridge – Re-establish a beech boundary hedge involving
removing to stump level on up to 15 fir trees. Cut down 10 beech trees/hedge
to a height of 8-10 feet. Pollard 1 robinia tree. Remove to stump level on
further 2 fir trees, as he knew the applicant and his family.

MINUTES

RESOLVED

That the minutes of the Committee held on 10th April, 2012 be approved as a correct record and signed.

PLANNING APPLICATIONS

A report of the Director of the Urban Environment was submitted on the following planning applications.

- (i) Plan No. P12/0207 – 9 Penns Wood Close, Sedgley, Dudley – Fell 1 Oak Tree.

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

- (ii) Plan No. P12/0229 – 2A Berkeley Drive, Kingswinford – Fell 1 Beech Tree

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

- (iii) Plan No. P12/0299 – Car Park Area Rear of Metropolitan Lofts, Parsons Street, Dudley – Fell 1 Lime Tree

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

- (iv) Plan No. P12/0342 – 98 and 102 Clock Tower View, Wordsley, Stourbridge – Fell 1 Oak Tree. Crown thin 2 Sycamore Trees by 20%

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

- (v) Plan No. P12/0343 – 278 Hagley Road, Stourbridge – Fell 1 Silver Birch Tree and Prune 2 Cedar Trees.

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

- (vi) Plan No. P12/0374 – 9 Stour Hill, Quarry Bank, Brierley Hill – Fell 1 Willow Tree

Decision: That the application be approved, subject to conditions 1 and 2 as set out in the report submitted, and that, as a consequence of this, approval be given to the revocation of the Borough of Dudley (9 Stour Hill, Quarry Bank) (TPO/0038/QBD) Tree Preservation Order 2010, as the tree was the only tree protected by the order.

- (vii) Plan No. P12/0416 – 24 Stuarts Green, Pedmore, Stourbridge – Fell
1 Scots Pine Tree
-

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

- (viii) Plan No. P12/0438 – Fairfield House, Quarry Park Road, Stourbridge – Re-establish a Beech boundary hedge involving removing to stump level on up to 15 Fir Trees. Cut down 10 Beech Trees/hedge to a height of 8-10 feet. Pollard 1 Robinia Tree. Remove to stump level on further 2 Fir Trees.
-

(Having previously declared a personal and prejudicial interest in this application, Councillor C Wilson left the meeting whilst the application was being considered.)

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

58

COMMENTS

Councillor K Finch, on behalf of the Committee, thanked Councillor Mrs Rogers for the able and courteous manner in which she had conducted the meeting and wished the same comments to be expressed to Councillor Knowles, the Chairman of the Committee.

Councillor Mrs Rogers responded and in doing so thanked Members for there continued attendance. Thanks were also expressed to all officers involved with the work of the Committee for all the help and support given.

The meeting ended at 2.50 pm

CHAIRMAN

SHADOW DUDLEY HEALTH AND WELLBEING BOARD

Monday, 30th April, 2012 at 3 p.m.
In Committee Room 2 at the Council House, Dudley

PRESENT:-

Councillor Vickers (in the Chair)
Councillor Mrs Walker (Vice-Chairman)
Councillor Ali
Director of Adult, Community and Housing Services
Acting Director of Children's Services and Assistant Director, Planning and Environmental Health (Directorate of the Urban Environment)
Assistant Director Children and Families (Directorate of Children's Services)
Dr N Plant and Mrs K Sharpe – Dudley GP Clinical Commissioning Group
Mrs G Cooper – Chair of Dudley PCT
Director of Public Health
Mr D Orme – LINKs – Co-Chairman
Mr A Gray – Dudley CVS CEO
Mr D Hodson – Director of Dudley Community Partnership
Assistant Director Policy, Performance and Resources (Directorate of Adult, Community and Housing Services), Assistant Director Quality and Partnership (Directorate of Children's Services), Mr N Bucktin (Senior Management Lead – Dudley GP Clinical Commissioning Group) and Mr J Jablonski (Directorate of Corporate Resources).

Also in attendance

Ms S Marshall – Black Country Partnership NHS Foundation Trust and Ms P Owen – Dudley PCT (for agenda item number 8)
Mr D Hunter (Urgent Care Lead Dudley) (for agenda item 9)

28 APOLOGY FOR ABSENCE

An apology for absence was submitted on behalf of Dr Hegarty

29 DECLARATIONS OF INTEREST

The Chairman (Councillor Vickers) declared a personal interest in agenda item 7 – Dudley Clinical Commissioning Group – Commissioning Intentions 2012/13 – in that he is a member of the Black Country Partnerships NHS Foundation Trust.

30 MINUTES

RESOLVED

That the minutes of the meeting of the Board held on 30th January, 2012, be approved as a correct record and signed.

31 JOINT HEALTH AND WELLBEING STRATEGY AND ENGAGEMENT

A joint report of Officers was submitted on the next steps for the development of a first Joint Health and Wellbeing Strategy and engagement.

In commenting on the content of the report the Assistant Director Policy, Performance and Resources (Directorate of Adult, Community and Housing Services) reported that the proposed stakeholder event, referred to in paragraph 7 of the report, was to be held on 5th July to meet the purposes of the development of a Joint Health and Wellbeing Strategy as well as the development of the Health Watch. The event would be an opportunity to engage with children and young people and stakeholders so as to secure a strong 'voice' element in the production of a Strategy.

Arising from the presentation of the report submitted, and in response to a comment made by Mr Orme, Mr Orme was asked to contact the Acting Director of Children's Services regarding the involvement of the Council's Youth Service with Healthwatch as she would wish to see such involvement not only in the actual event but in the lead up to the event and following it.

A comment was also made that when the working group set up to consider the agenda for the event met it was hoped that consideration would be given to the involvement of persons from the widest possible spectrum.

In response to a query regarding the venue for the event it was suggested that if any member of the Board had an alternative location in the borough in mind, would they inform the Assistant Director, Policy, Performance and Resources as soon as possible.

A further comment was also made that this event should not be seen as a one off event but that all avenues should be explored so as to get the widest possible engagement from all concerned in as varied a number of ways as possible.

RESOLVED

That approval be given to

- (1) the overall approach to the development of a Joint Health and Wellbeing Strategy, as indicated in the report submitted.

- (2) subsequent work on a Work Force Strategy by relevant staff; and
- (3) engagement with Dudley people and stakeholders on 5th July, 2012, as well as other routes for children and young people to support the development of a Joint Health and Wellbeing Strategy, taking into account the comments made at the meeting.

32 JOINT STRATEGIC NEEDS ASSESSMENT: UPDATE

A report of the Director of Public Health on progress on the Joint Strategic Needs Assessment was submitted.

The Director of Public Health commented on the content of the report, and its Appendices, with particular reference to the terms of reference and membership of the Joint Strategic Needs Assessment Group attached as Appendix 4 to the report.

The Director of Public Health also commented on the need for the membership of the Group to be flexible so as to be as inclusive as possible and further commented that at a meeting of the Group held earlier today a work plan had been sketched out and would be circulated to members of the Board in due course.

RESOLVED

1. That the information contained in the report, and Appendices of the report submitted, be noted.
2. That approval be given to the terms of reference and membership of the Joint Strategic Needs Assessment Group.
3. That the 'next steps' as set out in the report submitted be agreed.
4. That the Director of Public Health be requested to arrange for the work plan, discussed earlier today, to be circulated to Members of the Board in due course..

33 DUDLEY CLINICAL COMMISSIONING GROUP – COMMISSIONING INTENTIONS_2012/13

A report of the Head of Partnerships and Service Developments – Dudley Clinical Commissioning Group was submitted advising the Board of the Clinical Commissioning Group's commissioning intentions for 2012/13 and for the Board to note that a further report setting out the Clinical Commissioning Group's detailed commissioning plan would be submitted to the Board in due course.

The Senior Management Lead, Dudley Commissioning Group presented the content of the report and reported that whilst the Clinical Commissioning Group was in the process of finalising its financial plan for 2012/13 contracts with the three main providers, referred to in the report, were in place and that the financial plans would shortly be signed off.

Further detail regarding the issues outlined in the report submitted in respect of the three main providers would be contained in the Commissioning Strategy to be submitted to the next meeting of the Board.

A number of questions/queries were then raised by Board members with particular reference to:-

- CAMHS – in regard to which there were issues that needed to be addressed as well as the need to include other services from other sources so that the matter was considered holistically. There would also be a need to look at re-commissioning of the service.
- Procedures of limited clinical value – the Senior Management Lead would arrange for a response to be emailed to members of the Board on this.
- The second commissioning principle – that of commissioning services that were of high quality, offer improved outputs, delivery patient choice and value for money – it was noted that issues with regard to need would inform the substantive Commissioning Strategy to be considered at the next meeting of the Board.
- The issue of maternity services at Russells Hall Hospital which it was reported had been addressed and that further work in relation to balancing capacity and need was currently being undertaken.
- Safeguarding and Looked After Children – in that it was noted that the current work would continue to be considered in to the following year.
- Health Visiting/Family Nurse Partnership – that there were concerns that feedback especially from young people might not be being captured.

At the end of the questions/queries it was

RESOLVED

1. That the issues identified in the Dudley Commissioning Group's Commissioning Intentions for 2012/13, as indicated in the report submitted, be noted.

2. That a further report on the Clinical Commissioning Group's detailed commissioning plan be submitted to a future meeting of the Board.
3. That the Senior Management Lead, Dudley Clinical Commissioning Group, be requested to arrange for a response on Procedures of limited clinical value to be e-mailed to Members of the Board.

34 OFSTED INSPECTION OF SAFEGUARDING AND LOOKED AFTER CHILDREN

A report of the Acting Director of Children's Services was submitted advising the Board of the outcome of the Ofsted Inspection of Safeguarding and Looked after Children Services in Dudley that had taken place between 28th November and 9th December, 2011; to present elements of the action plan to the Board with respect to the recommendations of the Ofsted inspection and for NHS Dudley to present their strategic action plan.

Of the thirteen individual outline action plans that had been developed by the Directorate of Children's Services and partner agencies to meet the recommendations outlined in the Ofsted Inspection Report, eight plans had been developed to support section 1 of the report in relation to safeguarding and five had been developed in relation to section 2 in respect of Looked After Children.

Attached as Appendices to the report submitted were copies of Plan 1, which was subdivided into seven plans, on which Health were the lead, Plan 8 on which Children's Services were the lead and Plan 12 on which the Directorate of Children's Services and Partners were the lead.

In attendance at the meeting were Sue Marshall from Black Country Partnership NHS Foundation Trust and Pauline Owen from Dudley Primary Care Trust to present issues in relation to Plan 1 and respond to questions from Board members.

Sue Marshall commented on the background to the Plan and referred to work that had already been started arising from concerns that had been expressed at the time of the inspection held.

In commenting on the content of Plan 1 reference was made to the banner heading on each sub plan which set out the recommendation of the Care Quality Commission/Ofsted and to the actions and milestones determined so as to achieve improvement. The milestones shown had been colour coded as either Red, Amber or Green and of these it was noted that only three were coded as Red.

Of the issues indicated particular reference was made to supervision on which changes had been made and in respect of capacity issues with the safeguarding team.

Arising from the comments made questions/queries were raised relating in particular to:-

- Current and future resource implications of the Plans. A response was given to the effect that there was a need to change working practices and that on the question of capacity work was being done by partners to understand what the resource implications were. The question of additional resources would require further consideration, discussion and determination.
- The question of base line budgets. It was noted that the Clinical Commissioning Group did know the base line commitment as they had contracts in place with providers totalling approximately £9 million. The Senior Management Lead of the Clinical Commissioning Group would arrange for the information to be emailed to members of the Board and commented that the report to be submitted by the Clinical Commissioning Group to the next meeting of the Board would include reference to resource implications.
- The need to know what the major issues were that required resolution. In response it was reported that this report was part of an ongoing process identifying the recommendations of the Care Quality Commission/Ofsted and the actions taken/to be taken to meet those recommendations and thereby improve performance, as indicated by the four point scale at paragraph 6 of the report. The Acting Director of Children's Services indicated that she could report to a future meeting of the Board outlining the specific successes of the Plans as these moved forward, there being evidence available that matters were improving from the actions already taking place. Progress reports could also be submitted on achievements made across the Plans. The plans did outline what improvements were required and timescales. Funding and other resources would be added as they were identified.

RESOLVED

1. That the information contained in the report, the Appendices to the report, submitted, and as reported at the meeting, be noted and that the Acting Director of Children's Services and the PCT be requested to submit reports to future meetings of the Board on the achievements and progress.
2. That the Senior Management Lead, Dudley Clinical Commissioning Group, be requested to arrange for the information requested in respect of base line budgets to be e-mailed to Members of the Board.

An oral presentation was given on Virtual Ward - Dudley, copies of the presentation having previously been circulated with the agenda for this meeting of the Board.

Derek Hunter, Urgent Care Lead Dudley, commented on the content of the presentation and it was noted that Virtual Ward was a risk stratification tool, initially developed by BUPA, and contained information relating to secondary and primary care.

Eight teams had been set up in Dudley each with a case load relating to adults aged 18 years of age and over. Following an initial pilot roll out of the application across Dudley occurred from October 2010 to January 2011.

As indicated in the presentation benefits accrued from use of the application although there were a number of issues as well. Overall there had been some positive implications arising from the use of the application and Dudley was seen as one of the leaders on the use of Virtual Ward.

Arising from the presentation given a question was asked as to the coverage of the eight teams in the borough and in response it was noted that the teams were based on GP practices and therefore had a geographic location which did not cover the entirety of the Borough. Details of the coverage would be emailed to members of the Board.

Comments were also made that the information arising from this application informed part of the work currently being done in respect of what had become known as troubled families. Given the linkages between Virtual Ward and the work in respect of troubled families it was considered that this was an opportunity for closer working between the respective groups looking at these issues and Board members indicated their endorsement to such closer working with the view to enhancing the work going forward and the sharing of information.

In this regard it was also noted that although it was only a small sample the statistics submitted in respect of frequent attenders indicated a high ratio of alcohol related issues and it was considered that this information should also be shared with the Alcohol Team.

RESOLVED

1. That the information contained in the presentation submitted on Virtual Ward – Dudley be noted and that Mr Hunter be thanked for the presentation given.
2. That the closer working indicated above together with the sharing of information, as indicated, be endorsed by the Board.
3. That the Senior Management Lead, Dudley Clinical Commissioning Group, be requested to arrange for details of the coverage of the Borough by the eight Virtual Ward Teams to be e-mailed to Members of the Board.

36 DATES OF MEETINGS OF THE BOARD IN 2012/13

RESOLVED

That it be noted that meetings of the Board in 2012/13 were to be held on the following Monday's commencing at 3pm in the Council House, Dudley:- 23rd July, 2012, 1st October, 2012, 21st January 2013 and 29th April 2013.

37 LOCAL PUBLIC SERVICE AGREEMENT REWARD FUNDING

Arising from comments made by Mr Hodson, Director, Dudley Community Partnership, it was, following consideration,

RESOLVED

That approval, in principle, be given to allocating a small amount of reward fund monies available to the former Health and Wellbeing Partnership to activity to support engagement and on the development of the JSNA and that the Development Group of Officers, in consultation with Mr Hodson, be authorised to determine the use and allocation of the monies.

38 SURVEY TO BE SENT TO KEY STAKEHOLDERS

Dr Plant reported that as part of the authorisation for the Dudley Clinical Commissioning Group key stakeholders would be sent a survey and Dr Plant expressed the hope that they would respond by completing and returning the survey sent. In respect of the survey it was also reported that some explanatory information had been received by the Directorate of Adult, Community and Housing Services and that Directorate would be happy to share that information with any key stakeholder approached to complete a survey.

39 COMMENTS OF THE CHAIRMAN

As this was the last scheduled meeting of the Board in the current municipal year, the Chairman thanked everyone for the work that had been done and the progress made in reaching the Board's current position .

The meeting ended at 4.35 pm

CHAIRMAN

SDHWB/30

MEETING OF THE CABINET

Wednesday, 26th April, 2012 at 5.00 p.m.
in Committee Room 2 at the Council House, Dudley

PRESENT:-

Councillor L Jones (Leader of the Council) (Chairman)
Councillor Wright (Deputy Leader)
Councillors D Blood, P Harley, Stanley, Vickers and Mrs Walker

together with the following Minority Group Members appointed to attend meetings of the Cabinet

Councillor Sparks (Labour Group)

OFFICERS:-

The Chief Executive, Director of Corporate Resources, Director of the Urban Environment, Acting Director of Children's Services, Treasurer, Assistant Director of Human Resources and Organisational Development and Mr Sanders (Assistant Principal Officer, Democratic Services) – Directorate of Corporate Resources.

114 APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received on behalf of Councillors Ali, Crumpton, Foster, Lowe, Ms Partridge and A Turner.

115 DECLARATIONS OF INTEREST

No member declared a Personal or Prejudicial Interest, in accordance with the Members' Code of Conduct, in respect of any matter to be considered at this meeting.

116 ISSUES ARISING FROM SCRUTINY COMMITTEES

No issues were reported under this item.

117 EXCLUSION OF THE PUBLIC

RESOLVED

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

<u>Description of Items</u>	<u>Relevant paragraph of Part I of Schedule 12A</u>
Staffing issues – year two (2012/13) budget savings	1

118

STAFFING ISSUES – YEAR TWO (2012/13) BUDGET SAVINGS

A report of the Director of Corporate Resources was submitted seeking approval to terminate the contracts of employment of the officers referred to in the report, on the grounds of redundancy, in accordance with the managing employees at risk of redundancy policy.

In the consideration of this matter, the practice of “bumping” was explained by the Assistant Director of Human Resources and Organisational Development, and endorsed.

RESOLVED

That the termination of the contracts of employment of the officers referred to in the report submitted to the meeting be approved, on the grounds of redundancy, in accordance with the terms and conditions set out in the report, should redeployment not be possible.

The meeting ended at 5.10 p.m..

LEADER OF THE COUNCIL

MEETING OF THE CABINET

Wednesday, 20th June, 2012 at 6.00 p.m.
in Committee Room 2 at the Council House, Dudley

PRESENT:-

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

together with the following Minority Group Members appointed to attend meetings of the Cabinet

Councillors Blood, Harley, L Jones, Miller, Mrs Shakespeare and Mrs Walker (Conservative Group)

OFFICERS:-

The Chief Executive, Director of Adult, Community and Housing Services, Director of Corporate Resources, Director of the Urban Environment, Acting Director of Children's Services, Treasurer, Assistant Director of Human Resources and Organisational Development and Mr Sanders (Assistant Principal Officer, Democratic Services) – Directorate of Corporate Resources.

ALSO IN ATTENDANCE

Director of Public Health

1 APOLOGIES FOR ABSENCE

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

2 CHANGES IN REPRESENTATION OF MINORITY GROUP MEMBERS

It was reported that Councillor Miller had been appointed to serve as a Minority Group representative in place of Councillor Vickers, for this meeting of the Cabinet only.

3 DECLARATIONS OF INTEREST

A declaration of Personal Interest, in accordance with the Members' Code of Conduct, was made by Councillor Ali in respect of agenda item number 17 (Public Health) in view of his employment in the National Health Service in a neighbouring Primary Care Trust.

A declaration of Personal Interest, in accordance with the Members' Code of Conduct, was made by Councillor Lowe in respect of agenda item number 13 (Complaint to the Local Government Ombudsman – Enforcement Matter) since he was acquainted with some of the people referred to in the Ombudsman's report.

4 MINUTES

RESOLVED

That the minutes of the meetings of the Cabinet held on 14th March and 26th April, 2012, be approved as correct records and signed.

5 REVENUE AND CAPITAL OUTTURN 2011/12

A report of the Treasurer was submitted setting out the provisional financial results for the Council for the year ended 31st March, 2012.

RESOLVED

- (1) That the draft outturn for 2011/12 be noted.
- (2) That the effect of the General Fund Revenue Outturn on General Balances at 31st March, 2012, be noted.
- (3) That the position on earmarked reserves at 31st March, 2012, be noted.
- (4) That the latest forecast General Fund Revenue position for 2012/13, be noted.

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

REVIEW OF HOUSING FINANCE

A joint report of the Director of Adult, Community and Housing Services and the Treasurer was submitted providing an update on developments in Housing Revenue Account (HRA) finance; and proposing revisions to HRA budgets to reflect latest financial forecasts and revisions to the Public Sector Housing Capital Programme. The report also contained proposals regarding the retention of receipts arising from right to buy sales, together with information concerning changes to right to buy discounts and funding. The report also sought agreement to key priorities for the 30 year Business Plan for the HRA.

A question on management costs was asked, in relation to which the Cabinet Member for Housing, Libraries and Adult Learning agreed to arrange for a written response to be sent to the Member who raised the issue.

RESOLVED

- (1) That receipts arising from right to buy sales, above the current budgeted level, be retained, so long as these additional receipts are used for provision of affordable rented council homes, as set out in paragraph 8 of the report submitted to the meeting.
- (2) That the Director of Adult, Community and Housing Services be authorised to sign the agreement with the Department for Communities and Local Government to retain additional right to buy receipts and use these for provision of affordable rented council homes, as set out in paragraph 8 of the report submitted to the meeting.
- (3) That the key elements of the Housing Revenue Account 30 Year Business Plan be approved as set out in paragraph 9 of the report submitted to the meeting.
- (4) That the Council be recommended:-
 - (a) To approve the revised Housing Revenue Account budget for 2012/13, as set out in paragraph 6 and Appendix 1 of the report submitted to the meeting.
 - (b) To approve the revised Public Sector Housing capital programme for 2012/13 to 2016/17, as set out in paragraph 7 and Appendix 2 of the report submitted to the meeting.

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

7

COUNCIL PLAN 2013: 2012 ANNUAL REFRESH

A report of the Chief Executive was submitted on the 2012 Council Plan refresh in line with the Council Plan policy framework for 2010-13.

RESOLVED

That the Council Plan 2012 refresh be endorsed and the alignment of Cabinet priorities to Council Plan and Directorate Strategic Plans be noted.

8

CAPITAL PROGRAMME MONITORING

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

RESOLVED

- (1) That the results of the Post Completion Review of capital projects, as set out in Appendix B of the report submitted to the meeting, be noted.
- (2) That the Council be recommended:-
 - (a) That current progress with the 2012/13 Capital Programme, as set out in Appendix A to the report submitted to the meeting, be noted.
 - (b) That the additional resources of £0.078m identified from usable housing capital receipts be earmarked for Disabled Facilities Grants, and that the Capital Programme be amended accordingly, as set out in paragraph 5 of the report submitted to the meeting.
 - (c) That the Oak Lane Improvements budget be increased by £105,000, and the Capital Programme amended accordingly, as set out in paragraph 6 of the report submitted to the meeting.
 - (d) That the MOT Testing Facility project be approved and included in the Capital Programme, as set out in paragraph 7 of the report submitted to the meeting.

- (e) That Area Committee Capital Allocations unspent from previous years and rolled forward into 2012/13 be no longer restricted to funding capital projects, as set out in paragraph 8 of the report submitted to the meeting.
- (f) That the Urgent Amendments to the Capital Programme, as set out in paragraphs 9 and 10 of the report submitted to the meeting, be noted.

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

9

IMPLEMENTING THE LOCALISM ACT 2011

A joint report of the Chief Executive and the Director of Corporate Resources was submitted on progress to date in ensuring legal compliance with the Localism Act, 2011 and consistency with the Council Plan on placing Dudley among the best boroughs in the country through strong community engagement and the associated community-focussed developments around “Our Society in Dudley”.

RESOLVED

- (1) That the content of the report and the corporate direction proposed by the Localism Act Steering Group be approved.
- (2) That the ongoing work, as set out in the report submitted to the meeting, be endorsed and the relevant Cabinet Members, the Chief Executive and Directors be authorised to pursue the implementation of the various provisions of the Localism Act 2011 as relevant to their particular areas of responsibility.
- (3) That the corporate progress be monitored by the Director of Corporate Resources through the Localism Act Steering Group.
- (4) That the repeal of the Petitions provisions be noted and the Chairs of Scrutiny Committees be requested to consider and report back to the Cabinet on the revision of the existing Petitions Scheme as contained in the Constitution.

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

10

QUARTERLY CORPORATE PERFORMANCE MANAGEMENT REPORT

A report of the Chief Executive was submitted on the fourth Quarterly Corporate Performance Management Report for 2011/12, relating to performance for the period 1st January to 31st March, 2012.

In the discussion, the Leader of the Council confirmed that it remained the intention that the manner in which performance was monitored would be reviewed and that the issue of performance would continue to be discussed at the regular meetings held between the Shadow Leader and himself.

RESOLVED

- (1) That the Quarterly Corporate Performance Management Report for the period from the 1st January to the 31st March, 2012 be noted and its contents approved.
- (2) That the information contained within the Quarterly Corporate Performance Management Report be referred to Scrutiny Committees to consider specific issues within their Terms of Reference.

11

LOCALISED COUNCIL TAX SUPPORT (REBATE) SCHEME 2013/14

A report of the Director of Corporate Resources was submitted updating members regarding the Coalition Government's proposals for a new, localised council tax support (rebate) scheme from April 2013 and to seek approval to consult on a preferred scheme for Dudley for 2013/14 in advance of final decision-making by the full Council later in the municipal year.

In the discussion, in response to a question, the Cabinet Member for Finance confirmed the funding implications for the preferred option, as set out in the report now submitted. In response to a further question, the Cabinet Member indicated that the Equality Impact Assessment would not be affected since the preferred option was aimed at addressing the circumstances of vulnerable groups.

RESOLVED

That the option to match the eligibility rules and award levels of the existing Council Tax Benefit Scheme be agreed as the Council's preferred option for its 2013/14 localised Council Tax Support Scheme and that consultation proceed on this basis.

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

12 APPOINTMENT OF COUNCIL REPRESENTATIVES TO OUTSIDE ORGANISATIONS

A report of the Director of Corporate Resources was submitted seeking consideration of the appointment of Council representatives to outside organisations for the 2012/13 Municipal Year.

RESOLVED

That the Director of Corporate Resources, in consultation with the Leader of the Council and the Opposition Group Leader, as appropriate, be authorised to determine the appointment of representatives to serve on the outside organisations indicated in the Appendix to the report submitted to the meeting.

13 COMPLAINT TO THE LOCAL GOVERNMENT OMBUDSMAN – ENFORCEMENT MATTER

A joint report of the Director of Corporate Resources and the Director of the Urban Environment was submitted on the conclusions of the Local Government Ombudsman into a complaint made in respect of an enforcement matter and which sought approval to the proposed remedy.

RESOLVED

- (1) That the content of the Ombudsman's report, attached as Appendix A to the report submitted to the meeting, be noted and that approval be given for the payment of compensation to the complainant and the 27 households most directly affected.
 - (2) That the Ombudsman's report be referred to the Environment Scrutiny Committee for consideration and comment.
-

14 REVIEW OF THE PARKING STANDARDS SUPPLEMENTARY PLANNING DOCUMENT – APPROVAL TO ADOPT

A report of the Director of the Urban Environment was submitted seeking consideration of the adoption of the reviewed Parking Standards Supplementary Planning Document.

RESOLVED

That approval be given to the adoption of the Parking Standards Supplementary Planning Document, as reviewed.

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

15 DRAFT NEW HOUSING DEVELOPMENT SUPPLEMENTARY PLANNING DOCUMENT UPDATE – APPROVAL FOR PUBLIC CONSULTATION

A report of the Director of the Urban Environment was submitted seeking approval to the draft update to the New Housing Development Supplementary Planning Document for the purpose of publication for public consultation.

In the discussion, the Cabinet Member for Regeneration confirmed that arrangements would be made for Member consultation.

RESOLVED

That approval be given to the publication of the draft New Housing Development Supplementary Planning Document Update for public consultation for 6 weeks starting on 10th September, 2012.

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

16 CONSULTATION ON THE FUTURE OF NEW BRADLEY HALL

A report of the Director of Adult, Community and Housing Services was submitted on the outcome of the formal consultation process regarding the future of New Bradley Hall residential care home.

RESOLVED

- (1) That New Bradley Hall remain open as a residential care home for long term residents: for the duration of their stay for current residents and for the foreseeable future.
- (2) That a Stakeholder Working Group comprising Members of both political groups and other stakeholders be set up to consider the full range of the wider implications for all older people in the Borough.

- (3) That deliberations around New Bradley Hall be fed into a much wider review in the light of the impending White Paper and Social Care Bill for a complete review of adult social care strategy, this to be carried out at the highest level by a relevant Scrutiny Committee and that the Stakeholder Working Group above feed into the wider review.
-

17 PUBLIC HEALTH

A report of the Chief Executive was submitted seeking on further consideration of the arrangements for the transfer of the Public Health service to the Council.

In relation to the location of the service within the Chief Executive's directorate, the Leader of the Council explained that a central directorate was proposed in view of the different disciplines involved in Public Health.

RESOLVED

- (1) That minute number 111 of the meeting of the Cabinet held on 14th March 2012 be rescinded.
 - (2) That the Office of Public Health be located within the Directorate of the Chief Executive and the Director of Public Health report directly to the Chief Executive.
 - (3) That the report be noted.
-

18 ISSUES ARISING FROM SCRUTINY COMMITTEES

No issues were reported under this item.

19 EXCLUSION OF THE PUBLIC

RESOLVED

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

Description of Item

Relevant paragraph of
Part I of Schedule 12A

Staffing Issues – Directorate of
Children’s Services

1

20

STAFFING ISSUES – DIRECTORATE OF CHILDREN’S SERVICES

A report of the Acting Director of Children’s Services was submitted seeking approval to terminate the contracts of employment of the officers referred to in the report, on the grounds of compulsory redundancy, if successful redeployment is not achieved by 31st August, 2012.

RESOLVED

That the termination of the contracts of employment of the officers referred to in the report submitted to the meeting, on the grounds of redundancy, and the negotiated enhanced severance payments, in accordance with the terms and conditions set out in the report, be approved, should successful redeployment not be achieved by 31st August, 2012.

The meeting ended at 6.40p.m.

LEADER OF THE COUNCIL

DELEGATED DECISION SUMMARIES

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

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

1.	<u>Delegated Decision Summary</u>	<table border="0"> <tr> <td colspan="2">Exempt</td> </tr> <tr> <td>Yes</td> <td>No</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	Exempt		Yes	No	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Exempt								
Yes	No							
<input type="checkbox"/>	<input checked="" type="checkbox"/>							
Decision Made By	Cllr Khurshid Ahmed							
Authorised By	Cllr Khurshid Ahmed, Cabinet Member for Housing, Libraries and Adult							
In Consultation With	Andrea Pope-Smith, Director of Adult, Community and Housing Services							
Ward(s) Affected	Brockmoor & Pensnett							
Date of Decision	30 May 2012	Reference DACHS/009/2012						

Orchard Street Lettings Plan

To confirm the local lettings plan for the new build council homes at Orchard Street on the Dudley Fields estate

2.	<u>Delegated Decision Summary</u>	<table border="0"> <tr> <td colspan="2">Exempt</td> </tr> <tr> <td>Yes</td> <td>No</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	Exempt		Yes	No	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Exempt								
Yes	No							
<input type="checkbox"/>	<input checked="" type="checkbox"/>							
Decision Made By	Cllr Khurshid Ahmed							
Authorised By	Cllr Khurshid Ahmed, Cabinet Member for Housing, Libraries and Adult							
In Consultation With	Andrea Pope-Smith, Director of Adult, Community and Housing Services							
Ward(s) Affected	All							
Date of Decision	15 June 2012	Reference DACHS/010/2012						

Deed of Assignment – Kick Start Loan Portfolio

To sign the Deeds of Assignment with Street UK Ltd and Art Homes Ltd thereby transferring the administration of Dudley MBCs portfolio of loan products (created as part of the Kick Start Programme) to Dudley MBC.

3.	<u>Delegated Decision Summary</u>	<table border="0"> <tr> <td colspan="2">Exempt</td> </tr> <tr> <td>Yes</td> <td>No</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	Exempt		Yes	No	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Exempt								
Yes	No							
<input type="checkbox"/>	<input checked="" type="checkbox"/>							
Decision Made By	Cllr Tim Crumpton							
Authorised By	Cllr Tim Crumpton, Cabinet Member for Integrated Children's Services							
In Consultation With	Jane Porter, Acting Director of Children's Services							
Ward(s) Affected	Netherton, Woodside & St.Andr St Thomas's Castle & Priory St James's Quarry Bank & Dudley Wood							
Date of Decision	06 June 2012	Reference DCS/16/2012						

Change to Instrument of Government for Netherton Park Children's Centre

To make a new instrument of government for Netherton Park Children's Centre to change its name to Netherton Park Nursery School and Children's Centre.

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

Yes No

Decision Made By Cllr Tim Crumpton
Authorised By Cllr Tim Crumpton, Cabinet Member for Integrated Children's Services
In Consultation With Jane Porter, Acting Director of Children's Services
Ward(s) Affected Amblecote
Lye and Stourbridge North
Norton
Pedmore & Stourbridge East
Wollaston & Stourbridge Town

Date of Decision 06 June 2012 **Reference** DCS/17/2012

Change to Instrument of Government for Old Park School

To make a new instrument of government for Old Park School to increase the Community representation from 3 to 4.

5.**Delegated Decision Summary****Exempt**

Yes No

Decision Made By Cllr Tim Crumpton
Authorised By Cllr Tim Crumpton, Cabinet Member for Integrated Children's Services
In Consultation With Jane Porter, Acting Director of Children's Services
Ward(s) Affected All

Date of Decision 06 June 2012 **Reference** DCS/18/2012

Dudley Schools Forum School Member Appointments

In respect of Dudley Schools Forum, to approve the continuing appointment of five Schools' Members and the new appointment of the Early Years Provider Reference Group Representative from the 1st May 2012.

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

Yes No

Decision Made By Cllr Tim Crumpton
Authorised By Cllr Tim Crumpton, Cabinet Member for Integrated Children's Services
In Consultation With Jane Porter, Acting Director of Children's Services
Ward(s) Affected All

Date of Decision 18 June 2012 **Reference** DCS/19/2012

Early Years Foundation Stage

Approval for the internal and external charges Sept 2012- July 2013 to schools and private and voluntary settings (including childminders) for on-site and centrally based professional development activities, advice and support.

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

Yes No

Decision Made By Cllr Tim Crumpton
Authorised By Cllr Tim Crumpton, Cabinet Member for Integrated Children's Services
In Consultation With Jane Porter, Acting Director of Children's Services
Ward(s) Affected All
Date of Decision 18 June 2012 **Reference** DCS/20/2012

Learning Support Service

To increase the costs of Learning Support Service 'units' of activity for the new financial year.

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

Yes No

Decision Made By Cllr Tim Crumpton
Authorised By Cllr Tim Crumpton, Cabinet Member for Integrated Children's Services
In Consultation With Jane Porter, Acting Director of Children's Services
Ward(s) Affected All
Date of Decision 18 June 2012 **Reference** DCS/21/2012

School Improvement Service – Charging

Approve the cost of training and support to schools (both internal and external) through the School Improvement Traded Service for 2012-13. To include costs for:

- (i) Primary Traded Service
 - (ii) Secondary Traded Service
 - (iii) Education Improvement Adviser Support Service
 - (iv) Data package
-

9.**Delegated Decision Summary****Exempt**

Yes No

Decision Made By Cllr Tim Crumpton
Authorised By Cllr Tim Crumpton, Cabinet Member for Integrated Children's Services
In Consultation With Jane Porter, Acting Director of Children's Services
Ward(s) Affected All
Date of Decision 18 June 2012 **Reference** DCS/22/2012

Youth Service – lettings

1. To approve a decision that the Basic Letting Charges for use of local authority controlled youth centres remain unchanged for 2012- 2013.

2. That the Youth Service continue to apply discretion when negotiating use in order to support local youth and community groups in line with the 'Big Society, Our Society' agenda.

Decision Made By	Cllr Tim Crumpton	
Authorised By	Cllr Tim Crumpton, Cabinet Member for Integrated Children's Services	
In Consultation With	Jane Porter, Acting Director of Children's Services	
Ward(s) Affected	All	
Date of Decision	25 June 2012	Reference DCS/27/2012

Governor Support – Charges

To approve the charges for the Governor Support Clerk and Training traded service as follows:

Clerking Subscription

Level A £825 (one meeting per term)

Level B £1,650 (two meetings per term)

Level C £500 (Training and briefing for school based clerk)

Parent Governor Election support £85

Other Options

- Committee Clerking (1½ hours, meetings that extend beyond this time are subject to an additional charge of £32 per hour, calculated on a half-hourly basis) Clerk only £100 Full Service £125
- Extra Full Governing Body Meeting: Clerk only £200 Full Service £275
- Staff Dismissal/Staff Dismissal Appeal: £195 per ½ day (3.5 hours) £390 per day (7 hours). Meetings that extend beyond 78 hours will be charged at 3.5 hourly intervals or part thereof.
- HR Investigation meetings are charged as Committee Meetings
- Admission Appeal Clerking – this is a joint traded service with Democratic Services and the clerking element is charged at £50 per appeal.

Training Subscription

Level A Prices are dependent on size of the governing body as follows:-

9 – 12 Governors £480 13 – 15 Governors £600

16 – 18 Governors £720 19 – 21 Governors £800

Level BAs above with subscription of £95 to Modern Governor E-Learning package

Commissioning

There is a commissioning service available to subscribing schools and this is done at the cost of the trainer. All trainers are aware that any bookings should be directed through the service.

11.

Delegated Decision Summary

Exempt

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

Decision Made By Cllr Tim Crumpton
Authorised By Cllr Tim Crumpton, Cabinet Member for Integrated Children's Services
In Consultation With Jane Porter, Acting Director of Children's Services
Ward(s) Affected Amblecote
Lye and Stourbridge North
Norton
Pedmore & Stourbridge East
Wollaston & Stourbridge Town
Date of Decision 25 June 2012
Reference DCS/26/2012

Dudley Schools Forum School Member Appointments

In respect of Dudley Schools Forum, to approve the appointment of the Schools' Member for the Stourbridge primary head teacher representative from 1st June 2012

12.

Delegated Decision Summary

Exempt

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

Decision Made By Cllr Tim Crumpton
Authorised By Cllr Tim Crumpton, Cabinet Member for Integrated Children's Services
In Consultation With Jane Porter, Acting Director of Children's Services
Ward(s) Affected All
Date of Decision 25 June 2012
Reference DCS/23/2012

Dudley Performing Arts – Charges

Dudley Performing Arts (DPA) is able to implement increased to charges as detailed on attached sheet.

13.

Delegated Decision Summary

Exempt

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

Decision Made By Cllr Tim Crumpton
Authorised By Cllr Tim Crumpton, Cabinet Member for Integrated Children's Services
In Consultation With Jane Porter, Acting Director of Children's Services
Ward(s) Affected All
Date of Decision 25 June 2012
Reference DCS/24/2012

School Admissions Service – Traded Service Charges

To approve the charges for admission appeals support to Academies for 2012/13.

14.**Delegated Decision Summary****Exempt**

Yes No

Decision Made By Cllr Tim Crumpton
Authorised By Cllr Tim Crumpton, Cabinet Member for Integrated Children's Services
In Consultation With Jane Porter, Acting Director of Children's Services
Ward(s) Affected All
Date of Decision 25 June 2012 **Reference** DCS/25/2012

Sycamore Adventure Charges – Amendments for 2012/2013

To increase charges of bookable play sessions at Sycamore Adventure for schools, child care settings, groups, for private children's parties and for team building and training events. The public access play sessions for Dudley residents are free of charge for children playing at the adventure playground.

15.**Delegated Decision Summary****Exempt**

Yes No

Decision Made By Cllr Foster
Authorised By Cllr Foster, Cabinet Member Transportation and Community Safety
In Consultation With John Millar, Director of the Urban Environment
Ward(s) Affected St James's
St Thomas's
Date of Decision 19 June 2012 **Reference** DUE/22/2012

Dudley Town Centre, Experimental Traffic Orders for Waiting Restrictions

1.1 That the Borough Council of Dudley (Dudley Town Centre) (Experimental Parking Places) (No. 5 Order Type) (Amendment No.1) Order 2011 be made permanent.

16.**Delegated Decision Summary****Exempt**

Yes No

Decision Made By Cllr Patrick Harley
Authorised By Cllr Patrick Harley, Cabinet Member Transportation
In Consultation With John Millar, Director of the Urban Environment
Ward(s) Affected Kingswinford North &
WallHeath
Date of Decision 16 April 2012 **Reference** DUE/17/2012

Proposed Gating Order for a length of public footpath at Kilburn Drive, Kingswinford

1.1 That the Borough Council of Dudley (Gating of a public footpath at Kilburn Drive, Kingswinford) Order 2012 be brought into force.

17.

Delegated Decision Summary

Exempt

Yes No

Decision Made By Cllr Patrick Harley

Authorised By Cllr Patrick Harley, Cabinet Member Transportation

In Consultation With John Millar, Director of the Urban Environment

Ward(s) Affected All

Date of Decision 19 April 2012

Reference DUE/19/2012

Local Safety Schemes, Safer Routes to School and Pedestrian Programmes for 2012/2013

1.1 That the 2012/13 locations for measures as part of the Local Safety Schemes, Safer Routes to School and Pedestrian Programme, attached as Appendices A and B, be agreed.

18.

Delegated Decision Summary

Exempt

Yes No

Decision Made By Cllr Patrick Harley

Authorised By Cllr Patrick Harley, Cabinet Member Transportation

In Consultation With John Millar, Director of the Urban Environment

Ward(s) Affected Quarry Bank & Dudley Wood

Date of Decision 19 April 2012

Reference DUE/18/2012

Safer Routes to School Scheme 2011/12 – Roads surrounding Netherbrook Primary School, Netherton

1.1 That the waiting restriction and one-way Traffic Regulation Orders be sealed as advertised.

19.

Delegated Decision Summary

Exempt

Yes No

Decision Made By Cllr Les Jones

Authorised By Cllr Les Jones, Cabinet Member for Policy and Leader of the Council

In Consultation With John Polychronakis, Chief Executive

Ward(s) Affected All

Date of Decision 12 April 2012

Reference CE/01/2012

Community Enterprise Fund

To endorse the framework, criteria and processes agreed by Corporate Board regarding the Community Enterprise Fund as a single non-recurring fund to support start-up of new social enterprises in the Borough.

20.

Delegated Decision Summary

Exempt

Yes No

Decision Made By Cllr Les Jones

Authorised By Cllr Les Jones, Cabinet Member for Policy and Leader of the Council

In Consultation With Philip Tart, Director of Corporate Resources

Ward(s) Affected Castle & Priory

Date of Decision 24 April 2012

Reference DCR/16/2012

Heritage Lottery Funding Deed.

That the Council as freehold owner and partner of the Dudley Zoological Gardens Ltd., enters into a deed with Heritage Lottery Funding, and Dudley Zoological Gardens Ltd., upon terms and conditions, contained within the Heritage Lottery Fund's standard funding agreement.

21.

Delegated Decision Summary

Exempt

Yes No

Decision Made By Cllr Tim Wright, Deputy Leader

Authorised By Cllr Tim Wright, Deputy Leader, Cabinet Member for Human Resources, Law
Cllr David Blood, Cabinet Member for Finance

In Consultation With Philip Tart, Director of Corporate Resources

Ward(s) Affected All

Date of Decision 03 April 2012

Reference DCR/13/2012

Approval of the Directorate of Corporate Resources Annual Equality Action Plan for 2012/13

That the Directorate of Corporate Resources Annual Equality Action Plan for 2012/13 be approved.

22.

Delegated Decision Summary

Exempt

Yes No

Decision Made By Cllr Tim Wright, Deputy Leader

Authorised By Cllr Tim Wright, Deputy Leader, Cabinet Member for Human Resources, Law
Cllr. Angus Adams, Cabinet Member for Regeneration

In Consultation With Philip Tart, Director of Corporate Resources
John Millar, Director of the Urban Environment

Ward(s) Affected Lye and Stourbridge North

Date of Decision 10 April 2012

Reference DCR/14/2012

Lease of Lye Business Centre to the Limited Liability Partnership (LLP)

To approve the signing of a lease of Lye Business Centre to PSP Dudley, Limited Liability Partnership and any other associated documents to facilitate the transfer.

23.

Delegated Decision Summary

Exempt

Yes No

Decision Made By Cllr Tim Wright, Deputy Leader

Authorised By Cllr Tim Wright, Deputy Leader, Cabinet Member for Human Resources, Law

In Consultation With Teresa Reilly, Assistant Director

Ward(s) Affected All

Date of Decision 10 April 2012

Reference HOPSS/14/2012

Creation of a new temporary post, Troubled Families Coordinator

To create a temporary post of Troubled Families Coordinator.

24.

Delegated Decision Summary

Exempt

Yes No

Decision Made By Cllr Tim Wright, Deputy Leader

Authorised By Cllr Tim Wright, Deputy Leader, Cabinet Member for Human Resources, Law

In Consultation With Teresa Reilly, Assistant Director

Ward(s) Affected All

Date of Decision 10 April 2012

Reference HOPSS/19/2012

Micro Services Coordinator Post (2 years contract)

To appoint to the post of Micro Services Coordinator. This is a two year temporary contract.

25.

Delegated Decision Summary

Exempt

Yes No

Decision Made By Cllr Tim Wright, Deputy Leader

Authorised By Cllr Tim Wright, Deputy Leader, Cabinet Member for Human Resources, Law

In Consultation With Teresa Reilly, Assistant Director

Ward(s) Affected All

Date of Decision 10 April 2012

Reference HOPSS/15/2012

Creation of a new post for a Connexions Personal Adviser (Learning Difficulties and/or Disabilities)

To create a new post Personal Adviser (Learning Difficulties and/or Disabilities) for Connexions Based at Saltwells Education Centre.

26.

Delegated Decision Summary

Exempt

Yes No

Decision Made By Cllr Tim Wright, Deputy Leader

Authorised By Cllr Tim Wright, Deputy Leader, Cabinet Member for Human Resources, Law

In Consultation With Teresa Reilly, Assistant Director

Ward(s) Affected All

Date of Decision 10 April 2012

Reference HOPSS/16/2012

Creation of new posts, a Senior Receptionist and a PA Support Assistant for Executive Support Team, Westox House

To create posts of Senior Receptionist and a PA Support Assistant for Executive Support Team, Westox House

27.

Delegated Decision Summary

Exempt

Yes No

Decision Made By Cllr Tim Wright, Deputy Leader

Authorised By Cllr Tim Wright, Deputy Leader, Cabinet Member for Human Resources, Law

In Consultation With Teresa Reilly, Assistant Director

Ward(s) Affected All

Date of Decision 10 April 2012

Reference HOPSS/17/2012

Approval for re-direction of resources to new post of Asset Management Officer (Housing)

To approve the re-direction of existing HRA (Housing Revenue Account) resources to fund the recruitment of an Asset Management Officer (Housing).

28.

Delegated Decision Summary

Exempt

Yes No

Decision Made By Cllr Tim Wright, Deputy Leader

Authorised By Cllr Tim Wright, Deputy Leader, Cabinet Member for Human Resources, Law

In Consultation With Teresa Reilly, Assistant Director

Ward(s) Affected None

Date of Decision 10 April 2012

Reference HOPSS/18/2012

To terminate the contract of employment of EP on the grounds of end of fixed term contract in accordance with the Managing Employees at Risk of Redundancy Polic

That the contract of EP be terminated on the grounds of end of fixed term contract in accordance with the Council's Managing Employees at Risk of Redundancy Policy and the Retraining and Redeployment Policy and Procedure.

29.

Delegated Decision Summary

Exempt

Yes No

Decision Made By Cllr Tim Wright, Deputy Leader

Authorised By Cllr Tim Wright, Deputy Leader, Cabinet Member for Human Resources, Law

In Consultation With Teresa Reilly, Assistant Director

Ward(s) Affected All

Date of Decision 20 April 2012

Reference HOPSS/20/2012

Creation of a new post within the Children's and Families Division - Senior Residential
Childcare Worker

To create an additional Senior Childcare Worker post in order to facilitate a change in the staffing structure at a Children's Home within the Children's and Families Division in order to provide shift cover at a senior level. This follows a recommendation from a recent Ofsted inspection.

30.

Delegated Decision Summary

Exempt

Yes No

Decision Made By Cllr Tim Wright, Deputy Leader

Authorised By Cllr Tim Wright, Deputy Leader, Cabinet Member for Human Resources, Law

In Consultation With Teresa Reilly, Assistant Director

Ward(s) Affected All

Date of Decision 25 April 2012

Reference HOPSS/21/2012

Creation of a new temporary post 1 year, Adoption Support Lifework Post

To create an Adoption Support Lifework post located in the Adoption Service as part of a strategic plan to coordinate and quality assure provision for LAC children placed for adoption.

31.

Delegated Decision Summary

Exempt

Yes No

Decision Made By Cllr Tim Wright, Deputy Leader

Authorised By Cllr Tim Wright, Deputy Leader, Cabinet Member for Human Resources, Law

In Consultation With Teresa Reilly, Assistant Director

Ward(s) Affected All

Date of Decision 25 April 2012

Reference HOPSS/22/2012

Creation of an additional Welfare Benefits Officer post (Training & Consultancy)

To create an additional post within DACHS of Welfare Benefits Officer (Training & Consultancy)

32.**Delegated Decision Summary****Exempt**

Yes No

 Decision Made By Cllr Tim Wright, Deputy Leader**Authorised By** Cllr Tim Wright, Deputy Leader, Cabinet Member for Human Resources, Law**In Consultation With** Teresa Reilly, Assistant Director**Ward(s) Affected** None**Date of Decision** 25 April 2012**Reference** HOPSS/23/2012**Review and update of the following policies: 1. Annual Leave Policy 2. Annual Leave Calculations Procedure 3. Grievance Policy and Procedure**

To agree updates to the current grievance policy and procedure as a result of a review of the procedure and in line with current employment legislation.

To agree a new policy for annual leave which brings together current working practices across the council for a more consistent approach to leave and takes into account employment legislation and improved technology.

To agree to the policies being implemented with effect from May 2012.

33.**Delegated Decision Summary****Exempt**

Yes No

 Decision Made By Cllr Gaye Partridge**Authorised By** Cllr Gaye Partridge, Cabinet Member for Human Resources, Law and**In Consultation With** Teresa Reilly, Assistant Director**Ward(s) Affected** None**Date of Decision** 01 June 2012**Reference** HOPSS/24/2012**Approval of the flexible retirement for MC Elections Officer in The Chief Executive's Directorate effective from 1st June 2012.**

To seek approval for the flexible retirement of MC, aged 59 years, in the Chief Executive Directorate effective from 1st June 2012.

34.**Delegated Decision Summary****Exempt**

Yes No

 Decision Made By Cllr Gaye Partridge**Authorised By** Cllr Gaye Partridge, Cabinet Member for Human Resources, Law and**In Consultation With** Teresa Reilly, Assistant Director**Ward(s) Affected** All**Date of Decision** 08 June 2012**Reference** HOPSS/25/2012**Creation of new posts – 5 fte Fieldwork Support Project Assistants and 1 fte Fieldwork Support Project Manager (12 month project)**

To create 5 fte Fieldwork Support Project Assistants and 1 fte Fieldwork Support Project Manager for a 12 month project to support Social Work Teams.

35.**Delegated Decision Summary****Exempt**

Yes No

 Decision Made By Cllr Gaye Partridge**Authorised By** Cllr Gaye Partridge, Cabinet Member for Human Resources, Law and**In Consultation With** Teresa Reilly, Assistant Director**Ward(s) Affected** All**Date of Decision** 08 June 2012**Reference** HOPSS/26/2012**Creation of 5 Fixed Terms posts - 6 Full-Time Family Intervention Workers and 1 Part-Time 0.5 Administration post**

To establish four temporary 1 year Family Intervention Project Worker posts and one temporary 0.5 Administrative post to be located within the Family Intervention Service.

36.**Delegated Decision Summary****Exempt**

Yes No

 Decision Made By Cllr Gaye Partridge**Authorised By** Cllr Gaye Partridge, Cabinet Member for Human Resources, Law and**In Consultation With** Teresa Reilly, Assistant Director**Ward(s) Affected** None**Date of Decision** 11 June 2012**Reference** HOPSS/27/2012**School Information Governance Officer**

To approve the recruitment of a 1 year temporary part time (25 hours) Schools Information Governance Officer to be based within the Directorate of Children's Services.

37.**Delegated Decision Summary****Exempt**

Yes No

 Decision Made By Cllr Gaye Partridge**Authorised By** Cllr Gaye Partridge, Cabinet Member for Human Resources, Law and**In Consultation With** Teresa Reilly, Assistant Director**Ward(s) Affected** All**Date of Decision** 12 June 2012**Reference** HOPSS/28/2012**FAST Social worker post**

To establish a temporary (12 months) Social Work post within the FAST service to undertake court directed family and parenting assessment.

38.**Delegated Decision Summary****Exempt**

Yes No

 Decision Made By Cllr Gaye Partridge**Authorised By** Cllr Gaye Partridge, Cabinet Member for Human Resources, Law and**In Consultation With** Teresa Reilly, Assistant Director**Ward(s) Affected** All**Date of Decision** 14 June 2012**Reference** HOPSS/29/2012**Creation of a new post, Assistant Cook (12 month contract)**

To create a post of Assistant Cook at Bishop Milner RC School (12 month contract initially). 32½ hours per week, 8.00am – 3.00pm, Monday – Friday. Term time only.

39.**Delegated Decision Summary****Exempt**

Yes No

 Decision Made By Cllr Gaye Partridge**Authorised By** Cllr Gaye Partridge, Cabinet Member for Human Resources, Law and**In Consultation With** Teresa Reilly, Assistant Director**Ward(s) Affected** All**Date of Decision** 14 June 2012**Reference** HOPSS/30/2012**Creation of a Contracts Officer Post (part time 18.5 hours)**

To create the post of Contracts Officer to develop and monitor contracts with private providers for services for vulnerable and looked after children within Children's Social Care

40.**Delegated Decision Summary****Exempt**

Yes No

 Decision Made By Cllr Gaye Partridge**Authorised By** Cllr Gaye Partridge, Cabinet Member for Human Resources, Law and**In Consultation With** Teresa Reilly, Assistant Director**Ward(s) Affected** All**Date of Decision** 20 June 2012**Reference** HOPSS/32/2012**Project Manager/Placement Officer**

To create a new post of Project Manager/Placement officer in the SEN Assessment Team

41.

Delegated Decision Summary

Exempt

Yes No

Decision Made By Cllr Gaye Partridge

Authorised By Cllr Gaye Partridge, Cabinet Member for Human Resources, Law and

In Consultation With Teresa Reilly, Assistant Director

Ward(s) Affected All

Date of Decision 20 June 2012

Reference HOPSS/33/2012

Approval to appoint a temporary senior information analyst

To appoint a temporary senior information analyst (social care) for a period of one year.

42.

Delegated Decision Summary

Exempt

Yes No

Decision Made By Cllr Gaye Partridge

Authorised By Cllr Gaye Partridge, Cabinet Member for Human Resources, Law and

In Consultation With Teresa Reilly, Assistant Director

Ward(s) Affected All

Date of Decision 20 June 2012

Reference HOPSS/34/2012

Connexions Management Information Officer

Approval to recruit a Management Information Offer to support CCIS requirements (Section 68 duty)

43.

Delegated Decision Summary

Exempt

Yes No

Decision Made By Cllr Gaye Partridge

Authorised By Cllr Gaye Partridge, Cabinet Member for Human Resources, Law and

In Consultation With Teresa Reilly, Assistant Director

Ward(s) Affected All

Date of Decision 20 June 2012

Reference HOPSS/35/2012

Approval to appoint a System Support Officer for the ICS system within the Strategic ICT team in Quality and Partnership

Approval to appoint a System Support Officer for the ICS system within the Strategic ICT team in Quality and Partnership

44.**Delegated Decision Summary****Exempt**

Yes No

 Decision Made By Cllr Gaye Partridge**Authorised By** Cllr Gaye Partridge, Cabinet Member for Human Resources, Law and**In Consultation With** Teresa Reilly, Assistant Director**Ward(s) Affected** All**Date of Decision** 20 June 2012**Reference** HPOSS/31/2012**Creation of a new post, Cook in Charge at Netherton Park Childrens Centre**

To create a post of Cook in Charge at Netherton Park Children's Centre. 25 hours per week. 9.00am – 2.30pm, Monday – Friday. 52 weeks.

45.**Delegated Decision Summary****Exempt**

Yes No

 Decision Made By Cllr Gaye Partridge**Authorised By** Cllr Gaye Partridge, Cabinet Member for Human Resources, Law and**In Consultation With** Teresa Reilly, Assistant Director**Ward(s) Affected** All**Date of Decision** 21 June 2012**Reference** HOPSS/36/2012**Creation of Two Connexions Personal Advisers – Traded Service**

To create Two Connexions Personal Adviser posts on Zero hour contracts. These posts are required to deliver the Information Advice and Guidance work offered to Secondary Schools through Traded Service.

46.**Delegated Decision Summary****Exempt**

Yes No

 Decision Made By Cllr Gaye Partridge**Authorised By** Cllr Gaye Partridge, Cabinet Member for Human Resources, Law and**In Consultation With** Teresa Reilly, Assistant Director**Ward(s) Affected** All**Date of Decision** 27 June 2012**Reference** HOPSS/37/2012**To create an additional senior assessor post in Benefit Services for a period of 18 months**

To increase the establishment for Senior Assessors in Benefit Services by an additional temporary post for a period of 18 months using funding from the Department for Work and Pensions

47.**Delegated Decision Summary****Exempt**Yes No **Decision Made By** Andrea Pope-Smith**Authorised By** Cllr. Waltho, Cabinet Member for Adult and Community Services

Cllr Khurshid Ahmed, Cabinet Member for Housing, Libraries and Adult

In Consultation With Andrea Pope-Smith, Director of Adult, Community and Housing Services**Ward(s) Affected** All**Date of Decision** 18 June 2012**Reference** DACHS/011/2012**DIRECTORATE OF ACHS EQUALITY ACTION PLAN 2012/13**

To approve the Directorate's Equality Action Plan for 2012/13, following scrutiny as an information item at the Health and Adult Social Care Scrutiny Committee of 28th March 2012

48.**Delegated Decision Summary****Exempt**Yes No **Decision Made By** Cllr David Sparks**Authorised By** Cllr David Sparks, Cabinet Member for Policy and Leader of the Council**In Consultation With** Iain Newman, Treasurer**Ward(s) Affected** St James's

St Thomas's

Date of Decision 21 May 2012**Reference** DCR/17/2012**Inclusion of refurbishment of toilets at Regent House in the Capital Programme**

To include the refurbishment of all toilets at Regent House in the Capital Programme.

49.**Delegated Decision Summary****Exempt**Yes No **Decision Made By** Cllr David Sparks**Authorised By** Cllr David Sparks, Cabinet Member for Policy and Leader of the Council**In Consultation With** John Polychronakis, Chief Executive**Ward(s) Affected** All**Date of Decision** 07 June 2012**Reference** CE/02/2012**Chief Executive's Directorate's equality action plan for 2012/13**

That the Chief Executive's Directorate's equality action plan for 2012/13 be approved.

50.**Delegated Decision Summary****Exempt**

Yes No

Decision Made By Cllr David Sparks
Authorised By Cllr David Sparks, Cabinet Member for Policy and Leader of the Council
In Consultation With John Polychronakis, Chief Executive
Ward(s) Affected All
Date of Decision 07 June 2012 **Reference** CE/03/2012

Funding to Centre for Equality and Diversity

That funding of £40,400 be provided from the Chief Executive's Directorate's budget to the Centre for Equality and Diversity in 2012/13 and a service level agreement for 2012/13 to 2014/15 be entered into with the organisation.

51.**Delegated Decision Summary****Exempt**

Yes No

Decision Made By Cllr David Sparks
Authorised By Cllr David Sparks, Cabinet Member for Policy and Leader of the Council
In Consultation With John Polychronakis, Chief Executive
Ward(s) Affected All
Date of Decision 11 June 2012 **Reference** CE/04/2012

Funding to Dudley Council for Voluntary Service in 2012/13

That funding of £160,500 be provided from the Chief Executive's Directorate's budget to Dudley Council for Voluntary Service in 2012/13 and a service level agreement be entered into with the organisation for 2012/13-2014/15.

52.**Delegated Decision Summary****Exempt**

Yes No

Decision Made By Cllr David Sparks
Authorised By Cllr David Sparks, Cabinet Member for Policy and Leader of the Council
In Consultation With Iain Newman, Treasurer
Ward(s) Affected All
Date of Decision 11 June 2012 **Reference** DUE/20/2012

Salt Barn & Green Waste Transfer Facility

Agree to the increased budget requirements and amendment of the Capital Programme following the receipt of tenders for the provision of a salt barn and green waste transfer buildings at Lister Road Depot.

That to enable timescales associated with procurement, construction and operation of the above facility to be complied with this decision be treated as a matter of urgency under Select Committee Procedure Rules 15(1) and not subject to call in and be implemented with immediate effect.

53.**Delegated Decision Summary****Exempt**

Yes No

Decision Made By Cllr David Sparks
Authorised By Cllr David Sparks, Cabinet Member for Policy and Leader of the Council
In Consultation With Iain Newman, Treasurer
Ward(s) Affected Cradley and Wollescote
Date of Decision 13 June 2012 **Reference** DUE/21/2012

Cradley Forge Embankment

That the making of a bid to the Environment Agency (EA) for grant funding to prepare a design and construct a new large diameter culvert be approved.

54.**Delegated Decision Summary****Exempt**

Yes No

Decision Made By Cllr David Sparks
Authorised By Cllr David Sparks, Cabinet Member for Policy and Leader of the Council
In Consultation With Philip Tart, Director of Corporate Resources
Ward(s) Affected All
Date of Decision 15 June 2012 **Reference** DCR/21/2012

Scheme of delegation

That the scheme of delegation, as set out in Part 3 of the Council's Constitution, be amended to authorise the Director of Corporate Resources to designate an offer to undertake the duties of the Council as a 'Responsible Authority' under the Licensing Act 2003 relating to the suspension of Premises Licences and Club Premises Certificates for non payment of annual fees.

55.**Delegated Decision Summary****Exempt**

Yes No

Decision Made By Philip Tart
Authorised By Philip Tart, Director of Corporate Resources
In Consultation With Cllr David Blood, Cabinet Member for Finance
Ward(s) Affected All
Date of Decision 23 April 2012 **Reference** DCR/15/2012

The acceptance of a Tender following a Competitive Tendering Exercise.

That, following a Tender exercise, to award the Contract for the Management & Operation of a Household Waste & Recycling Centre (HWRC) on behalf of the Directorate of Urban Environment, Waste Care Division (Contract Management Ref no. 1232).

56.**Delegated Decision Summary****Exempt**

Yes No

 Decision Made By Philip Tart**Authorised By** Philip Tart, Director of Corporate Resources**In Consultation With** Cllr Peter Lowe, Cabinet Member for Finance**Ward(s) Affected** All**Date of Decision** 28 May 2012**Reference** DCR/18/2012**The extension of a Contract (1234)**

To extend the Contract for the Supply of Refuse Sacks for the period 1st June 2012 to 31st May 2013.(Contract Management Ref no. 1234).

57.**Delegated Decision Summary****Exempt**

Yes No

 Decision Made By Philip Tart**Authorised By** Philip Tart, Director of Corporate Resources**In Consultation With** Cllr Peter Lowe, Cabinet Member for Finance**Ward(s) Affected** All**Date of Decision** 29 May 2012**Reference** DCR/20/2012**The acceptance of a Tender following a Competitive Tendering Exercise (1235)**

That, following a Tender exercise, to award the Contract for the Supply of Grocery Provisions & Frozen Foods on behalf of the Directorate of Children's Services, Client & Catering Services, Dudley MBC.
(Contract Management Ref no. 1235).

58.**Delegated Decision Summary****Exempt**

Yes No

 Decision Made By Philip Tart**Authorised By** Philip Tart, Director of Corporate Resources**In Consultation With** Cllr Peter Lowe, Cabinet Member for Finance**Ward(s) Affected** All**Date of Decision** 29 May 2012**Reference** DCR/19/2012**The acceptance of a Tender following a Competitive Tendering Exercise (1233)**

That, following a Tender exercise, to award the Contract for the Supply and Service of Cisco Hardware on behalf of the Directorate of Corporate Resources, ICT Services (Contract Management Ref no. 1233).

59.

Delegated Decision Summary

Exempt

Yes No

Decision Made By Philip Tart

Authorised By Philip Tart, Director of Corporate Resources

In Consultation With Cllr Peter Lowe, Cabinet Member for Finance

Ward(s) Affected All

Date of Decision 22 June 2012

Reference DCR/22/2012

The Exercise of Delegated Authority by the Director of Corporate Resources in relation to: The acceptance of a Tender following a Competitive Tendering Exercise

That, following a Tender exercise, to award the Contract for the Supply of Coated Roadstone Products on behalf of Dudley MBC. (Contract Management Ref no. 1248).

60.

Delegated Decision Summary

Exempt

Yes No

Decision Made By Philip Tart

Authorised By Philip Tart, Director of Corporate Resources

In Consultation With Cllr Peter Lowe, Cabinet Member for Finance

Ward(s) Affected All

Date of Decision 22 June 2012

Reference DCR/23/2012

The acceptance of a Tender following a Competitive Tendering Exercise (1247)

That, following a Tender exercise, to award the Contract for the Supply of Pasta and Wrap based Concept Foods for the period 1st September 2012 to 31st August 2014, (Contract Management Ref no. 1247).

61.**Delegated Decision Summary****Exempt**

Yes No

Decision Made By Cllr. Adrian Turner

Authorised By Cllr. Adrian Turner, Cabinet Member for Housing, Libraries and Adult Learning

In Consultation With Andrea Pope-Smith, Director of Adult, Community and Housing Services

Ward(s) Affected All

Date of Decision 13 April 2012 **Reference** DACHS/007/2012

Housing Options

To require all new applicants for housing to provide two references (generally one conduct and one financial)

To give preference to suitable Waiting List applicants with no housing need over Transfer List applicants with no housing need

To allow families with two children of opposite sexes to bid for two bedroom homes if they choose to do so

To allow two or more single adults or couples to take on joint tenancies of suitably sized non-family flats and maisonettes

To include suitable private sector tenancies as well as social tenancies within our options for meeting and discharging homelessness duties

62.**Delegated Decision Summary****Exempt**

Yes No

Decision Made By Cllr. Adrian Turner

Authorised By Cllr. Adrian Turner, Cabinet Member for Housing, Libraries and Adult Learning

In Consultation With Andrea Pope-Smith, Director of Adult, Community and Housing Services

Ward(s) Affected Halesowen North

Date of Decision 01 May 2012 **Reference** DACHS/008/2012

Housing Assistance Scheme – Additional funding for provision of adaptations

To agree additional funding to provide necessary and appropriate adaptations for a disabled person that are estimated to exceed the current mandatory disabled facilities grant limit of £30,000.

63.**Delegated Decision Summary****Exempt**

Yes No

 Decision Made By Cllr Elizabeth Walker**Authorised By** Cllr Elizabeth Walker, Cabinet Member for Integrated Children's Services**In Consultation With** Jane Porter, Acting Director of Children's Services**Ward(s) Affected** All**Date of Decision** 30 April 2012**Reference** DCS/14/2012**Determined Primary Admission Arrangements 2013/14**

To determine Admission Arrangements and Admission Numbers for Community and Voluntary Controlled Primary Schools and Co-ordinated Scheme for all Primary Schools for the normal age of entry – academic year 2013.

64.**Delegated Decision Summary****Exempt**

Yes No

 Decision Made By Cllr Elizabeth Walker**Authorised By** Cllr Elizabeth Walker, Cabinet Member for Integrated Children's Services**In Consultation With** Jane Porter, Acting Director of Children's Services**Ward(s) Affected** All**Date of Decision** 30 April 2012**Reference** DCS/13/2012**Dudley Schools Forum School Member Appointment**

In respect of Dudley Schools Forum, to approve the continuation of the Special Schools' Governor Member for the three year period commencing 1 May 2012.

65.**Delegated Decision Summary****Exempt**

Yes No

 Decision Made By Cllr Elizabeth Walker**Authorised By** Cllr Elizabeth Walker, Cabinet Member for Integrated Children's Services**In Consultation With** Jane Porter, Acting Director of Children's Services**Ward(s) Affected** All**Date of Decision** 30 April 2012**Reference** DCS/15/2012**Determined Secondary Admission Arrangements 2013/14**

To determine Admission Arrangements and Admission Numbers for Community Secondary Schools and Co-ordinated Scheme for all Secondary Schools for the normal age of entry – academic year 2013.