

COMMITTEE AND SUB- COMMITTEE MINUTES

**JULY 2012 TO
SEPTEMBER 2012**

**AND
DELEGATED DECISION
SUMMARIES**

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

LIST OF MEETINGS

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Licensing Sub-Committee 2	18/09/2012	TO FOLLOW	
Licensing Sub-Committee 3	21/08/2012	LSBC3/1	LSBC3/4
Licensing Sub-Committee 4	28/08/2012	LSBC4/7	LSBC4/13

Taxis

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SHADOW DUDLEY HEALTH AND WELLBEING BOARD

Shadow Dudley Health and Wellbeing Board	23/07/2012	SDHWBB/1	SDHWBB/7
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CABINET

Meeting of the Cabinet	12/09/2012	C/11	C/16
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HALESOWEN AREA COMMITTEE

Wednesday 4th July, 2012 at 6.30 p.m.
At Cornbow Hall, 10 Hagley Street, Halesowen

PRESENT

Councillors Bills, Body, Burston, Crumpton, Hill, James, Ms Nicholls, Russell, Mrs Shakespeare, Taylor, K Turner and Vickers

Officers

Area Liaison Officer (Treasurer), Assistant Director of Housing Strategy and Private Sector (Directorate of Adult, Community and Housing Services), Assistant Director Economic Regeneration and Transportation, Group Engineer (Traffic and Road Safety) (all Directorate of the Urban Environment), Assistant Director for Quality and Partnership, Youth Area Team Leader (Directorate of Children's Services), Assistant Director Law and Governance and Mrs M Johal (Directorate of Corporate Resources).

Also in Attendance

Inspector Des Lambert – West Midlands Police
Mr Chris Wood – Station Commander, West Midlands Fire Service
Ms Julie Winpenny – West Midlands Fire Service

There were approximately 20 members of the public in attendance.

1 ELECTION OF CHAIR

RESOLVED

That Councillor Burston be elected Chair of the Committee for the ensuing municipal year.

(Councillor Burston thereupon took the Chair)

2 ELECTION OF VICE CHAIR

RESOLVED

That Councillor Taylor be appointed Vice-Chair of the Committee for the ensuing municipal year.

3 APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received on behalf of Councillors Partridge, Mrs Turner and J Woodall.

The Chair reported that Councillor Woodall and Honorary Alderman Jackson were both in hospital because of falls and wished them both a speedy recovery.

4 DECLARATIONS OF INTEREST

Declarations of disclosable pecuniary and non-pecuniary interests, in accordance with the Members' Code of Conduct, were made by the following Members in respect of the matters indicated:

Councillor Body declared a disclosable pecuniary interest in respect of Agenda Item No 18 (Area Committee Grants) in view of him being the Chair of Homer Hill Friends Group.

Councillor Crumpton declared a disclosable non-pecuniary interest in respect of Agenda Item No 18 (Area Committee Grants) in view of him being a Member of the Homer Hill Friends Group.

5 MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 21st March, 2012 be approved as a correct record and signed.

6 APPOINTMENT OF CO-OPTED MEMBERS

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

RESOLVED

That co-opted members be not appointed to the Committee for the 2012/13 Municipal Year.

7 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

That no Working Groups be appointed for the 2012/13 Municipal Year.

8 APPOINTMENT OF COUNCIL REPRESENTATIONS TO OUTSIDE ORGANISATIONS

A report of the Area Liaison Officer was submitted on the appointment of representatives of the Committee to serve on outside organisations for the terms indicated.

RESOLVED

That the following members be appointed to serve on the organisations shown for the terms indicated:-

Cradley Community Association – Councillor Crumpton – Annual

Lutley Community Association – Councillor Burston – Annual

Wollescote Community Association – The Ward Members for the Cradley and Wollescote Ward, namely Councillors Body, Crumpton and Ms Partridge – Annual

9 YOUTH SERVICE

A report of the Acting Director of Children's Services was submitted on the Youth Service provision for the Halesowen Township Area.

Arising from the presentation of the report a Member referred to an ongoing concern about parking issues in and around Greenhill Youth Centre and asked that support be given to develop increased parking around the area.

RESOLVED

That the information contained in the report, on the Youth Service provision for the Halesowen Township Area, be noted and endorsed.

10 PETITIONS

It was reported that no petitions had been received since the last meeting and no petitions were submitted at the meeting.

11 EMERGENCY SERVICES ISSUES

Mr Chris Wood, Station Commander, West Midlands Fire Service briefly reported on incidents in Halesowen since the last meeting and in doing so, reported that incidents in Halesowen were continuing to reduce.

He also reported on various projects that the Fire Service were involved in on community safety awareness and with a view to engaging young people.

RESOLVED

That the information given in the verbal update on emergency services issues be received and noted.

12 AREA POLICE AND COMMUNITIES TOGETHER (PACT) ISSUES

A schedule of PACT meetings arranged in the area of the Committee had been included with the agenda for information.

Inspector Des Lambert introduced himself and informed the meeting that he had taken over from Inspector Mick Palmer. In his brief presentation Inspector Lambert thanked members of the public for their support in reporting crimes and then reported on crime issues pertinent to the Halesowen area, providing statistical information on crime by category and by ward, in terms of the numbers and percentages of crimes recorded. Figures given indicated that, overall, there had been fewer crimes and that there was a continued downward trend however there was still some cause for concern around vehicle crime as there had been an increase.

Arising from the presentation a member congratulated the police on their commendable achievements and reported that Stourbridge and Dudley publicised court results in their local newspapers and suggested that the same should apply for Halesowen. In responding Inspector Lambert indicated that he would be willing to share information on figures and arrests that were made in Halesowen but that it was up to press representatives to apply for the information to courts with a view to publication.

In response to a query about the timings of PACT meetings as they sometimes clashed with Council meetings and the lack of meetings in Belle Vale, Inspector Lambert indicated that he would be speaking to the relevant officer with a view to scheduling meetings well in advance in the future.

A Member thanked the police on the support given to various events that had recently been held.

RESOLVED

That the information given in the verbal update on policing issues be received and noted.

13 PUBLIC FORUM

A Member of the public referred to a petition that had previously been submitted to the Committee with regard to the state of the Tanhouse Estate and indicated that a response had not been received. In responding the Assistant Director of Economic Regeneration reported that Green Care was dealing with the issue and that an acknowledgement had been drafted and was ready for despatch.

14 WARD ISSUES

(a) Councillor Body

- (i) Reported on an ongoing issue concerning emails that were being sent to certain officers in the Directorate of Adult, Community and Housing Services and that they were not being acknowledged or responded to.

The Assistant Director of Housing Strategy and Private Sector requested that details be submitted to him and he would ensure that a response was given.

- (ii) Referred to railings on Abbey Road that had been placed because of the height differential in part of the road and indicated that Hillbank also had similar or greater slabs and queried why that particular road did not benefit from the railings.

In responding it was indicated that work on Abbey Road could have been undertaken as part of a road safety scheme, however the Assistant Director of Economic and Regeneration undertook to look into the matter.

- (iii) Requested again for the installation of a barrier at the entrance of West Road to Homer Hill Park.

- (iv) Thanked members of the Tanhouse Tenants and Residents Community Association for the voluntary work undertaken in clearing the site.

(b) Councillor James

- (i) Requested that thanks be placed on record to members of the Friends of Leasowes Park for work undertaken for their efforts in replanting to make Halesowen Town Centre better.
- (ii) Thanked the Group Engineer (Traffic and Road Safety) for the long awaited pedestrian refuge island in Highfield Lane and indicated that further safety measures would be pushed for in that particular area.

(c) Councillor Crumpton

Praised the efforts of local people for support given to the charity events that had taken place with a view to raising money and he informed Members that a total of £1400 had been raised so far.

(d) Councillor Taylor

Referred to the Friends of Leasowes Park Planting Board and indicated that the Board should be changed to show that work had been undertaken by the members and not sponsors.

(e) Councillor K Turner

Suggested that consideration be given to welcome boards being placed at a gateway into Halesowen.

15 RESPONSES TO QUESTIONS RAISED AT THE MEETING OF THE HALESOWEN AREA COMMITTEE HELD ON 9TH NOVEMBER 2011

A report of the Area Liaison Officer was submitted informing the Committee of the written responses made to questions asked at the previous meeting.

RESOLVED

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

16 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 Crossings within the Halesowen Area for the 2011/12 financial year. Details of proposed schemes were set out in Appendix A to the report submitted.

Arising from the presentation of the report a Member referred to the Lyde Green Safety Scheme and indicated that consideration should be given to installing lights at the bridge as the road was narrow. He also asked if any promotional methods had been used to inform schools about the 20mph zones that can be applied for and introduced outside of schools.

In responding the Assistant Director of Economic and Regeneration indicated that discussions were taking place with the Cabinet Member for Transportation on the approach on informing schools on the process and to make them aware of the Council's policy on the 20 mph zone outside of schools.

RESOLVED

That the proposed Local Safety Schemes and Safer Routes to School Schemes and Pedestrian Crossings, as outlined in Appendix A to the report submitted, be noted.

17 AREA COMMITTEE GRANTS

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

RESOLVED

- (1) That the action taken by the Area Liaison Officer, in consultation with Members of the Committee, in approving a grant of £3350 to the Friends of Homer Hill Park towards the cost of installing two metal bench and table sets with disability access overhang into a new children's play area, be ratified.
- (2) That unspent grants, as set out in Appendix 2 of the report submitted, be made available for reallocation.
- (3) That approval be given to a grant of £5000 being made to Greenhill Youth Centre towards the cost of purchasing roller shutter doors, kitchen refurbishment, Information Communication Technology (ICT) update and recreational equipment.
- (4) That approval be given to a grant of £2400 being made to Halesowen Cricket Club towards the total cost of £3200 for the refurbishment of the toilets to include baby changing facilities.
- (5) That approval be given to a grant of £3500 being the total cost of advance funding to guarantee the Victorian Fayre event for 2013 for Rotary Clubs of Halesowen and Rowley Regis and Hasbury and Cradley.

- (6) That approval be given to a grant of £4180 being the total cost for the purchase and fitting of a cooker and dishwasher (commercial) for St Peters Church.
 - (7) That the approval of a grant of £423 to the Over '50s' Club under delegated powers of the Area Liaison Officer in consultation with Members, be noted.
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17 DATES AND VENUES OF FUTURE MEETINGS

RESOLVED

That it be noted that future meetings of the Committee would be held at 6.30 pm at the Cornbow Hall on 7th November, 2012 and 20th March, 2013.

18 SCRUTINY COMMITTEE PUBLICITY

As a way of giving additional publicity to meetings of the Council's Scrutiny Committees, details of Scrutiny Committee meetings had been included on the agendas of meetings of Area Committees.

The information given in respect of publicity for future meetings of Scrutiny Committees was noted.

The meeting ended at 7.55 pm.

CHAIR

HEALTH AND ADULT SOCIAL CARE SCRUTINY COMMITTEE

Tuesday, 17th July, 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, Elcock, Harris, Hemingsley, Kettle, Roberts, Mrs Rogers,
Vickers and C Wilson

Officers

Assistant Director of Law and Governance (Lead Officer to the Committee), Director of Adult, Community and Housing Services, Assistant Director Housing Strategy and Private Sector, Head of Policy and Performance 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 Marsha Ingram – Acting Director of People and Corporate Affairs (Dudley and Walsall Mental Health Partnership NHS Trust)

8 DECLARATION OF INTEREST

Councillor Hemingsley declared a disclosable non-pecuniary interest in accordance with the Members' Code of Conduct in respect of agenda item No 6 (Consultation on the Future of New Bradley Hall), as he had been part of the Action Team to save the home.

9 MINUTES

RESOLVED

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

10 PUBLIC FORUM

No issues were raised under this agenda item.

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.

In presenting the report the Director of Adult, Community and Housing Services highlighted key issues and points contained in the White Paper and Social Care Bill and indicated that an in-depth presentation on issues relevant to Dudley and information on further updates could be presented at the next meeting of the Committee

Arising from the presentation of the report a Member referred to the recommendation as contained in the report that New Bradley Hall would remain open as a residential care home for long term residents and sought clarification on that point and also indicated that there was no mention of respite care. In responding the Chair indicated that the recommendation was part of the original document and that the matter was still under consideration.

A Member indicated that the document should be viewed as an interim paper and that the issue was about long term care for the elderly in the Borough. The Stakeholder Working Group would consider the matter and once the work of the Group was concluded, amendments could be made, if necessary.

In response to a query about the pressures and demands in the service due to the increase of the population in Dudley and the significant percentage of people requiring long term support, the Director of Adult, Community and Housing Services acknowledged the pressures on resources and emphasised the need to ensure that the Council achieved the right balance of care. The Directorate of Adult, Community and Housing Services were building a comprehensive demand management tool to provide a clear framework for establishing that balance and the Director of Adult, Community and Housing Services indicated that a presentation on the system could be made at a future meeting of the Committee.

RESOLVED

- (1) That the information contained in the report on the outcome of the formal consultation process regarding the future of New Bradley Hall residential care home, be noted.
- (2) That a further in-depth report on issues pertinent to Dudley and information on further updates be submitted to the next meeting of the Committee.

12 LOCAL HEALTHWATCH DEVELOPMENT IN DUDLEY

A report of the Director of Adult, Community and Housing Services was submitted on developments to establish a Healthwatch for Dudley and an update on some of the key national or over-arching matters dictating the delivery of Local Healthwatch.

Arising from the presentation of the report the Chair commented that it was important for communities to see that Local Healthwatch were making an impact and offering value for money and it was queried whether evaluations would be undertaken on their effectiveness and whether they were meeting the needs of local people. She also queried if there were any repercussions if it was found that Local Healthwatch did not meet the requirements or standards. In responding the Head of Policy and Performance indicated that Local Healthwatch would be accountable to the Local Authority and that a key difference between Local Healthwatch and Local Involvement Networks (LINKs) was that there would be an overarching body, Healthwatch England, that would be setting standards and working with Local Healthwatch to ensure that the views of the public and people who used services were taken into account. The Head of Policy Performance further reported that if it was found that the provider did not meet expectations the Local Authority had the power to withdraw the contract.

In responding to further questions the Head of Policy and Performance reported that it was a legal requirement to have a Local Healthwatch, a representative from Local Healthwatch would be attending meetings of the Committee, the chosen provider would be monitored on their spend, that certain functions would be mandatory for Local Healthwatch and that consideration would be given to shared services.

With regard to the selection and interviewing process for Local Healthwatch a Member indicated that the Panel should not be purely Officer led and suggested that consideration be given to including external people in the selection process.

RESOLVED

- (1) That the information contained in the report, and Appendix to the report, submitted on developments to establish a Healthwatch for Dudley, be noted.
- (2) That further updates on the development of Healthwatch Dudley be submitted to the Committee in due course.

13 COMMITTEE REVIEW 2011/12 : CARING FOR CARERS

A report of the Lead Officer to the Committee was submitted on the draft 2011/12 Caring for Carers Committee Review.

RESOLVED

- (1) That the information contained in the report, and Appendix to the report submitted, on the draft document on the 2011/12 Caring for Carers Review, be approved.
- (2) That the emerging recommendations, numbered 1 to 11, as detailed in the Appendix to the report submitted, be approved and monitored through future development of the work plan of the Committee.

The meeting ended at 7.25 p.m.

CHAIR

ENVIRONMENT SCRUTINY COMMITTEE

Wednesday 5th September, 2012 at 6.00 pm
in Committee Room 2, The Council House, Dudley

PRESENT:-

Councillor Hanif (Chair)
Councillor Mrs Shakespeare (Vice-Chair)
Councillors M Aston, Body, Boleyn, Duckworth, Harley, James, J Martin and Mrs Turner

Officers

Director of Corporate Resources (As Lead Officer to the Committee), Assistant Director of Planning and Environmental Health, Assistant Director of Environmental Management, Head of Environmental Health and Trading Standards (Directorate of Urban Environment), Assistant Director of Housing Services (Directorate of Adult, Community and Housing Services) and Miss H Shepherd (Directorate of Corporate Resources).

Also in attendance

Four members of the public, Councillors Perks and K Turner.

10. **APOLOGY FOR ABSENCE**

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

11. **APPOINTMENT OF SUBSTITUTE MEMBER**

It was noted that Councillor Body had been appointed as a substitute member for Councillor Jordan for this meeting of the Committee only.

12. **DECLARATIONS OF INTEREST**

No member made a Declaration of Interest in accordance with the Members Code of Conduct. However, it was noted that the Chair was a friend of Mr Kendrick, a member of the public in attendance at the meeting and who wished to speak in relation to agenda item 10 – Complaint to the Local Government Ombudsman – Enforcement Matter.

It was also noted that in relation to Agenda Item 10 – Complaint to the Local Government Ombudsman – Enforcement Matter, that the Vice-Chair had been a Cabinet Member during the decision making concerning this item.

Councillors Body and J Martin also declared that they knew and had connections with Mr Kendrick.

13. MINUTES

RESOLVED

That, the minutes of the meeting of the Committee held on 14th June, 2012, be approved as a correct record and signed.

14. PUBLIC FORUM

No other issues were raised under this agenda item other than those referred to in minute no. 16.

15. 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:-

10, 6, 7, 8, 9 and 11

16. COMPLAINT TO LOCAL GOVERNMENT OMBUDSMAN – ENFORCEMENT MATTER

A joint report of the Director of Corporate Resources and Director of the Urban Environment was submitted to consider and comment on the report of the Local Government Ombudsman into a complaint made against the Council considered by the Cabinet at its meeting held on 20th June, 2012 and referred to the Scrutiny Committee to establish what lessons could be learnt from the process.

Mr Kendrick, a Member of the public, had indicated that he wished to speak on this item and the Chair explained the procedure that would be followed.

Following the presentation of the report by the Assistant Director of Planning and Environmental Health, Mr Kendrick spoke and provided the Scrutiny Committee with the background history of the case. He presented the case from the residents point of view and stated that they did have a lot of communication with Officers, but that the full details of meetings between Chief Officers and the Leader was never communicated back to the residents.

He stated that the Consultants agreed that Caparo would not be able to comply with the conditions being considered.

He informed the Committee that the regular residents meetings between Council Officers and Caparo had been helpful, but residents felt on their own with little support from the six ward Councillors for that area. Mr Kendrick felt that this was an important lesson to be learned by Councillors. He went on to say that in the report it referred to Caparo being a key employer, however the number of employees had decreased from between 40-50 staff to 35 staff, working only 3-4 day weeks due to the impact of the economic climate, and that had been the reasoning behind the closure of the business and not because they were unable to comply with regulations.

He also stated that residents had still not received the compensation payments owed to them, even though it had been agreed at Cabinet on 20th June, 2012. He then referred back to 2003 when the previous occupier, Zeus, had been on site and when the problems with the site had begun and questioned why Caparo had been allowed to take over the site considering the previous abatement notice that had been served.

Following a question raised by a Member, Mr Kendrick confirmed that the meetings between officers and Caparo had been good, but that the other meetings taking place within the Council needed to be more transparent and communicated back to the residents as they were not always aware of what was happening and therefore persisted with complaints.

In response to a question, the Assistant Director of Planning and Environmental Health stated that an abatement notice for noise nuisance had been served on Zeus, which resulted in the company having to pay a £10,000 fine. However an abatement notice does not enable the Council to stop the company from operating. It was also stated that this particular site had a long-standing planning application allowing 24-hour operation and there was no need for Caparo to obtain further planning permission when taking over the site.

Arising from a question raised, Mr Kendrick stated that the residents had suffered from noise nuisance since 2003, levels of which had never decreased and which had been confirmed in the Ombudsman's findings. It was stated that residents had been unable to sit in their gardens due to sand emissions and were subject to an odour, all of which had continued over a seven year period.

In response to questions raised in relation to the reasons for the delay in gaining Cabinet approval for the Ombudsman's recommendations and paying the compensation, the Assistant Director of Planning and Environmental Health confirmed that they had had to wait until June for the first meeting of the Cabinet following the election for the report to be agreed and there had been a delay in obtaining the addresses of some residents who had moved. However, the letters were due to go out next week, and only one or two addresses were now outstanding. A judgement had been taken to wait for all letters and payments to go out at the same time, but lessons from this would be learnt.

The Chair thanked Mr Kendrick for attending and speaking at the meeting.

Questions to officers continued and in response it was stated that the term 'reasonable time' in respect of responses from the company would be different case by case, dependant on the technical information required, especially if specialist consultants needed to be commissioned.

Arising from questions raised, the Assistant Director of Planning and Environmental Health stated that it had been a judgement call not to proceed with the abatement notice served on Caparo. Zeus had previously been prosecuted and fined for none compliance with an abatement notice, however an abatement notice did not give the Council any control to close down a business and prevent an operational process and therefore would not resolve the pollution matters. Therefore it was considered, in this case, that it would be a more appropriate route to use all available resources to pursue a permit with conditions attached, which are designed to control all pollutants with detailed conditions to enforce on an operator and stronger controls and penalties for none compliance.

RESOLVED

- (1) That the report and appendices to the report submitted to the meeting be received and noted.
- (2) That, in addition to the issues raised during the meeting, the following learning points for the Council be noted:-
 - (i) Greater Officer focus on the time taken by the Company to respond to the Council in providing technical information through proactive use of case conferences and tighter control of case management in pursuing the company for information. The issue of length of time the whole process took is the biggest factor that has to be improved on.
 - (ii) Review legal options available to the Council and consider a twin track approach where more than one legal route is available.
 - (iii) Improvement of communication, particularly around the decision-making stages of the process.
 - (iv) Improvement in the speed of compensation payments to affected residents following Ombudsman findings that are approved by Cabinet.

17.

ANNUAL REPORT OF THE SCRUTINY COMMITTEE TO COUNCIL

A report of the Lead Officer to the Committee was submitted on the Annual Report of the Environment Scrutiny Committee for 2011/2012.

The Assistant Director of Housing Services requested that reports on Housing Fraud and Best Use of Stock Summit, as requested by the Scrutiny Committee at the previous meeting, be included in the Work Programme for 2012/13 and submitted to the March 2013 and November 2012 meetings, respectively.

In response to a question raised, the Assistant Director of Housing Services stated that the youngsters' 21 housing issues would all be incorporated into the annual homelessness report.

RESOLVED

- (1) That the Annual Report of the Scrutiny Committee for 2011/12 be received and noted and referred to Council
- (2) That reports on Housing Fraud and Best Use of Stock Summit be incorporated into the 2012/13 Work Programme and submitted to the March 2013 and November 2012 meetings, respectively.

18. ESTABLISHMENT OF A HOUSING WORKING GROUP

A report of the Assistant Director of Housing Services was submitted on the establishment of a cross party Housing Working Group.

Arising from the presentation of the report a Member raised concerns with regards to information being shared by all Members of the Scrutiny Committee and not just by Members of the Working Group. The Assistant Director of Housing Services stated that previous issues with Working Group's had been recognised, that lessons had been learnt and that reports submitted to the Scrutiny Committee in the future would be clearer and programmed into the Work Programme should the establishment of a Housing Working Group be agreed.

During further discussion it was agreed that it was important for the notes of the Working Group to be circulated to all Members of the Scrutiny Committee following any meeting of the Working Group.

RESOLVED

- (1) That a Housing Working Group be established to consider policy issues facing Housing.
- (2) That the Membership of the Working Group be flexible with all Members of the Environment Scrutiny Committee being invited together with an open invitation to the Cabinet Members advisers.

- (3) That the notes from the Housing Working Group meetings be circulated to all Members of the Environment Scrutiny Committee for information.
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19. WELFARE REFORMS

The Assistant Director of Housing Services gave a verbal update on the Welfare Reform proposals, which set out in law fundamental changes to the welfare system aimed at improving the benefits system so as to reduce dependency on welfare; improve incentives to work; make work pay and reduce overall spend at a time of economic instability in the Country.

Particular reference was made to a briefing note that the Assistant Director of Housing referred to and which the Chair requested be circulated to all Members of the Scrutiny Committee following the meeting.

In response to a question raised by a Member, the Assistant Director of Housing Services agreed to check the Government provisions for more certainty with regard to persons with shared parental responsibilities and the issue of additional bedrooms and benefit implications.

In relation to further questions raised the Assistant Director of Housing Services stated that in relation to 'Right to Buy' there was no requirement on the Council to replace 'like for like' and that a decision would have to be taken on what additional budget could supplement a new build programme. She also stated that with monies being paid direct into peoples account, monthly in arrears, all evidence predicted that there would be an increase in debt, not necessarily just affecting the vulnerable.

RESOLVED

- (1) That the verbal update on Welfare Reform be noted.
 - (2) That the briefing note of the Assistant Director of Housing be circulated by her to all Members of the Environment Scrutiny Committee.
 - (3) That the Assistant Director of Housing be requested to obtain further guidance in relation to persons with shared parental responsibilities requesting additional bedrooms and inform Members direct and email direct to Members the further guidance obtained.
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20. BADGERS

A joint report of the Director of the Urban Environment and the Director of Adult, Community and Housing Services was submitted on the duties and responsibility of the Council with regard to Badgers and law and on how Officers were able to provide support to communities in relation to Badgers.

Arising from the presentation of the report a Member made particular reference to Council land at Wordsley Community Centre and car park that was currently affected by Badgers and requested that this be investigated.

RESOLVED

- (1) That the information contained in the report submitted on Badgers, be noted
- (2) That the Assistant Director of Environmental Management be requested to investigate the Badger issue at Wordsley Community Centre car park and associated land raised at the meeting and respond direct to the Member concerned.

The meeting ended at 7.58pm.

CHAIRMAN

**COMMUNITY SAFETY
AND COMMUNITY SERVICES SCRUTINY COMMITTEE**

Thursday, 6th September, 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, Harley, Ms Nicholls, Perks and Russell.

OFFICERS

Assistant Director of Corporate Resources (Customer Services), (Directorate of Corporate Resources), (Lead Officer to the Committee), Drugs and Alcohol Action Team Manager, Performance and Commissioning Manager and Domestic Violence Co-ordinator (Chief Executive's Directorate), Principal Solicitor/Team Manager and Miss K Fellows, (Directorate of Corporate Resources).

ALSO IN ATTENDANCE

Acting Chief Superintendent Johnson.

11. **APOLOGY FOR ABSENCE**

An Apology for absence was submitted on behalf of Councillor K Finch.

12. **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.

13. **MINUTES**

RESOLVED

That the Minutes of the meeting of the Committee held on the 7th June, 2012, be approved as a correct record and signed.

CSCSSC/6

14. PUBLIC FORUM

No matters were raised under this Agenda item.

15. THE POLICE REFORM AND SOCIAL RESPONSIBILITY ACT 2011

A report of the Chief Executive was submitted on the appointment of the Police and Crime Commissioner, the Police and Crime Panel and changes to the Community Safety Partnership landscape under the Police Reform and Social Responsibility Act 2011.

In presenting the report submitted, the Drugs and Alcohol Action Team Manager made particular reference to the Action Plan for Safe and Sound (Dudley's Community Safety Partnership) advising that an information pack had been prepared for Police and Crime Commissioner candidates and she would make this available to Members. She also indicated that the pack provided an overview of the work conducted in the Dudley Borough and that the Home Office would conduct a national advertising campaign in October, 2012.

Acting Chief Superintendent Johnson advised that the Dudley Community Safety Partnership was further advanced in the preparation for the appointment of the Police and Crime Commissioner than other authorities. He also reported that at Force Level an implementation group had been established and although political interest had been generated in relation to the appointment of the Police and Crime Commissioner, communication in relation to the role and the appointment of the Police and Crime Commissioner should be further considered and it was likely that it would take time to reflect on how the Police and Crime Commissioner would operate.

Councillor Caunt advised that the West Midlands area would be divided into the seven Metropolitan Districts serving a population of approximately 2.6 million.

The Drugs and Alcohol Action Team Manager advised that she would clarify the term of appointment of the Police and Crime Commissioner.

The Drugs and Alcohol Action Team Manager advised that the appointment of the Police and Crime Commissioner would be for a term of four and a half years.

In responding to a Member's question the Drugs and Alcohol Team Manager stated that the Police and Crime Commissioner would be responsible for the policing budget.

CSCSSC/7

Acting Chief Superintendent Johnson stated that the Police and Crime Commissioner would become responsible for the Annual Policing Plan in the future.

It was noted that the Police and Crime Commissioner would be based at Lloyd House in Birmingham and that the four Black Country Boroughs would have five representatives on the West Midlands Police and Crime Panel.

The Drugs and Alcohol Team Action Manager stated that she would advise Members whether the consent of the Home Secretary in relation to the composition of the West Midlands Panel had been obtained.

RESOLVED

- (1) That, the information contained in the report, submitted on the Police Reform and Social Responsibility Act 2011, be noted.
- (2) That the Drugs and Alcohol Team Manager be requested to advise Members of the composition of the West Midlands Panel following consent to its composition by the Home Secretary.

16. DOMESTIC ABUSE SERVICE IMPROVEMENT REVIEW UPDATE

A report of the Chief Executive was submitted on the Domestic Abuse Service Improvement Review. Appended to the report was an action plan to address gaps in service provision.

Arising from the presentation of the report and appendix to the report submitted, Members asked questions and made comments and the Performance and Commissioning Manager responded stating that:-

- In relation to the British Crime Survey this had been published in 1999 utilising data obtained in 1995 and had only received 15,000 responses nationally.
- That the crime of domestic abuse remained under reported as victims had to deal with various issues before reporting crimes of this nature, however Dudley Borough continued to attempt to increase reporting and bring perpetrators to justice and in 2010 the Council had met the target set under the Local Area Agreement regarding increasing reporting.

Acting Chief Superintendent Johnson reported that the role of the Police in the way that they dealt with domestic abuse had changed over recent years and crimes of domestic abuse were treated as a priority by the Police and the Community Safety Partnership.

He also reported on detection rates stating that they were the best in the Borough, advising of the support network offered to victims of domestic abuse which would continue up until conviction and assured Members that domestic abuse would continue to be treated as a top priority by the Police.

In responding to a question from a Member, the Domestic Abuse Co-ordinator advised that the Ofsted inspection referred to in the report submitted had been a planned inspection and this had not revealed any serious inadequacies in the service with recommendations arising from the inspection being implemented immediately.

In responding to a concern raised by the Chair, regarding the number of those requiring re-housing and whether their needs had been met, the Drugs and Alcohol Team Manager advised that she would obtain further details from the Directorate of Adult, Community and Housing Services and forward further information to the Chair.

The Drugs and Alcohol Action Team Manager confirmed that when reporting on the Domestic Abuse Service Improvement Review in the future mapping would be provided of areas where domestic abuse provision was required in order to identify gaps in the service, although it was noted that this would not provide a completely accurate guide of gaps in the service.

It was noted that the Council were not charged for the provision of the perpetrator service in Walsall.

In responding to a question from the Chair, the Drugs and Alcohol Action Team Manager advised that there was provision for statutory purposes in relation to the perpetrator programme and the Probation Service operated an independent service, however there was no provision for voluntary programmes and these provisions were being investigated.

The Domestic Abuse Co-ordinator advised that the Domestic Abuse Forum usually met at Saltwells Education Centre in Netherton on a quarterly basis.

She also advised that in relation to cases where children were involved in cases of domestic abuse Barnardos provided a service, the Council also had a Domestic Abuse Response Team which worked with education, health, social care and the police which met three times each week in order to examine cases and ascertain whether children had been involved in order that appropriate interventions could be put into place.

The Drugs and Alcohol Action Team Manager reported that additional funding had been obtained to continue the Barnados service provision and as a result the waiting list had been reduced.

She also undertook to provide Members with details of the number of children currently on the waiting list.

In responding to a question from the Chair the Performance and Commissioning Manager advised that each time the Directorate of Adult, Community and Housing Services received a referral this was scrutinised in order to ascertain whether intervention was required and following this the relevant referrals would be made. He also stated that details of the sources of injuries were also captured.

The Performance and Commissioning Manager undertook to provide Members with details of the number of referrals made following the review of the service provided by the Directorate of Adult, Community and Housing Services.

In responding to a concern raised by a Member in relation to intervention where children were involved with domestic abuse cases the Principal Solicitor advised that the Children Act 1989 had been amended to include in the definition of significant harm children who had witnessed significant harm which had resulted in the intervention of Children's Services and Court Proceedings being issued where necessary.

It was noted that such intervention could result in a child being permanently taken into care which could in effect punish the victim as well as the perpetrator.

RESOLVED

- (1) That the information contained in the report, and the Appendix to the report, submitted on the Domestic Abuse Service Improvement Review update and the progress made to date in improving service delivery of domestic abuse services, be noted.
- (2) That the Drugs and Alcohol Team Manager be requested to email to Members:-

CSCSSC/10

- (a) Details of the number of those who were not re-housed and that required re-housing due to domestic violence.
 - (b) Details of the number of children who remained on the Barnardos waiting list.
- (3) That the Performance and Commissioning Manager be requested to provide Members with the number of referrals made following the improvements made to the Domestic Abuse service provided by the Directorate of Adult, Community and Housing Services.
- (4) That the Chief Executive be requested to submit maps in relation to Domestic Abuse Service need and provision to future meetings of the Committee when considering the Domestic Improvement Service Review further.
-

17. 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 7 p.m.

CHAIRMAN

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

Monday, 10th September, 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, Attwood, Blood, Caunt, G.H. Davies, Hale, Herbert, and Wright

Officers

Assistant Director, Housing Strategy and Private Sector (Lead Officer to the Committee); Assistant Director, Economic Regeneration, Head of Economic Development and Head of Planning (all Directorate of the Urban Environment) and Mr. J. Jablonski (Directorate of Corporate Resources)

9 **APOLOGY FOR ABSENCE**

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

10 **DECLARATIONS OF INTEREST**

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

11 **MINUTES**

Arising from comments made in relation to items in respect of the Black Country Library Services Project and Parking in Dudley Town Centre in the light of Current Redevelopment, items scheduled for this meeting that had not been submitted, the reasons for non-submission were outlined at the meeting and it was noted that these matters would receive consideration at future meetings of the Committee.

RESOLVED

That the minutes of the meeting of the Committee held on 11th June, 2012, be approved as a correct record and signed.

12 PUBLIC FORUM

No matters were raised under this item.

13 PLANNING OBLIGATIONS REPORT FOR THE 2011/12 FINANCIAL YEAR

A report of the Director of the Urban Environment was submitted on information on contributions that were approved, received and spent under the Town and Country Planning Act 1990 (as amended) during the financial year 2011/12 together with information on the Section 106 and Unilateral Undertaking Legal Agreements that had been signed during 2011/12.

Following a presentation by the Head of Planning of the content of the report submitted, together with its seven Appendices, members made a number of comments/queries relating in particular to the member consultation that had been and was yet to be undertaken. Related comments regarding the need for the local community to be consulted and involved were raised and a particular comment was made about the Community Infrastructure Levy, which, if adopted by the Council would come into effect in early 2014. This would not be subject to the same constraints as the Section 106 regime regarding the spending of monies. A factor of the Levy would be community involvement.

Regarding the service improvements that had been undertaken as indicated in paragraphs 18 and 19 of the report submitted the Chair referred to suggested improvements to the presentation of the information on the search facility and it was indicated that the feasibility of carrying out these suggestions were currently being worked on. The Chair also commented that he considered that there was a need for the consultation with members to be further developed and for the needs of the community to be further taken into account. Similarly it was important that there was further member involvement in the spending of funds to ensure that these met priorities identified by communities.

Regarding specific information contained in the Appendices attached to the report submitted it was noted that the Head of Planning would contact Councillor Blood direct in respect of his query in respect of application number P10/1670.

RESOLVED

That the information contained in the report submitted, on information on contributions that had been approved, received and spent under the Town and Country Planning Act 1990 (as amended) during the financial year 2011/12 together with information on the Section 106 and Unilateral Undertaking Legal Agreements that have been signed during 2011/12, be noted.

14 SOUTH BLACK COUNTRY ENTERPRISE AND INNOVATION CENTRE

A copy of an updated report on an update in relation to the South Black Country Enterprise and Innovation Centre was circulated at the meeting.

Following a presentation of the content of the report by the Assistant Director, Economic Regeneration setting out the background to this matter and the current position members made a number of comments/queries in particular on the early development of this project leading to the current position and as to how the proposed network could develop from a virtual presence to a more physical one.

In addition to the proposals for development contained within the updated report submitted it was also suggested that consideration needed to be included for the involvement of young people coming from college/university so that they had somewhere to develop their skills and that in addition there was a need for people for example who had been made redundant to have a facility to enable them to retrain.

In response to a further comment made as to whether the Community Infrastructure Levy could act as a catalyst in the promotion of this project it was indicated that this could be the case in that the Community Infrastructure Levy was more flexible as to how monies were spent in line with a published list of proposed spending on infrastructure projects which could be updated as appropriate.

RESOLVED

That the information contained in the updated report circulated at the meeting, providing an update in relation to the South Black Country Enterprise and Innovation Centre, be noted and that a further update report be submitted to a future meeting of the Committee.

15 COSELEY ECO PARK

A report of the Director of the Urban Environment was submitted on the potential impact of the Coseley Eco Park upon Dudley Town Centre.

Following a presentation of the content of the report by the Head of Economic Development members welcomed the development and opportunities that would arise from the Coseley Eco Park and considered that the proposed development was a good example of the need to be patient about regeneration in that the project had begun some four years ago. The comment made in the report that the Coseley Eco Park food store would not undermine the planned investment to develop a food store in Dudley Town Centre was also endorsed.

It was also suggested that if possible a proportion of the receipts received from any planning obligations associated with the development should be redirected to the Roseville Shopping Centre.

RESOLVED

That the information contained in the report submitted, on the potential impact of the Coseley Eco Park upon Dudley Town Centre, be noted.

16 PROCESS FOR DEALING WITH PLANNING APPLICATIONS SUBJECT TO AN ARTICLE 4(1) DIRECTION

Arising from a request made by a member it was

RESOLVED

That a report be submitted to a future meeting of this Committee in respect of planning application P12/0905 and similar future applications, regarding the making of a Direction under Article 4(1) of the Town and Country Planning (General Permitted Development) Order, 1995, so as to ensure that the Local Planning Authority had a system in place to deal with these applications within the required 28 day period.

The meeting ended at 6.55 p.m.

CHAIR

APPOINTMENTS COMMITTEE

Monday, 23rd July, 2012 at 5.30 pm
in Committee Room 3 at the Council House, Dudley

PRESENT

Councillor Sparks (Chair)
Councillor Ali (Vice-Chair)
Councillors Arshad, Crumpton, Evans, L Jones, Mrs Walker and Wright.

OFFICERS

The Chief Executive, the Assistant Director of Corporate Resources (Human Resources and Citizenship) and the Democratic Services Manager.

1 APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received on behalf of Councillors Foster, Mrs P Martin and Partridge.

2 APPOINTMENT OF SUBSTITUTE MEMBERS

It was reported that Councillors Crumpton and Mrs Walker were serving in place of Councillors Partridge and Mrs P Martin, respectively, for this meeting of the Committee only.

3 DECLARATIONS OF INTEREST

No declarations of interest, in accordance with the Members' Code of Conduct, were received in respect of any matters to be considered at this meeting.

4 MINUTES

RESOLVED

That the minutes of the meeting held on 10th December, 2010 be approved as a correct record and signed.

5 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 item</u>	<u>Relevant paragraph of Part I of Schedule 12A</u>
Directorate of Children's Services	1

6 DIRECTORATE OF CHILDREN'S SERVICES

The Committee considered a report of the Chief Executive on the appointment of the Director of Children's Services.

RESOLVED

That taking account of the circumstances set out in the report now submitted, and subject to compliance with Rule 4 of the Council's Officer Employment Procedure Rules, the appointment of Ms Jane Porter as the Director of Children's Services be confirmed with immediate effect.

The meeting ended at 5.35 p.m.

CHAIR

AUDIT AND STANDARDS COMMITTEE

Tuesday, 3rd July, 2012 at 6.00 p.m.
in Committee Room 3, The Council House, Dudley

PRESENT:-

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

Officers

Treasurer, Head of Audit Services, Chief Executive; Director of Corporate Resources, Assistant Directors of Corporate Resources (Law and Governance) and (HR and Organisational Development), Audit Manager and Principal Auditors (All Directorate of Corporate Resources); Assistant Director Policy and Improvement (Chief Executive's Directorate) and Mr. J. Jablonski.

Also in Attendance

Ms. Pik Ling Ho, Team Leader – Audit Commission.

1 **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.

2 **MINUTES**

RESOLVED

That the minutes of the meetings of the former Audit Committee held on 19th April, 2012 and of the former Standards Committee held on 8th March, 2012 be approved as correct records and signed.

3 **AUDIT COMMISSION AUDIT COMMITTEE UPDATE**

A report of the Treasurer was submitted on a report published by the Audit Commission updating Audit Committee members across Local Government. A copy of the Audit Committee update was attached as an Appendix to the report submitted.

Following a brief introduction and comments by Ms Pik Ling Ho, a Team Leader with the Audit Commission, it was

RESOLVED

That the information contained in the report, and Appendix to the report, submitted on an Audit Committee Update published by the Audit Commission, be noted.

4 INTERNAL AUDIT SERVICES ANNUAL PERFORMANCE REPORT_2011/2012

A report of the Treasurer was submitted on an overview of the performance of the Dudley Audit Services in the year to 31st March, 2012 and also on the opinion of the Head of Audit Services on the effectiveness of the Council's system of internal control.

Following a presentation of the content of the report and related Appendices to the report submitted, lettered A to E, members were complimentary as to the performance of Audit Services contained in the report, and Appendices to the report, submitted.

RESOLVED

That the information contained in the report, and Appendices to the report, submitted on the performance of Internal Audit Services in 2011/12, be accepted together with the opinion of the Head of Audit Services on the effectiveness of the Council's system of internal control as set out at Appendix F to the report submitted.

5 ANNUAL REVIEW OF INTERNAL AUDIT

A report of the Treasurer was submitted on the Annual Review of the effectiveness of Internal Audit that will form part of the Annual Governance Statement for the financial year 2011/2012.

Arising from consideration of the report, and the Appendices to the report, submitted members made particular comments on the comparison of costs for Internal Audit, set out at paragraph 9 of Appendix 1 to the report, and complimented the officers concerned for the favourable comparisons shown in relation to this Council.

RESOLVED

That the information contained in the report, and Appendices to the report, submitted on the review of the effectiveness of Internal Audit be accepted.

6 ANNUAL GOVERNANCE STATEMENT

A report of the Treasurer was submitted on the Annual Governance Statement that was to accompany the accounts for the financial year 2011/2012.

RESOLVED

That approval be given to the Annual Governance Statement, as set out in Appendix C to the report submitted, and that it be referred to the Leader of the Council and the Chief Executive for signature.

7 LOCALISM ACT, 2011 – THE NEW STANDARDS ARRANGEMENTS

A report of the Monitoring Officer was submitted on necessary actions to implement the new standards arrangements arising from the enactment of the Localism Act, 2011 on 15th November, 2011.

Attached as an Appendix to the report submitted were a draft Members' Code of Conduct and a draft form entitled Register of Members' Disclosable Pecuniary and Other Interests.

The Monitoring Officer outlined the content of the report, and Appendices to the report, submitted and in doing so updated the Committee on the position regarding the appointment of Independent Persons. He reported that, arising from interviews held on 25th June, 2012, he would recommend that a Mr. Fred Bell and a Mr. Thomas Turner be appointed as Independent Persons under the provisions of the Localism Act and that, pursuant to transitional provisions contained in Regulations made under the Act, the Bishop of Dudley, and Mrs. Valerie Ainsworth, Independent Members of the former Standards Committee, be appointed as Independent Persons for the period ending with the Annual Meeting of the Council on 16th May, 2013.

Regarding the provision of training in respect of the new arrangements it was reported that three dates for the holding of training had been agreed and that these were 19th July, 22nd August and 11th September, 2012.

It was also likely that a fourth date would be added in due course.

Consideration was also given to the appointment of a Standards Sub-Committee, with proportionality waived, comprising four members of this Committee, two from each political group, and in this connection Councillors Cowell, Taylor, Mrs. Westwood and Zada agreed to serve on the Sub-Committee.

RESOLVED

1. That the Council be recommended to:-
 - a Adopt a new local Members' Code of Conduct as set out in Appendix 1 to the report submitted.
 - b (i) Appoint the Bishop of Dudley and Mrs. Valerie Ainsworth as Independent Persons for the period ending with the Annual Meeting of the Council on 16th May, 2013, pursuant to the transitional provisions contained in Regulations made under the Localism Act, 2011.
(ii) Appoint from Mr. Fred Bell and Mr. Thomas Turner as Independent Persons under the provisions of the Localism Act, 2011, for a four year period ending with the Annual Meeting of the Council in May, 2016.
 - c Endorse the arrangements for registering and declaring interests as referred to in the Code of Conduct and the form set out in the Appendix.
 - d Authorise the Monitoring Officer to make consequential amendments to the Constitution and Procedure Rules to include references to the revised arrangements for the disclosure of Members' Interests.
 - e Authorise the Monitoring Officer, in consultation with an Independent Person and the Chair of the Audit and Standards Committee, to grant dispensations to Councillors and Co-opted Members from requirements related to interests set out in the Members' Code of Conduct and to individual requests being referred to the Standards Sub-Committee in appropriate circumstances.

- f Authorise the Monitoring Officer to produce local arrangements and procedures for dealing with standards allegations and complaints made under the Members' Code of Conduct.
 - g Approve the provision of mandatory training to all Members of the Council and Co-opted Members on the provisions of the local Members' Code of Conduct.
2. That a Standards Sub-Committee be established to hear and determine complaints against Members and Co-opted Members under the provisions of the Members' Code of Conduct and in accordance with the local procedures and that the Sub-Committee comprise four Elected Members, two from each political group represented on the Committee, with proportionality waived as to Membership, and that Councillors Cowell, Taylor, Mrs. Westwood and Zada comprise the membership of the Sub-Committee.

8

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 of the Local Government Act, 1972, as indicated below: and that in all the circumstances, the public interest in disclosing the information is outweighed by the public interest in maintaining the exemption from disclosure.

<u>Description of Item</u>	<u>Relevant Paragraph of Part I of Schedule 12A</u>
Suspensions under the provisions of the Employee Improvement and Disciplinary Procedure	1
Annual Audit Report in relation to the Chief Executive's Directorate	2 & 7
Annual Audit Report in relation to the Directorate of Corporate Resources	2& 7

9

SUSPENSIONS UNDER THE PROVISIONS OF THE EMPLOYEE_ IMPROVEMENT AND DISCIPLINARY PROCEDURE

A report of the Director of Corporate Resources was submitted on the number of employees suspended pending an investigation into allegations of gross misconduct during the financial year 2011/12 with comparisons with previous years.

Arising from the presentation of the report submitted and responses given to questions raised by Members, Members were asked to contact the Assistant Director HR and Organisational Development direct should they have any further questions they would wish to raise in particular regarding the table giving details of Disciplinary Suspensions set out at paragraph 15 of the report submitted.

RESOLVED

That the information contained in the report submitted be noted.

10 ANNUAL AUDIT REPORT IN RELATION OT THE CHIEF EXECUTIVE'S DIRECTORATE

A report of the Treasurer was submitted on the audit work undertaken in the Chief Executive's Directorate for the financial year 2011/12 and incorporating details of the more important findings.

RESOLVED

That the findings of the 2011/2012 audit work be accepted.

11 ANNUAL AUDIT REPORT IN RELATION TO THE DIRECTORATE OF CORPORATE RESOURCES

A report of the Treasurer was submitted on the audit work undertaken in the Directorate of Corporate Resources for the financial year 2011/12 and incorporating details of the more important findings.

Arising from the presentation of the report submitted the Head of Audit Services undertook to provide Councillor Taylor with the further details requested at the meeting in relation to audit findings in respect of HR First.

In relation to audit findings in respect of Corporate Risk Management it was noted that the Head of Audit would prepare a report on benchmarking of Audit Committee agendas within the West Midlands for consideration by the Chair.

RESOLVED

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

The meeting ended at 8.05 p.m.

CHAIRMAN

DEVELOPMENT CONTROL COMMITTEE

Monday 9th July, 2012 at 6.00 pm
in Committee Room 2, The Council House, Dudley

PRESENT:-

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

OFFICERS:-

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

13 DECLARATIONS OF INTEREST

Declarations of disclosable pecuniary and non-pecuniary interests, in accordance with the Members' Code of Conduct, were made by the following Members in respect of the matters indicated:

Councillor Herbert declared a disclosable pecuniary interest in Planning Application No P12/0652 (Priory Park, Priory Road Dudley) in view of being a member of Friends of Priory Park.

Councillor C Wilson declared a disclosable pecuniary interest in Planning Application No P12/0505 (28 King Street, Wollaston Stourbridge), as he knew the applicant.

Councillor Wright declared a non-pecuniary interest in Planning Application No P12/0531 (Old Park Inn, Middlepark Road, Dudley) in view of him being a tenant of Midland Heart.

Councillor Wright also declared that he would not be taking part as a Committee Member in the debate for Planning Application P12/0560 and that he would be speaking in his capacity as Ward Member.

Mr P Reed, Principal Development Control Officer declared a disclosable pecuniary interest in Planning Application No P12/0760 – 61 Green Street, Stourbridge) in view of him being the applicant.

14 MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 18th June, 2012, be approved as a correct record and signed.

15 SITE VISITS

Consideration was given to the following planning applications in respect of which a site visit had been made on Thursday, 5th July, 2012, by Members of the Committee.

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

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

Decision: Approved, subject to conditions, numbered 1 and 3 to 8 (inclusive), as set out in the report submitted, together with a revised condition, numbered 2, as follows:-

2. The development hereby approved shall be carried out in accordance with the details shown on plans labelled '1116.005 Rev B'.

- (iii) 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: Approved, subject to conditions, numbered 1 to 3 (inclusive), as set out in the report submitted, together with additional conditions, numbered 4 and 5, as follows:-

4. The proposed en-suite window is fixed and obscure glazed up to 1.7m above internal floor level.
5. The removal of permitted development rights for curtilage buildings.
-

16 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 P12/0380 – Mr Ving Tsua – an objector

Plan No P12/0467 – Councillor Islam – an objector and Mr A King – an agent/applicant

Plan No P12/0498 – Ms Joanne Billingham – an objector and Mr Michael Lay – an agent/applicant

Plan No P12/0560 – Councillor T Wright – an objector

- (i) Plan No P12/0380 – 89-90 King Street, Dudley – New Five Storey Building with A1/A2 use at Ground Floor and 7 No Apartments Above

Decision: Approved, subject to conditions, numbered 1 to 23 (inclusive), as set out in the report submitted.

- (ii) Plan No P12/0467 – 25 Nagersfield Road, Brierley Hill – Conversion of Existing House into 2 No Apartments with External Alterations to Include Canopy Over Front Door and Blocking up Window to Rear

Decision: Approved, subject to conditions, numbered 1 to 12 (inclusive), as set out in the report submitted.

- (iii) Plan No P12/0498 – Highfield Residential Home, Stream Road, Kingswinford – Single Storey Rear Extension to Existing Residential Home

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

- (iv) Plan No P12/0560 – Texaco Service Station, 501 Himley Road, Lower Gornal, Dudley – Change of use from Petrol Station and Car Wash (Sui-Generis) to Car Sales, Petrol Station and Car Wash (Sui-Generis) (Retrospective)

At this juncture Councillor Wright moved to the public gallery, spoke in his capacity as Ward Member and then left the room prior to the debate and rejoined the meeting following consideration of the application.

Decision:

1. Refused for the reasons as set out in the report submitted.
2. That enforcement action be authorised to secure, within 1 month of an enforcement notice becoming effective, the reinstatement of the area of land referred to on plan drawing No 730.12.02 as 'additional land available for visitor parking/car sales'. (It should be noted that a live enforcement notice in place to secure the cessation of the use of the main site for the sale of vehicles)

- (v) Plan No P11/1443 – 75 Northfield Road, Netherton, Dudley – Following Demolition of all Existing Buildings, Erection of 44 Dwellings with Associated Car Parking, Access and Infrastructure Provisions
-

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. Subject to the conclusion of the viability assessment the applicant entering into a Section 106 Legal Agreement for the provision of Affordable Housing.
2. Conditions numbered 1 to 14 and 17 to 25 (inclusive) as set out in the report submitted, together with revised conditions, numbered 15 and 16 and additional conditions, numbered 26 to 28, as follows:-
 15. Where the approved risk assessment (required by Condition 14) 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.
 16. Unless otherwise agreed in writing with the Local Planning Authority, the approved scheme (required by Condition 15) 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.

26. No development shall begin until an assessment of the risks posed by any ground gases or vapours has been submitted to and approved by the Local Planning Authority. Such an assessment shall be carried out in accordance with authoritative UK guidance.
27. Where the approved risk assessment (required by condition no 26) identifies ground gases or vapours 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.
28. Unless otherwise agreed in writing with the LPA, the approved scheme (required by condition no 27) 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.

and that the Director of the Urban Environment be authorised to make amendments to these as necessary.

3. In the event that the Section 106 Agreement has not been completed within 2 months of the resolution to grant approval, the application be refused, if appropriate.
- (vi) Plan No P11/1535 – 7 Stour Valley Close, Brierley Hill – Erection of Outbuilding to Front of Dwelling (Retrospective)
- 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 P12/0092 – College Campus, Dudley College, Castle View Campus, The Parade, Dudley – Approval of Reserved Matters for Demolition of Existing Building and Erection of 86 Dwellings, Parking, Construction of New Roads, Open Space, Landscaping and Associated Works
- Decision: Approved, subject to conditions, numbered 1 to 3 (inclusive), as set out in the report submitted.
- (viii) Plan No P12/0301 – WM Morrison Supermarkets PLC, Charterfield Shopping Centre, Stallings Lane, Kingswinford – Variation of Condition 6 of Planning Permission P08/1273 to Read 'No Deliveries Shall be made to the Site Before the Hours of 0700 nor after 2000 Monday to Saturday, or Before the Hours of 1000 nor After 1800 Hours on Sundays and Bank Holidays'

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

- (ix) Plan No P12/0452 – Stour House, High Street, Wollaston, Stourbridge – Outline Application for the Erection of 14 No Dwellings (All Matters Reserved for Subsequent Approval)

Decision: Approved, subject to conditions, numbered 2 to 30 (inclusive), as set out in the report submitted, together with an amended condition, numbered 1, as follows:-

1. Approval of the details of the siting, design and external appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter called “the reserved matters”) shall be obtained from the Local Planning Authority in writing before any development is commenced.

- (x) Plan No P12/0500 – 68A Long Lane, Halesowen – Change of use of Building to a Religious Educational Facility (D1)

It was noted that the application had been withdrawn from consideration.

- (xi) Plan No P12/0519 – 16 Moden Hill, Sedgley, Dudley – Erection of 1 No Dwelling (Resubmission of Withdrawn Planning Application P11/0955)

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

- (xii) Plan No P12/0547 – Bundle Hill Allotments, Bundle Hill, Halesowen – Installation of Compost Toilet with Ramped Access

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

- (xiii) Plan No P12/0595 – 62 Sandringham Road, Wordsley, Stourbridge – First Floor, Two Storey and Single Storey Side Extensions

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

- (xiv) Plan No P12/0598 – The Woodman, Bromsgrove Road, Halesowen – Elevational Changes to Include the Bricking up of Windows, the Installation of a Shop Front, an External Staircase to the Side Elevation and a Security Gate to Enable Access to the Rear. Installation of an External ATM Machine (Retrospective) (Resubmission of Refused Application P11/1327)

Decision:

1. That temporary approval of 6 months be given to the installation of the external ATM Machine to enable assessment of any neighbourhood impact.
2. That the application be approved, subject to condition, numbered 2, as set out in the report submitted, together with an amended condition, numbered 1, as follows:-
 1. Within one month of the date of this approval a scheme to provide security bollards to prevent 'ram raiding' to deter/detect fraud/robbery in connection with the ATM machine shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented within one month of any approval and thereafter retained for the life of the development.

- (xv) Plan No P12/0622 – Roseacre, 1 Greenhill Gardens, Halesowen – Fell 1 Acacia and 1 Sycamore Tree. Crown Reduce 1 Ash Tree and Crown Lift 1 Ash Tree to 5 Metres

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

3. 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 trees to which this application relates.

- (xvi) Plan No P12/0652 – Priory Park, Priory Road, Dudley – Variation of Condition 5 of Planning Application P11/1400 to be Revised to "The Development Hereby Permitted Shall be Carried out in Accordance with the Following Approved Plans A104 and A105"

Having previously declared a disclosable pecuniary interest in this application Councillor Herbert withdrew from the meeting and rejoined the meeting following its consideration.

Decision: Approved, subject to conditions, numbered 1 to 5 (inclusive), as set out in the report submitted.

- (xvii) Plan No P12/0692 – Holly Lodge Rest Home, 9 Rectory Road, Oldswinford, Stourbridge – Fell 1 Cypress Tree

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

- (xviii) Plan No P12/0760 – 61 Green Street, Stourbridge – Single Storey Side/Rear Extension and Side/Rear Conservatory. New Detached Garage (Following Demolition of Existing Garage and Store) (Resubmission of Approved Application P11/0611)

Having previously declared a disclosable pecuniary interest in this application Mr Reed withdrew from the meeting and rejoined the meeting following its consideration.

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

- (xix) Plan No P12/0505 – 28 King Street, Wollaston, Stourbridge – Two Storey Side and Single Storey Side/Rear Extensions. New First Floor Window to Rear Elevation and Widening of Existing Driveway _____

Having previously declared a disclosable pecuniary interest in this application Councillor C Wilson withdrew from the meeting and rejoined the meeting following its consideration.

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

- (xx) Plan No P12/0531 – Old Park Inn, 102 Middlepark Road, Dudley – Substitution of House Types 1,2,5,8,9 and 10 of Previously Approved Application P11/1554) _____

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

- (xxi) Plan No P12/0572 – 175-177 High Street, Lye – Change of use from Bank to Restaurant (A3) (Proposed) (Resubmission of Refused Application P11/1059) _____

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

The meeting ended at 9.15 pm.

CHAIR

DEVELOPMENT CONTROL COMMITTEE

Monday 30th July, 2012 at 6.00 pm
in Committee Room 2, The Council House, Dudley

PRESENT:-

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

OFFICERS:-

Mr I Hunt, Mr T Glews, Mr D Owen, Mrs C Reeve, Mrs A Roberts (all Directorate of the Urban Environment), Mrs G Breakwell and Mrs M Johal (Directorate of Corporate Resources)

17 APOLOGY FOR ABSENCE

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

18 DECLARATION OF INTEREST

A declaration of a non-pecuniary interest, in accordance with the Members' Code of Conduct, was made by Councillor Wright in Planning Application No P12/0751 (7, 9 and 11 Hagley Road, Halesowen), in respect of reference made to the Fire Safety Officer, as he was a Member of the West Midlands Fire Authority.

19 MINUTES

RESOLVED

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

20 SITE VISITS

Consideration was given to the following planning applications in respect of which a site visit had been made on Thursday, 26th July, 2012, by Members of the Committee.

- (i) Plan No P12/0572 – 175-177 High Street, Lye – Change of use from Bank to Restaurant (A3) (Proposed) (Resubmission of Refused Application P11/1059)

Decision: That, subject to satisfactory flue details being agreed, the Director of the Urban Environment be authorised to approve the application and to conditions numbered 1 to 7 (inclusive), as set out in the report submitted.

- (ii) Plan No P11/1535 – 7 Stour Valley Close, Brierley Hill – Erection of Outbuilding to Front of Dwelling (Retrospective)

The Chair and Vice-Chair briefly reported on discussions that had taken place during the site visit and indicated that Members considered that the outbuilding that had been erected was well screened and that there did not appear to be any reason for refusing the application. It had been considered that a landscaping condition should be applied and a Member further requested that, as the garage was quite large, an additional condition stipulating that the garage should only be used for domestic purposes also be applied.

Decision: That the application be approved subject to the following conditions:-

1. If the existing conifer screen to the south of the structure on the boundary with Caledonia hereby approved is removed, within one month of the conifers being removed, a scheme for replanting shall be submitted to and agreed in writing by the Local Planning Authority. The submitted scheme shall include species details, locations and a timeframe for implementation. The landscaping scheme shall be implemented in strict accordance with the submitted and agreed details and shall remain in place for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.
2. The building hereby approved shall not be sold-off or sub-let separately from the main dwelling, but occupied and used as ancillary to the main dwelling.

- (iii) Plan No P12/0498 – Highfield Residential Home, Stream Road, Kingswinford – Single Storey Rear Extension to Existing Residential Home

Decision: Approved, subject to conditions, numbered 1 to 5 (inclusive), as set out in the report submitted, together with additional conditions, numbered 6 and 7, as follows:-

6. The existing boundary wall located between the application site and No 76 Stream Road shall be retained.

7. Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of the proposed parking layout and amended access into and out of the site, including details of any changes to levels and front boundary treatment. The parking and access scheme shall be implemented prior to the occupation of the extension hereby approved in accordance with the approved details and retained for the lifetime of the development.

(iv) Plan No P12/0519 – 16 Moden Hill, Sedgley, Dudley – Erection of 1 No Dwelling (Resubmission of Withdrawn Planning Application P11/0955)

The Chair and Vice-Chair briefly reported on discussions that had taken place during the site visit and indicated that Members had expressed concerns about the application and considered that the development would be detrimental to the amenities of the neighbouring properties due to neighbouring gardens being overlooked and that the scale of the structure would be out of context for the area.

Decision: Refused, for the following reason:-

The proposed dwelling, due to its position and scale, would result in a form of development that would be detrimental to the amenities of the occupiers of neighbouring properties through the overlooking of private rear gardens and the overbearing nature of the structure. The proposal would therefore be contrary to Policy DD4 of the saved UDP.

21

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.

(i) Plan No P12/0508 – McDonalds Restaurant, Birmingham New Road/Ivyhouse Lane, Coseley – Variation of Condition 9 of Planning Approval 96/50298 to Opening Hours of 06.00 to 23.00 Hours on Any Day

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

4. Lighting associated with the building, including the lighting up of existing signage, shall only be in use when the premises is open in accordance with the agreed opening hours set out by condition 2.

- (ii) Plan No P12/0584 – Kings Chambers, High Street, Dudley – Change of use of Offices (B1) to 6 No Apartments (C3) (Resubmission of Refused Application P11/1277)

During the consideration of this application Members expressed several concerns in that the building was not vacant or empty, it would result in the loss of employment land and that no indication had been given to the location of the business once displaced. It was also considered that the building was modern, not in disrepair and that it would be more beneficial for the area if the building continued to be used as offices as it would retain employment in Dudley.

Decision: Refused, for the following reason:-

Insufficient marketing evidence has been provided to allow the Local Planning Authority to assess whether satisfactory relocation arrangements have been made to safeguard the existing employment base and to ensure that the site is no longer viable and required for employment use, which could result in unnecessary loss of employment land, and as such the proposal is contrary to Policy DEL2 of the BCCS.

- (iii) Plan No P12/0644 – Fortress Security Ltd, 1 Leys Road, Brockmoor, Brierley Hill – Erection of Pole with 2 No Fixed Cameras Attached (Retrospective)

Decision: That the application be approved.

- (iv) Plan No P12/0694 – 47E Moss Grove, Kingswinford – Fell 1 Spruce

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

- (v) Plan No P12/0746 – R&P Motors, Coombs Road, Halesowen – Prior Approval Under Part 24 of the Town and Country Planning (GPDO) for a Telecommunication Development Comprising the Removal of Existing Telecommunications Equipment and 12M Tower and Replacing with New 15M Dual User Column, Meter Pillar and Cabinets

Decision: That prior approval be granted.

- (vi) Plan No P12/0751 – 7, 9 and 11 Hagley Road, Halesowen – Demolition of Existing Industrial Premises and Erection of 13 No Apartments with Associated Car Parking

Decision: Approved, subject to conditions, numbered 1 and 3 to 19 (inclusive), as set out in the report submitted, together with an amended condition, numbered 2, as follows:-

2. The parking area shown on the approved plans shall be surfaced and marked out prior to the occupation of the building and shall be used for no other purpose than the parking of vehicles. The parking area shall be retained for the lifetime of the development, and none of the spaces shall be individually allocated to the occupants of the apartments.

- (viii) Plan No P12/0762 – 4 Sandmeadow Place, Kingswinford – Fell 2 Sycamore Trees and Reduce 2 Sycamore Trees and 1 Ash Tree by 20-25%

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

The meeting ended at 7 pm.

CHAIR

DEVELOPMENT CONTROL COMMITTEE

Tuesday 28th August, 2012 at 6.00 pm
in Committee Room 2, The Council House, Dudley

PRESENT:-

Councillor Harris (Chair)
Councillors Herbert, J Martin, Mrs Westwood, C Wilson, Wright and Zada

OFFICERS:-

Mr I Hunt, Mrs H Martin, Mr D Owen, Mr P Reed (all Directorate of the Urban Environment), Mrs S Ahmed-Aziz and Mrs M Johal (Directorate of Corporate Resources)

22 **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were submitted on behalf of Councillors Casey, Roberts and S Turner.

23 **APPOINTMENT OF SUBSTITUTE MEMBER**

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

24 **DECLARATIONS OF INTEREST**

A declaration of a non-pecuniary interest, in accordance with the Members' Code of Conduct, was made by Councillor Mrs Westwood in Agenda Item No 9 (Proposals to Apply an Article 4(1) Direction as the property in question is owned by one of the companies she works for and she took no part in the discussion or voting and left the meeting during consideration of this item.

A declaration of a non-pecuniary interest was made by Councillor Wright in Planning Application No P12/0345 (Ribbesford, Quarry Park Road, Stourbridge) in view of reference made to the West Midlands Fire Service, as he is a member of the West Midlands Fire Service Authority.

25 **MINUTES**

RESOLVED

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

26

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 P12/0297 – Ms Michelle Hall – an objector

Plan No P12/0851 – Mr Anthony Gardiner – an objector (not in attendance)

Plan No P12/08521 – Mr Anthony Gardiner – an objector (not in attendance)

- (i) Plan No P12/0297 – Hayley Engineering Essentials, Shelah Road, Halesowen – Enlargement and Re-Surfacing of Existing Car Park

Decision: Approved, subject to conditions, numbered 1 to 7 and 9 (inclusive), as set out in the report submitted, together with an amended condition, numbered 8, as follows:-

8. No part of the development hereby permitted shall be commenced until full details of soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt these details shall make specific reference to replacement tree planting along the boundary with the properties along Fairmile Road. These details must include, where appropriate, planting plans, written specifications, a schedule of plants including species, plant sizes and proposed numbers/densities and a programme of implementation. Plans must also include accurate plotting of all existing landscape features. The works approved as part of this condition shall be completed within the first planting season following the first use of any part of the development. Any trees or shrubs planted in pursuance of this permission including any planting in replacement for it which is removed,

uprooted, severely damaged, destroyed or dies within a period of five years from the date of planting shall be replaced by trees or shrubs of the same size and species and in the same place unless otherwise agreed in writing by the Local Planning Authority.

- (ii) Plan No P12/0851 – 1A Bridle Road, Wollaston, Stourbridge – Fell and Replace 1 Sycamore Tree and Reduce 1 Sycamore Tree

Decision:

- (1) That Part A of the application to Fell 1 Sycamore Tree be refused for the reason as set out in the report submitted.
- (2) That Part B of the application relating to Crown Reduce 1 Sycamore Tree be approved subject to conditions, numbered 1 to 3 (inclusive), as set out in the report submitted.

- (iii) Plan No P12/0852 – 1A Bridle Road, Wollaston, Stourbridge – Fell and Replace 2 Sycamore Trees

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

- (iv) Plan No P12/0345 – Ribbesford, Quarry Park Road, Stourbridge – Demolish and Erect New Garage to Ribbesford and Erection of 1 No Dwelling

Decision: Approved, subject to conditions, numbered 1 to 13 and 15 to 18 (inclusive), as set out in the report submitted, together with a revised condition, numbered 14, as follows:-

Notwithstanding the details submitted on the approved plan, the driveway in front of the new replacement garage for Ribbesford shall be widened to 6.6m for a distance of 6.0m from the garage door entrance before the dwelling hereby approved is first brought into use and shall thereafter be retained for the life of the development.

- (v) Plan No P12/0491 – 42 Blaze Hill Road, Wall Heath, Kingswinford – Erection of Raised Decking Area at Rear of Dwelling (Retrospective)

Decision: That the application be approved subject to the condition, numbered 1, as set out in the report submitted.

- (vi) Plan No P12/0794 – 9C and 11A Moss Grove, Kingswinford – Fell 2 Sycamore Trees

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

- (vii) Plan No P12/0816 – 45 Cross Lane, Sedgley, Dudley – Fell 1 Beech Tree
- Decision: Refused, for the reason as set out in the report submitted.
- (viii) Plan No P12/0846 – 3 Sheraton Grange, Norton, Stourbridge – Fell 2 Oak Trees and Raise Crown of 2 Oak Trees to 4M
- Decision: Approved, subject to conditions, numbered 1 and 2 (inclusive), as set out in the report submitted.
- (ix) Plan No P12/0869 – 2 Oakham Drive, Dudley – Amendment to Planning Application P07/1261 for Changes to Roof Form and Conservatory to Rear
- Decision: Approved, subject to conditions, numbered 1 to 3 (inclusive), as set out in the report submitted, together with a revised condition, numbered 4, as follows:-
4. The development hereby permitted shall be carried out in accordance with the following approved plans: 0590 AL (P) 01 Rev C.
- (x) Plan No P12/0874 – Stambermill House, 1 Bagley Street, Lye, Stourbridge – Fell 2 Trees and Prune 1 Tree
- Decision: That the application be approved.
- (xi) Plan No P12/0884 – 91 Northway, Sedgley, Dudley – Fell 1 Silver Birch Tree
- Decision: Approved, subject to conditions, numbered 1 and 2 (inclusive), as set out in the report submitted.
- (xii) Plan No P12/0726 – 64 Rounds Road, Coseley – Single Storey Front/Side Extensions (Retrospective)
- Decision: That consideration of this application be deferred pending a site visit to be held prior to the next meeting of the Committee.
- (xiii) Plan No P12/0799 – 5 Sandringham Way, Brierley Hill – Single Storey and Two Storey Side/Rear Extensions (Following Demolition of Existing Conservatory, Utility Room and Garage)
- Decision: Approved, subject to conditions, numbered 1 to 4 (inclusive), as set out in the report submitted.

27 THE VALIDATION OF PLANNING APPLICATIONS

A report of the Director of the Urban Environment was submitted on the Black Country Business Friendly Planning Project and future changes to the validation of planning applications and information on the outcome of the consultation exercise.

RESOLVED

That the information contained in the report, Appendices to the report submitted and the Black Country Validations Checklist be noted and endorsed.

28 PROPOSAL TO APPLY AN ARTICLE 4(1) DIRECTION OF THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995

The Chair reported that the report had been withdrawn from consideration.

The Head of Planning reported that due to the restricted timescales involved an urgent decision sheet had been prepared and signed by the Cabinet Member for Regeneration for the making of the Direction under Article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995 and for notice to be served with immediate effect. Members of the Committee had also been consulted.

The meeting ended at 7.50 pm.

CHAIR

SPECIAL MEETING OF LICENSING AND SAFETY COMMITTEE

Wednesday, 12th September, 2012 at 6.00 pm
in Committee Room 3, The Council House, Dudley

PRESENT:-

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

Officers:-

Trading Standards Manager (Directorate of the Urban Environment),
Licensing Officer, Mr T Holder, Solicitor and Miss K Fellows (Directorate
of Corporate Resources).

Also in Attendance

Sergeant J Bloomer West Midlands Police.

5. **OPENING REMARKS OF THE CHAIR**

The Chair welcomed the return of Councillor Woodall following a period
of illness and thanked all those Members who have acted as substitutes
for Councillor Woodall during that period.

6. **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were submitted on behalf of
Councillors Blood, Cowell and Hanif.

7. **DECLARATIONS OF INTEREST**

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

8. **MINUTES**

RESOLVED

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

9. GAMBLING POLICY

A report of the Director of Corporate Resources was submitted on the responses to the consultation of the Council's draft Gambling Policy. Appended to the report submitted were the draft Gambling Policy and emails and letters regarding the consultation on the Policy.

RESOLVED

- (1) That the information contained in the report, and appendices to the report submitted, be noted.
- (2) That the Cabinet be recommended to recommend to Council that the draft Gambling Policy, as set out in Appendix 1 to the report submitted, be approved.

10. REVIEW OF POLICY FOR HOUSE TO HOUSE COLLECTIONS LICENCES

A report of the Director of Corporate Resources was submitted on the review of the application procedure policy for House to House Collections Licences.

The Chair introduced the report submitted, stating that she has had requested that the application procedure policy for House to House Collections Licences be reviewed and outlined the reasons for that request.

In presenting the report submitted, the Licensing Officer outlined the reasons for the proposed amendment to the policy indicated in paragraph 9 of the report.

The Licensing Officer also suggested that the Council arrange to a press release in order to raise public awareness in relation to those collections that were legitimate and those which were not.

In responding to a Member's question in relation to requesting proof of identification from collectors, Sergeant Bloomer outlined the risks in opening doors to strangers.

The Trading Standards Manager suggested that as a means of raising public awareness the contact number for Trading Standards should be included in order that possible enforcement action could be taken against the perpetrators of bogus collections.

Following further discussion it was

RESOLVED

- (1) That the information contained in the report submitted, be noted.
- (2) That the Cabinet be recommended to recommend to Council that the Policy for House to House Collections Licences be amended in accordance with the provisions set out in paragraph 9 of the report submitted.
- (3) That the Licensing Officer in conjunction with Trading Standards and the Police arrange a press release in order to raise public awareness relating to legitimate and bogus house to house collections.

11. UNDERAGE SALES

A joint report of the Director of Corporate Resources and the Director of the Urban Environment was submitted on the work undertaken in partnership with the Police, Trading Standards and Licensing in relation to the sale of alcohol to children under the age of 18.

Sergeant Bloomer reported that the Police received approximately three to four hundred calls each month in relation to alcohol fuelled anti social behaviour and under age drinkers were reluctant to identify where the alcohol was purchased or by whom.

He also advised that all intelligence was shared with Trading Standards in order that enforcement action could be taken and test purchasing undertaken.

The Trading Standards Manager advised that the effects of anti social behaviour was a major problem for all involved and work was conducted with the Police and the Safe and Sound Partnership in order to tackle the problems. He indicated that mapping intelligence was undertaken in order that resources could be targeted in the most appropriate areas given the limited funding available to deal with under age sales.

He also outlined Trading Standards powers of enforcement and referred to the results achieved for 2010/11 and 2011/12 as contained in paragraph seventeen of the report submitted.

Members supported the work undertaken by all parties involved in relation to under age sales.

Councillor James raised concerns in relation to purchasing alcohol by utilising self service check outs in major supermarkets and the Trading Standards Manager undertook to the investigate the matter and respond direct to Councillor James.

In responding to a question from Mr T Holder, Solicitor, the Trading Standards Manager advised that the Home Office had issued guidance in relation to enforcement action stating that the action should be a proportionate response and that the guidelines were followed by Trading Standards Officers and that persistent offenders were usually prosecuted.

In responding to a question from a Member the Licensing Officer advised that enforcement action would be taken against the premises and not the individual and that strong partnership work continued with the Police, Trading Standards and the Licensing sections of the Council.

RESOLVED

That the information contained in the report submitted, and as reported at the meeting on the work undertaken to combat the sale of alcohol to children under the age of 18, be noted and that the thanks of the Chair, on behalf of the Committee be recorded to the Police, Licensing and Trading Standards for the work conducted in order to combat underage sales.

The meeting ended at 6.45pm

CHAIRMAN

LICENSING SUB-COMMITTEE 1

Tuesday, 3rd July, 2012 at 10.00 am
in The Council Chamber, The Council House, Dudley

PRESENT:-

Councillor Bills (Chair)
Councillors Blood and Taylor

Officers

Mr T Holder (Legal Advisor), Mrs J Elliott (Licensing Officer) and Mr B Shipley (Enforcement Officer), Mr R Sanders (Democratic Services) – all Directorate of Corporate Resources

8 APOLOGY FOR ABSENCE

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

9 APPOINTMENT OF SUBSTITUTE MEMBER

It was noted that Councillor Taylor was serving as a substitute for Councillor Woodall for this meeting of the Sub-Committee only.

10 DECLARATIONS OF INTEREST

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

11 MINUTES

RESOLVED

That, the minutes of the meeting held on 6th June, 2012 be approved as a correct record and signed.

12 APPLICATION FOR HOUSE TO HOUSE COLLECTIONS LICENCE – BREAST CANCER (INTERSECOND LIMITED) “DO NOT DELAY”

A report of the Director of Corporate Resources was submitted on an application received for the grant of a House to House Collections Licence in respect of Breast Cancer (Intersecond Limited) "Do Not Delay". Ms Y Haughey, administrator, was in attendance at the meeting via a conference call. Mr Bruzdeilinas, the applicant, was also in attendance via the conference call and contributed to the call from time to time.

Reference was made by Mr Holder to a letter sent to Intersecond Limited following the meeting of the Sub-Committee on 6th June, 2012 conveying an invitation to Mr Bruzeilinas to attend this meeting, further to his not attending on 6th June, and requesting the submission of the more detailed accounts containing relevant information regarding sums donated donations to a specific charitable institution(s), as referred to in paragraph 7 of the report now submitted. Mr Holder referred also to a further letter dated 20th June, 2012 sent to Intersecond Limited chasing the submission of the documentation requested. Notwithstanding that Ms Haughey contented that the documentation had been submitted, Mr Holder indicated that it had not been received.

RESOLVED

That, since the documentation requested has not been submitted, the application for the grant of a House to House Collections Licence in respect of Intersecond Limited on behalf of the charity known as "Do Not Delay" Breast Cancer be refused on the grounds that the applicant has refused or neglected to furnish to the Authority such information that it may reasonably require for the purposes of informing themselves as to any of the matters specified in section 2 of the House to House Collections Act, 1939.

13

APPICATION FOR A HOUSE TO HOUSE COLLECTIONS LICENCE – (INTERSECOND LIMITED) – MERCY SHIPS UK

A report of the Director of Corporate Resources was submitted on an application received for the grant of a House to House Collections Licence in respect of Intersecond Limited – Mercy Ships UK. Ms Y Haughey, administrator, was in attendance at the meeting via a conference call. Mr Bruzdeilinas, the applicant, was also in attendance via the conference call and contributed to the call from time to time.

Reference was made by Mr Holder to a letter sent to Intersecond Limited following the meeting of the Sub-Committee on 6th June, 2012 conveying an invitation to Mr Bruzeilinas to attend this meeting, further to his not attending on 6th June, and requesting the submission of the more detailed accounts containing relevant information regarding sums donated donations to a specific charitable institution(s), as referred to in paragraph 7 of the report now submitted. Mr Holder referred also to a further letter dated 20th June, 2012 sent to Intersecond Limited chasing the submission of the documentation requested. Notwithstanding that Ms Haughey contented that the documentation had been submitted, Mr Holder indicated that it had not been received.

RESOLVED

That, since the documentation requested has not been submitted, application for the grant of a House to House Collections Licence in respect of Intersecond Limited on behalf of the charity known as “Do Not Delay” Breast Cancer be refused on the grounds that the applicant has refused or neglected to furnish to the Authority such information that it may reasonably require for the purposes of informing themselves as to any of the matters specified in section 2 of the House to House Collections Act, 1939.

14 APPLICATION FOR HOUSE TO HOUSE COLLECTIONS LICENCE – COMMUNITY HELP

A report of the Director of Corporate Resources was submitted on an application for the grant of a House to House Collections Licence on behalf of Mr David John Perkins for the charity known as Community Help CIC.

Mr Perkins was in attendance at the meeting and explained the background to the organisation and its proposed aims. It transpired in the discussion, however, that Community Help CIC was a community interest company under the Companies (Audit, Investigations and Community Enterprise) Act 2004, rather than a charity, and was therefore outside the remit of the Sub-Committee.

RESOLVED

That, since Community Interest companies, under the Companies (Audit, Investigations and Community Enterprise) Act, 2004 are outside the remit of the Sub-Committee, no action be taken on the application for the grant of the licence on behalf of Mr Perkins in relation to Community Help CIC.

The meeting ended at 11.25am

CHAIR

LSBC1/10

LICENSING SUB-COMMITTEE 1

Tuesday, 31st July, 2012 at 10.15 am
in The Council Chamber, The Council House, Dudley

PRESENT:-

Councillor Bills (Chair)
Councillors Blood and Taylor

Officers

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

15 APOLOGY FOR ABSENCE

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

16 APPOINTMENT OF SUBSTITUTE MEMBER

It was noted that Councillor Taylor was serving as a substitute for Councillor Woodall for this meeting of the Sub-Committee only.

17 DECLARATIONS OF INTEREST

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

18 MINUTES

RESOLVED

That, the minutes of the meeting held on 3rd July, 2012 be approved as a correct record and signed.

19 APPLICATION FOR CONSENT TO ENGAGE IN STREET TRADING – FORGET ME NOTS

It was noted that this item had been withdrawn.

20 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 received for the grant of a House to House Collections Licence in respect of D & P Textile Co Ltd on behalf of the charity known as Mutual Support.

It was noted that the applicant was not in attendance at the meeting, and that a letter inviting the applicant to the Committee was sent on 18th July, 2012.

Having decided to hear the matter in the applicant's absence, given that the applicant had failed to attend on two occasions, it was

RESOLVED

That the application for the grant of a House to House Collections Licence in respect of D & P Textile Co Ltd on behalf of the charity known as Mutual Support be refused.

REASONS FOR DECISION

The applicant did not attend on 19th June, 2012 and the matter was deferred, at his request, until 31st July, 2012. The applicant was written to by way of letter dated 18th July, 2012, and he has not communicated with the Licensing Office or attended today.

The Sub-Committee is not satisfied upon reading the written documentation that it has enough information (as it reasonably requires,) to inform itself of the necessary matters to make a decision, including the total amount likely to be applied for charitable purposes.

The Sub-Committee therefore refuses the application.

21 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 on behalf of the charity known as Cancer Recovery Foundation.

The Licensing Officer informed the Sub-Committee that she had received notification from the applicant requesting that the matter be deferred.

RESOLVED

That, in view of the applicant's non-attendance, the application received for the grant of a House-to-House Collections Licence in respect of UK Export Trade Limited, be deferred to a future meeting of the Sub-Committee, and that should the applicant fail to attend the Sub-Committee the application be heard in their absence.

22 APPLICATION FOR HOUSE TO HOUSE COLLECTIONS LICENCE –
AUDOSTA LTD – CHILDRENS HEARTS

It was noted that this item had been withdrawn.

The meeting ended at 10.35am

CHAIR

LICENSING SUB-COMMITTEE 1

Tuesday, 11th September, 2012 at 10.05 am
in The Council Chamber, The Council House, Dudley

PRESENT:-

Councillor Bills (Chair)
Councillors Blood and Taylor

Officers

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

23 APOLOGY FOR ABSENCE

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

24 APPOINTMENT OF SUBSTITUTE MEMBER

It was noted that Councillor Taylor was serving as a substitute for Councillor Woodall for this meeting of the Sub-Committee only.

25 DECLARATIONS OF INTEREST

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

26 MINUTES

RESOLVED

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

27 APPLICATION FOR REVIEW OF PREMISES LICENCE – INDULGENCE, WEDGBURY WAY, BRIERLEY HILL

A report of the Director of Corporate Resources was submitted on an application for the review of the premises licence in respect of Indulgence, Wedgbury Way, Brierley Hill.

It was noted that the Premises Licence Holder of Indulgence, was not in attendance at the meeting, and that a letter inviting him to the Committee had been hand delivered on 23rd August, 2012.

The Licensing Officer requested an adjournment of the meeting, to allow for an enforcement officer to visit the Premises Licence Holder to question their non-attendance.

The Sub-Committee agreed to the proposal made.

At the re-commencement of the meeting, the Licensing Officer informed the Sub-Committee that the enforcement officer was unable to contact the Premises Licence Holder, and that no notification had been received of his non-attendance during the adjournment.

Following a brief discussion it was

RESOLVED

- (1) That, in view of the Premises Licence Holder's non-attendance, the application for the review of the premises licence in respect of Indulgence, Wedgbury Way, Brierley Hill, be adjourned.
- (2) That the Licensing Officer be requested to write to the Premises Licence Holder to request his attendance at a re-convened meeting to be held on Tuesday 18th September, 2012 at 2.00 pm, and to inform him that should he fail to attend the Sub-Committee the application would be heard in his absence.

28

APPLICATION FOR REVIEW OF PREMISES LICENCE – HUSTLERS AND AL-QASBAH, 75-79 KING STREET, DUDLEY

A report of the Director of Corporate Resources was submitted on an application for the review of premises licence in respect of Hustlers and Al-Qasbah, 75-79 King Street, Dudley.

It was noted that the Premises Licence Holder of Hustlers and Al-Qasbah was not in attendance at the meeting. The Licensing Officer informed the Sub-Committee that a Police Officer had visited the address of the Premises Licence Holder to question his non-attendance, but that there was no one present at that address.

Following a brief discussion it was

RESOLVED

- (1) That, in view of the Premises Licence Holder's non-attendance, the application for the review of the premises licence in respect of Hustlers and Al-Qasbah, 75-79 King Street, Dudley, be adjourned.
- (2) That the Licensing Officer be requested to write to the Premises Licence Holder to request his attendance at a re-convened meeting to be held on Tuesday 18th September, 2012 at 2.00 pm, and to inform him that should he fail to attend the Sub-Committee the application would be heard in his absence.

29

APPLICATION FOR REVIEW OF PREMISES LICENCE – CODE, 75-79
HIGH STREET, DUDLEY

A report of the Director of Corporate Resources was submitted on an application for the review of the premises licence in respect of Code, 75-79 High Street, Dudley.

It was noted that the Premises Licence Holder of Code was not in attendance at the meeting. The Licensing Officer informed the Sub-Committee that a Police Officer had visited the address of the Premises Licence Holder to question his non-attendance, but that there was no one present at that address.

Following a brief discussion it was

RESOLVED

- (1) That, in view of the Premises Licence Holder's non-attendance, the application for the review of the premises licence in respect of Code, 75-79 High Street, Dudley, be adjourned.
- (2) That the Licensing Officer be requested to write to the Premises Licence Holder to request his attendance at a re-convened meeting to be held on Tuesday 18th September, 2012 at 2.00 pm, and to inform him that should he fail to attend the Sub-Committee the application would be heard in his absence.

The meeting ended at 10.55 am.

CHAIR

LICENSING SUB-COMMITTEE 3

Tuesday 21st August, 2012 at 10.05am
in The Council Chamber, The Council House, Dudley

PRESENT:-

Councillors M. Aston, Blood and James

Officers

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

1. ELECTION OF CHAIR

In the absence of the chair (Councillor K. Finch) it was

RESOLVED

That Councillor Blood be elected chair for this meeting of the Sub-Committee only.

(Councillor Blood in the Chair)

2. APOLOGY FOR ABSENCE

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

3. APPOINTMENT OF SUBSTITUTE MEMBER

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

4. DECLARATIONS OF INTEREST

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

5. MINUTES

RESOLVED

That, the minutes of the meeting held on 21st December, 2011, be approved as a correct record and signed.

6. CHANGE IN ORDER OF BUSINESS

RESOLVED

That, in accordance with Council Procedure Rule 12(c), the remaining Agenda Items be considered in the following order:-

6, 5 and 7

7. APPLICATION FOR A LICENSED PREMISES GAMING MACHINE PERMIT – CHEQUERS INN, 96 HIGH STREET, STOURBRIDGE

A report of the Director of Corporate Resources was submitted on an application received from JD Wetherspoon, for the grant of a Licensed Premises Gaming Machine Permit for four category C machines in respect of Chequers Inn, 96 High Street, Stourbridge.

Mr D Edwards, Designated Premises Supervisor was in attendance at the meeting.

Following introductions, the Chairman outlined the procedure to be followed.

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

Clarification was sought with regards to the siting of the machines, and the layout of the premises.

In responding to a question from the Legal Advisor, Mr Edwards informed the Sub-Committee that no under 18s were permitted to use the machines, and that families do visit the premises occasionally.

RESOLVED

That the application received from JD Wetherspoon, for the grant of a Licensed Premises Gaming Machine Permit for four category C machines in respect of Chequers Inn, 96 High Street, Stourbridge, be approved on the grounds that the Sub-Committee were satisfied with the positioning of the four machines, as confirmed on the plan by Mr Edwards.

8. APPLICATION FOR REVIEW OF PREMISES LICENCE – FAGS AND MAGS LIMITED, 1-5 NEW STREET, DUDLEY

A report of the Director of Corporate Resources was submitted on an application for the review of the premises licence in respect of Fags and Mags Limited, 1-5 New Street, Dudley.

Mr C King, Principal Trading Standards Officer and Ms L Ingram, Enforcement Officer, Directorate of the Urban Environment, and PC A Taylor, Licensing Officer, Stourbridge were in attendance at the meeting.

It was noted that the Premises Licence Holder of Fags and Mags Limited was not in attendance.

The Licensing Officer requested an adjournment of the meeting, to allow for an enforcement officer to visit the premises to question their non-attendance, due to the premises being in close proximity.

The Sub-Committee agreed to the proposal made.

At the re-commencement of the meeting, Mr Trickett, an Enforcement Officer, informed the Sub-Committee that on entering the premises, the Premises Licence Holder was not there, however when he returned to the premises he informed Mr Trickett that he had not received a copy of the letter inviting him to the Sub-Committee, and that he wished to relinquish his premises licence. Mr Trickett further confirmed that there was no alcohol displayed in the premises.

Following a brief discussion it was

RESOLVED

That, the Licensing Officer be requested to write to the Premises Licence Holder to request that the premises licence be relinquished within seven days of the date of the letter sent, and that should he failure to do so the matter be considered at a future Sub-Committee meeting.

9. APPLICATION FOR A CLUB PREMISES CERTIFICATE – COOMBS WOOD SPORTS AND SOCIAL CLUB

A report of the Director of Corporate Resources was submitted on an application for the grant of a club premises certificate in respect of Coombs Wood Sports and Social Club.

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 club premises certificate in respect of Coombs Wood Sports and Social Club be deferred to a future Sub-Committee meeting.

The meeting ended at 10.50am.

CHAIR

LICENSING SUB-COMMITTEE 4

Tuesday 28th August, 2012 at 10.05 am
in the Council Chamber, The Council House, Dudley

PRESENT:-

Councillors M. Aston, Bills and Taylor

Officers: -

Miss E Kerrigan (Legal Advisor), Mrs J Elliott (Licensing Officer) and Mrs K Taylor – All Directorate of Corporate Resources.

11. ELECTION OF CHAIR

In the absence of the chair (Councillor Roberts) it was

RESOLVED

That Councillor Bills be elected chair for this meeting of the Sub-Committee only.

(Councillor Bills in the Chair)

12 APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received on behalf of Councillors Hanif and Roberts.

13 APPOINTMENT OF SUBSTITUTE MEMBERS

It was reported that Councillors Mrs Aston and Bills had been appointed as substitute Members for Councillors Hanif and Roberts respectively for this meeting of the Sub-Committee only.

14 DECLARATIONS OF INTEREST

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

15 MINUTES

RESOLVED

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

16

APPLICATION FOR A LICENSED PREMISES GAMING MACHINE PERMIT – THE ABRAHAM DARBY, MERRY HILL CENTRE, BRIERLEY HILL

A report of the Director of Corporate Resources was submitted on an application for the grant of a licensed premises gaming machine permit for six category C machines in respect of The Abraham Darby, Merry Hill Centre, Brierley Hill.

Ms E Crehan, Designated Premises Supervisor, was in attendance at the meeting.

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

Clarification was sought with regard to the siting of the machines, and Ms Crehan informed the Sub-Committee that it was the intention that a 'Skills with Prizes' machine would be replaced by an 'Amusement with Prizes' machine.

In responding to a question by a member, Ms Crehan confirmed that no under 18s were permitted to use the machines, and that families do visit the premises.

RESOLVED

That the application received from JD Wetherspoon, for the grant of a Licensed Premises Gaming Machine Permit for six category C machines in respect of The Abraham Darby, Merry Hill Centre, Brierley Hill be approved on the grounds that the Sub-Committee were satisfied with the positioning of the six machines.

17

APPLICATION FOR CONSENT TO ENGAGE IN STREET TRADING – MR D WHITESIDE (DAN TEAS) – LOWER HIGH STREET, STOURBRIDGE

A report of the Director of Corporate Resources was submitted on an application made by Mr D Whiteside for the grant of consent to engage in street trading at the site of Lower High Street, Stourbridge.

Mr D Whiteside, Applicant, together with his wife were in attendance at the meeting.

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

Mr Whiteside then presented his representations, and in doing so informed the Sub-Committee that since he had submitted the application, he had successfully undertaken a food handling course, following advice given by Environmental Health.

It was noted that the Directorate of the Urban Environment (Highways) had recommended that Mr Whiteside traded on position one, as highlighted on a map, which had been circulated to Committee Members prior to the meeting. Mr Whiteside confirmed that he was happy with this recommendation.

Following a brief discussion it was

RESOLVED

That the application for the grant of consent to engage in street trading at the site of Lower High Street, Stourbridge (position one), be approved.

18

APPLICATION FOR RENEWAL AND VARIATION OF STREET TRADING CONSENT – MR F A SMITH

A report of the Director of Corporate Resources was submitted on an application made by Mr F A Smith for the renewal and variation of his street trading consent to sell hot dogs, burgers, fried, bacon, sausage, eggs, tomatoes, beans, mushrooms, hot and cold drinks and ice cream in Market Place, Dudley; Birmingham Street, Dudley; Upper High Street, Dudley; and Junction of Foster Street/High Street, Stourbridge.

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 renewal and variation of the street trading consent issued to Mr F A Smith be deferred to a future Sub-Committee meeting.

19

APPLICATION FOR CONSENT TO ENGAGE IN STREET TRADING – MR C M DAVIS, RYEMARKET, STOURBRIDGE

A report of the Director of Corporate Resources was submitted on an application made on behalf of Mr C M Davis for the grant of consent to engage in street trading at a site in the Ryemarket, Stourbridge.

Mr C M Davis, Applicant, was in attendance at the meeting.

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

Mr Davis then presented his representations, and in doing so informed the Sub-Committee that he had traded in Coventry Street, Stourbridge for three years but was relocated due to developments in the area. He also stated that the site in Foster Street did not bring enough trade and that he did not own a permit for that site.

Reference was made to the comments made by interested parties that had been circulated to the Sub-Committee prior to the meeting, in particular of the lack of space surrounding the unit, Mr Davis responded that he had been trading on the site for a couple of weeks and there had been no problems.

In responding to comments made, Mr Davis stated that his intention was to trade one day a week, either a Wednesday or Friday, but that he had applied for both days as an option to trade on a different day in the future.

It was also noted that Mr Davis did not trade on the same day as the Farmer's Market.

Following a brief discussion it was

RESOLVED

That the application for the grant of consent to engage in street trading at a site in the Ryemarket, Stourbridge, be approved.

20

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 10 and 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 on behalf of the charity known as Cancer Recovery Foundation.

Mrs I Martin, Director, and Mr M Martin, Administrator, both of UK Export Trade Limited were in attendance at the meeting.

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

Mr Martin then explained the background to the organisation and submitted a letter of support from the founder of the company, and a copy of the accounts to the Sub-Committee.

It was noted that the company had in excess of one hundred licences including surrounding areas such as Walsall and Wolverhampton.

Clarification was sought with regard to the percentage that would be paid to the charity, Mrs Martin responded by stating that the percentage would be 55%, and that £110 for each tonnage of clothing sold would be donated to the charity.

It was also noted that the charity bags which were distributed contained promotional material for the charity, including the services given and events taking place.

In responding to a question by a member in regard to the collection of the charity bags, Mrs Martin responded by stating that employees would collect the bags using company vehicles, whilst wearing uniforms and identification badges. She further stated that training was provided every month, and staff meetings were held on a weekly basis.

In responding to a question by a member, Mrs Martin confirmed that there were currently ten vans in operation, and that the company operates a call centre service, which highlights any missed collections or concerns requiring investigation.

Further discussions took place with regard to the travel costs as outlined in the accounts submitted, Mrs Martin confirmed that the amount spent on travel was due to the charity bags being produced in Bulgaria, which they deemed to be the cheapest.

In responding to a question by the Licensing Officer in regard to the monitoring of the bags collected, Mrs Martin responded by stating that she had employed managers in each area to monitor the collections that are delivered to the depot to be weighed.

Mrs Martin further stated that she believed that she had good members of staff and that she was not concerned as the salary paid was more than what the employees would receive if they sold the bags elsewhere, therefore it would not be financially viable.

In summing up, Mrs Martin stated that she was the sole director, and Mr Martin was employed on a part-time basis. She stated that she and Mr Martin did not receive a salary as the profits were currently being invested into the charity.

Following a brief discussion, Mr and Mrs Martin was informed that they would receive a written letter informing them of the decision.

Mr and Mrs Martin then withdrew from the meeting in order to enable the Sub-Committee to determine the application.

RESOLVED

That the application for the grant of a House-to-House Collections Licence in respect of UK Export Trade Limited on behalf of the charity known as Cancer Recovery Foundation, be approved for a period of six months to allow the company to produce financial accounts.

22

APPLICATION FOR HOUSE TO HOUSE COLLECTIONS LICENCE –
TREATING CHILDREN WITH CANCER

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 Treating Children with Cancer.

It was noted that the applicant was not in attendance at the meeting, and that he had been informed that should he fail to attend the Sub-Committee the application would be heard in his absence

Having decided to hear the matter in the applicants absence, the Licensing Officer presented the report on behalf of the Council.

Following a brief discussion it was

RESOLVED

That, in view of the applicant's non-attendance at the meeting and that further account information contained in Section 2 (f) of the House to House Collections Act, 1939, had still not been provided, the application for the grant of a House to House Collections Licence in respect of Treating Children with Cancer be refused.

The meeting ended at 11.10 am

CHAIR

TAXIS COMMITTEE

Thursday, 5th July, 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 Mrs. Ameson, M. Aston, Cowell, Russell, Mrs. Simms, K. Turner
and Vickers

Officers:-

Assistant Director (Law and Governance), Licensing Officer and Mr. J.
Jablonski (all Directorate of Corporate Resources)

Also in attendance:-

Mr. T. Trickett - Licensing Enforcement Officer and Mr. D. Corbett - Senior
Transport Officer, Home to School Contracts (for Agenda Item Nos. 6, 10 and
17 only)

19. APOLOGY FOR ABSENCE

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

20. APPOINTMENT OF SUBSTITUTE MEMBER

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

21. DECLARATIONS OF INTEREST

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

22. MINUTES

RESOLVED

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

23. REVIEW OF LICENSING STANDARDS

A report of the Director of Corporate Resources was submitted on a review of the Licensing Standards and Performance Indicators. The current licensing standards and the section performance against performance indicators were set out in Appendix 1 to the report submitted.

RESOLVED

That the information contained in the report, and Appendix 1 to the report, submitted on a review of the Licensing Standards and Performance Indicators, be noted.

24. ADDITIONAL CONDITION OF LICENCE FOR HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES

A report of the Director of Corporate Resources was submitted on a proposed additional condition to hackney carriage and private hire vehicle licences in respect of vehicles fitted with lifting equipment which, under the Lifting Operations and Lifting Equipment Regulations, 1988, require a certificate (LOLER Certificate).

RESOLVED

That approval be given to the addition of a condition of licence on hackney carriage and private hire vehicles whereby all vehicles that require a Lifting Operations and Lifting Equipment Regulations Certificate be required to display such Certificate in a prominent position on the vehicle.

25. 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. A.Q.	1.

Review of private hire operator's licence - Mr. A.Q.	1.
Review of private hire and hackney carriage drivers' licences – Mr. T.H.	1.
Grant of private hire and hackney carriage drivers' licences – Mr. M.A.	1.
Review of private hire driver's licence - Mr. A.R.C.	1.
Review of private hire driver's licence - Mr. M.N.	1.
Review of hackney carriage and private hire drivers' licences – Mr. K.S.	1.
Grant of private hire and hackney carriage drivers' licences – Mr. F.U.I.	1.
Review of private hire and hackney carriage drivers' licences – Mr. N.A.	1.

26. 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:-

9-12, 14, 15, 17, 13 and 16

27. REVIEW OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES - MR. A.Q

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. A.Q. in the light of an offence committed as indicated in paragraph 8 of the report submitted.

Mr. A.Q. was in attendance at the meeting together with his Solicitor, Mr. Schiller.

Following a presentation of the report submitted, Mr. Schiller made representations on behalf of his client. It was also reported that there were no matters pending in relation to the driving conduct of Mr. A.Q.

RESOLVED

That, following consideration of the information contained in the report submitted, and as reported at the meeting, Mr. A.Q. receive a warning as to his future conduct.

28. REVIEW OF PRIVATE HIRE OPERATOR'S LICENCE - MR. A.Q.

A report of the Director of Corporate Resources was submitted on a review of the private hire operator's licence issued to Mr. A.Q.

This matter had been previously considered at the meeting of the Committee held on 12th January, 2012, when a decision was made that the review be deferred for a period of six months to allow Mr. A.Q. to adhere to new conditions of licence.

Details of the checks undertaken by the company referred to in paragraph 31 of the report submitted were circulated at the meeting and those vehicles marked with an asterisk on one of those documents were vehicles involved with undertaking home to school contracts.

Mr. A.Q. was in attendance at the meeting, together with his Solicitor, Mr. Schiller, who made representations on behalf of his client. Members also asked a number of questions, in particular relating to the safety checks and faults found, to which responses were given. It was also noted that paragraph 28 of the report submitted should be amended as indicated at the meeting.

It was also further noted that Mr. A.Q. was happy to continue to have his vehicles checked by the company referred to at paragraph 31 of the report submitted.

RESOLVED

That, arising from consideration of the information contained in the report submitted, as reported at the meeting and the information circulated at the meeting, the review of the private hire operator's licence issued to Mr. A.Q. be deferred for a further period of six months to allow Mr. A.Q. to adhere to his new conditions of licence.

29. REVIEW OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR. T.H.

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. T.H. in the light of the offence committed as outlined in paragraph 4 of the report submitted.

Mr. T.H. was in attendance at the meeting and responded to questions asked by members in relation to the offence committed.

Regarding the separate matter of an intended prosecution for speeding indicated at paragraph 6 of the report submitted, Mr. T.H. reported that he had appeared in Court on this matter and had taken the option of attending a speed awareness course.

It was noted that no separate action would be taken in relation to this matter.

Mr. T.H. also informed the Committee that there were no matters pending that they needed to be aware of.

RESOLVED

That the private hire and hackney carriage drivers' licences issued to Mr. T.H. be suspended for a period of one month in the light of the offence committed of using a mobile phone whilst driving.

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

30. GRANT OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR. M.A.

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

Mr. M.A. was in attendance at the meeting together with his representative, who made representations on his behalf concerning the application made.

It was also reported that there were no matters pending that needed to be brought to the Committee's attention.

RESOLVED

That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, approval be given to the grant of private hire and hackney carriage drivers' licences to Mr. M.A. for a period of twelve months.

31. REVIEW OF PRIVATE HIRE DRIVER'S LICENCE - MR. M.N.

A report of the Director of Corporate Resources was submitted on a review of the private hire driver's licence issued to Mr. M.N. in the light of the offences committed, as indicated in the report submitted.

Mr. M.N. was in attendance at the meeting together with his representative and responded to questions asked by Members in relation to the offences committed. It was also noted that there were no matters pending that the Committee 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. M.N. be suspended for a period of four months in the light of the offences committed of plying for hire and no insurance.

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

32. REVIEW OF HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS' LICENCES - MR. K.S.

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. K.S. in the light of the offence committed as indicated in paragraph 5 of the report submitted.

Mr. K.S. was in attendance at the meeting, together with his Solicitor, Mr. Schiller, who made representations on behalf of his client relating to the offence committed.

It was also noted that there were no matters pending that needed to be brought to the Committee's attention.

RESOLVED

That, following 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. K.S. be suspended for a period of one month in the light of the offence committed of overcharging.

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

33. REVIEW OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR. N.A.

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. N.A. in light of allegations made as set out in the report submitted.

Mr. N.A. was in attendance at the meeting, together with his Solicitor, Mr. Schiller, who made representations on behalf of his client. Comments concerning the matter under review were also made by the Licensing Enforcement Officer and the Senior Transport Officer - Home to School Contracts.

RESOLVED

That, following careful consideration of the information contained in the report submitted and as reported at the meeting, no further action be taken on this matter.

34. REVIEW OF PRIVATE HIRE DRIVER'S LICENCE - MR. A.R.C.

A report of the Director of Corporate Resources was submitted on a review of the private hire driver's licence issued to Mr. A.R.C. in light of offences committed as indicated in the report submitted.

Mr. A.R.C. was not in attendance at the meeting and the Licensing Officer reported that he had informed them that he would be unable to attend the meeting.

Having decided to hear the matter in the absence of Mr. A.R.C. consideration was given to the information contained in the report submitted.

RESOLVED

That, in light of the offences committed, the private hire driver's licence issued to Mr. A.R.C. be suspended for a period of two months.

35. GRANT OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES - MR. F.U.I.

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

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

RESOLVED

That consideration of the application made on behalf of Mr. F.U.I. for the grant of private hire and hackney carriage drivers' licences be deferred for consideration at the next meeting of the Committee.

The meeting ended at 8.15 p.m.

CHAIR

TAXIS COMMITTEE

Tuesday, 7th August, 2012 at 5.30 p.m.
In Committee Room 3 at the Council House, Dudley

PRESENT:-

Councillor Body (Chair)
Councillors A. Ahmed, Mrs. Ameson, Attwood, Cowell, Harris, J. Martin and
K. Turner.

Officers:-

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

36. APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were submitted on behalf of
Councillors A. Aston, M. Aston, Mrs Simms and Vickers.

37. APPOINTMENT OF SUBSTITUTE MEMBERS

It was reported that Councillors Attwood, Harris and J. Martin had been
appointed as substitute Members for Councillors Vickers, A. Aston and M.
Aston respectively for this meeting of the Committee only.

38. DECLARATIONS OF INTEREST

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

39. MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 5th July,
2012, be approved as a correct record and signed.

40. 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 Hackney Carriage and Private Hire Drivers' Licences – Mr MH	1.
Grant of Private Hire Driver's Licence – Mr WA	1.
Grant of Private Hire and Hackney Carriage Drivers' Licences – Mr GA	1.
Grant of Private Hire Driver's Licence – Mr JB	1.
Grant of Private Hire and Hackney Carriage Drivers' Licences – Mr FUI	1.
Renewal of Private Hire Driver's Licence – Mr MZ	1.
Review of Private Hire Driver's Licence – Mr MJ	1.

41. REVIEW OF HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS' LICENCES – MR MH

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 MH in the light of an offence committed as indicated in paragraph 4 of the report submitted.

Mr MH was in attendance at the meeting together with his representative.

Mr MH and his representative responded to questions asked by the Committee in particular regarding the offence referred to in paragraph 4 of the report submitted. Mr MH also reported that there were no matters pending that the Committee needed to be made aware of.

RESOLVED

That, following consideration of the information contained in the report submitted, and as reported at the meeting, Mr MH receive a

warning as to his future conduct.

42. GRANT OF PRIVATE HIRE DRIVER'S LICENCE – MR WA

A report of the Director of Corporate Resources was submitted on an application for the grant of a private hire driver's licence made on behalf of a Mr WA.

Mr WA was in attendance at the meeting and responded to questions asked by the Committee in particular regarding the details referred to in paragraph 3 of the report submitted. He also reported that there were no matters pending that needed to be brought to the attention of the Committee.

RESOLVED

That, arising from consideration of the information contained in the report submitted, as reported at the meeting, the application for the grant of a private hire driver's licence in respect of Mr WA be refused on the grounds that Mr WA was not a fit and proper person in the light of the drug related offences for which he had been convicted.

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

43. 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:-

10, 9 and 11 - 13

44. GRANT OF PRIVATE HIRE DRIVER'S LICENCE – MR JB

A report of the Director of Corporate Resources was submitted on an application for the grant of a private hire driver's licence made on behalf of a Mr JB.

Mr JB was in attendance at the meeting and responded to questions asked by the Committee. He also reported that there were no matters pending that needed to be brought to the attention of the Committee.

RESOLVED

That, arising from consideration of the information contained in the report submitted, and as reported at the meeting, approval be given to the grant of a private hire driver's licence to Mr JB for a period of

twelve months.

45. GRANT OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR GA

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

Mr GA was in attendance at the meeting and responded to questions asked by the Committee in particular regarding the offences referred to in paragraph 11 of the report submitted. He also reported 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, approval be given to the grant of a private hire and hackney carriage drivers' licences to Mr GA for a period of three months.

46. GRANT OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR FUI

A report of the Director of Corporate Resources was submitted on an application made on behalf of Mr FUI 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 FUI was in attendance at the meeting together with his representative 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, Mr FUI be given a further opportunity to take his test.

47. RENEWAL OF PRIVATE HIRE DRIVER'S LICENCE – MR MZ

A report of the Director of Corporate Resources was submitted on the renewal of the private hire driver's licence issued to Mr MZ in the light of the offences committed as indicated in paragraph 20 of the report submitted and his breach of condition 10 of his private hire driver's licence as indicated in paragraph 21 of the report submitted.

Mr MZ was in attendance at the meeting and responded to questions asked by the Committee regarding the offences committed and his non-reporting of the conviction within the required seven day period. Mr MZ also reported that there were no matters pending that needed to be brought to the attention of the Committee.

RESOLVED

That, following consideration of the information contained in the report submitted and as reported at the meeting, the private hire driver's licence issued to Mr MZ be renewed with effect from 24th June, 2012 and suspended for a period of two months in the light of the offence committed and breach of condition 10 of his private hire driver's licence.

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

48. REVIEW OF PRIVATE HIRE DRIVER'S LICENCE – MR MJ

A report of the Director of Corporate Resources was submitted on a review of the private hire driver's licence issued to Mr MJ in light of the offence committed as indicated in paragraph 4 of the report submitted.

Mr MJ was in attendance at the meeting and in responding to questions asked by the Committee reported that there were no matters pending that needed to be brought to the attention of the Committee.

RESOLVED

That, following consideration of the information contained in the report submitted, and as reported at the meeting, Mr MJ receive a strong written warning as to his future conduct in the light of the speeding offence committed.

The meeting ended at 6.45 p.m.

CHAIR

TAXIS COMMITTEE

Tuesday, 4th September, 2012 at 5.30 p.m.
In Committee Room 3 at the Council House, Dudley

PRESENT:-

Councillor Body (Chair)
Councillors A. Ahmed, Mrs. Ameson, A. Aston, M. Aston, Cowell, Taylor, K. Turner and Vickers.

Officers:-

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

49. APOLOGY FOR ABSENCE

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

50. APPOINTMENT OF SUBSTITUTE MEMBER

It was reported that Councillor Taylor had been appointed as a substitute Member for Councillor Mrs. Simms for this meeting of the Committee only.

51. DECLARATIONS OF INTEREST

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

52. MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 7th August, 2012, be approved as a correct record and signed.

53. 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 Hackney Carriage Driver's Licence – Mr KM	1.
Review of Hackney Carriage Driver's Licence – Mr AHR	1.
Request for Reduction of Administration Fee for the Grant of a Private Hire Operators Licence – Mr KR	1.
Review of Private Hire Driver's Licence – Mr JTP	1.
Review of Private Hire Driver's Licence – Mr HK	1.
Review of Private Hire Driver's Licence – Mr PK	1.
Review of Private Hire and Hackney Carriage Drivers' Licences – Mr TY	1.
Review of Hackney Carriage Driver's Licence – Mr AK	1.
Review of Private Hire and Hackney Carriage Drivers' Licences – Mr MW	1.

54. REVIEW OF HACKNEY CARRIAGE DRIVER'S LICENCE – MR KM

A report of the Director of Corporate Resources was submitted on a review of the hackney carriage driver's licence issued to Mr KM in the light of a complaint received as outlined in the report submitted.

Mr KM was in attendance at the meeting together with his representative.

It was noted that neither the complainant nor her partner were not in attendance at the meeting. In view of this the Assistant Director (Law and Governance) informed the Committee that given the complainant was not in attendance then the matter could not be considered as there were two version of events.

Following a brief discussion it was

RESOLVED

That no further action be taken on the review of the hackney carriage driver's licence issued to Mr KM.

55. 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, 10, 12, 11, 13, 14, 15 and 8.

56. REQUEST FOR REDUCTION OF ADMINISTRATION FEE FOR THE GRANT OF A PRIVATE HIRE OPERATOR'S LICENCE – MR KR

A report of the Director of Corporate Resources was submitted on a request made on behalf of Mr KR for the reduction of the administration fee payable for the grant of a Private Hire Operator's licence, in the light of the information contained in the report submitted.

Mr KR was in attendance at the meeting and informed the Committee of the circumstances surrounding the request for a refund.

RESOLVED

That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, the request for a reduction of the administration fee in respect of the application made on behalf of Mr KR for the grant of a private hire operator's licence be refused on the grounds that the administration of the application had been completed.

57. REVIEW OF PRIVATE HIRE DRIVER'S LICENCE – MR JTP

A report of the Director of Corporate Resources was submitted on a review of the private hire driver's licence issued to Mr JTP in the light of the medical information attached as Appendices 1, 2 and 3 to the report submitted. Particular reference was made to information in Appendix 3 that stated that the medical practitioner involved considered that Mr JTP did not meet the visual standard and therefore was not medically fit to be licensed as a private hire driver.

Mr JTP was in attendance at the meeting.

Following a presentation of Mr JTP's statement by the Licensing Officer, Mr JTP responded to questions asked by the Committee, and in doing so he informed them that a new pair of glasses which had stronger lenses were being made and would be finished shortly.

Following a brief discussion it was

RESOLVED

That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, Mr JTP be requested to undertake a further medical test by the Council's Medical Practitioner, following receipt of Mr JTP's new glasses, and that the renewal of the private hire driver's licence to Mr JTP be approved by officers under delegated powers, provided that the medical test was satisfactory.

58. REVIEW OF PRIVATE HIRE DRIVER'S LICENCE – MR PK

A report of the Director of Corporate Resources was submitted on a review of the private hire driver's licence issued to Mr PK in the light of the offence committed as indicated in paragraph 8 of the report submitted.

Mr PK was in attendance at the meeting and responded to questions asked by the Committee in particular regarding the offence for which he had been convicted. He also reported that there were no matters pending that needed to be brought to the attention of the Committee.

During consideration of this matter, it was noted that Mr PK would be repaying his court costs on a monthly basis.

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 PK be suspended for a period of two months in view of the offence for which he had been convicted.

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

59. REVIEW OF PRIVATE HIRE DRIVER'S LICENCE – MR HK

A report of the Director of Corporate Resources was submitted on a review of the private hire driver's licence issued to Mr HK in the light of the Fixed Penalty Notice received as indicated in paragraph 18 of the report submitted.

Mr HK was in attendance at the meeting and responded to questions asked by the Committee; he also informed them that there were no matters pending that they needed to be made aware of.

RESOLVED

That, 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 HK be suspended for a period of three months in view of this being the second occasion that Mr HK had been convicted of using a mobile phone whilst driving.

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

60. REVIEW OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR TY

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 TY in the light of the offence committed as indicated in paragraph 18 of the report submitted.

Mr TY was in attendance at the meeting and responded to questions asked by the Committee regarding the offence committed.

During consideration of this matter, it was noted that Mr TY had driven a Public Service Vehicle to undertake his home to school contract and was therefore subject to a different criteria in respect of taking rests within a twenty-four hour period.

It was further noted that Mr TY no longer used the Public Service Vehicle to carry out his private hire work in the evenings.

Mr TY also reported that there were no matters pending that needed to be brought to the attention of the Committee.

RESOLVED

That, following consideration of the information contained in the report submitted, and as reported at the meeting, Mr TY receive a warning as to his future conduct in the light of the offence committed.

61. REVIEW OF HACKNEY CARRIAGE DRIVER'S LICENCE – MR AK

A report of the Director of Corporate Resources was submitted on a review of the hackney carriage driver's licence issued to Mr AK in the light of the offences committed as indicated in paragraph 18 of the report submitted.

Mr AK was in attendance at the meeting and responded to questions asked by the Committee. He also reported that there were no matters pending that needed to be brought to the attention of the Committee.

During consideration of this matter, it was noted that Mr AK had failed to bring machinery of the taxi meter into action, and demanded more than the proper fare on one occasion only, as opposed to the two occasions as indicated in the report submitted.

RESOLVED

That, following consideration of the information contained in the report submitted, and as reported at the meeting, the hackney carriage driver's licence issued to Mr AK be suspended for a period of three months in view of the offences for which he had been convicted.

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

62. REVIEW OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR MW

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 MW in the light of the offence committed as indicated in paragraph 3 of the report submitted.

Mr MW was in attendance at the meeting and responded to questions asked by the Committee. He also reported that there were no matters pending that needed to be brought to the attention of the Committee.

RESOLVED

That, following consideration of the information contained in the report submitted, and as reported at the meeting, Mr MW receive a warning as to his future conduct.

63. REVIEW OF HACKNEY CARRIAGE DRIVER'S LICENCE – MR AHR

A report of the Director of Corporate Resources was submitted on a review of the hackney carriage driver's licence issued to Mr AHR in the light of a complaint received as outlined in the report submitted.

Mr AHR was not in attendance at the meeting, and notification of his non-attendance had not been received.

Having decided to hear the matter in his absence it was

RESOLVED

That, following consideration of the information contained in the report submitted, Mr AHR receive a strong written warning as to his future conduct.

The meeting ended at 7.25 p.m.

CHAIR

SHADOW DUDLEY HEALTH AND WELLBEING BOARD

Monday, 23rd July, 2012 at 3 p.m.
In Committee Room 2 at the Council House, Dudley

PRESENT:-

Councillors Crumpton, Islam, Miller and Waltho
Acting Director of Children's Services
Assistant Director Children and Families (Directorate of Children's Services)
Dr N Plant – Dudley Clinical Commissioning Group, Mrs G Cooper – Chair of Dudley PCT, Director of Public Health, Mr L Williams (Director of Operations – Black Country PCT Cluster), Mr A Gray – Dudley CVS CEO, Assistant Director, Health Reform Programme Lead (Directorate of Adult, Community and Housing Services), Assistant Director, Performance and Partnership (Directorate of Children's Services), Nr N Bucktin (Senior Management Lead – Dudley Clinical Commissioning Group) and Mr J Jablonski (Directorate of Corporate Resources).

Also in attendance

Ms L Allen – Primary Care Leader – Black Country PCT Cluster (for Agenda Item No 9)
Mr J Winpenny – West Midlands Fire Service – as an observer

1 ELECTION OF CHAIR

RESOLVED

That Councillor Islam be elected as Chair of the Board for the ensuing municipal year.

(Councillor Islam (in the Chair))

Arising from his election as Chair Councillor Islam made a number of opening remarks and in so doing expressed thanks to the outgoing Chair and elected members of the Board and to all other members of the Board and officers who had been involved in the work of the Board to date.

2 APPOINTMENT OF VICE CHAIR

RESOLVED

That Councillor Crumpton be appointed as Vice Chair of the Board for the ensuing municipal year.

3 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Andrea Pope-Smith, Sue Holmyard, Dr David Hegarty, Kimara Sharpe, Angela Hill and Dennis Hodson.

4 DECLARATIONS OF INTERST

No member declared an interest in any matter to be considered at this meeting.

5 MINUTES

RESOLVED

That the minutes of the meeting of the Board held on 30th April, 2012, be approved as a correct record and signed.

6 NEXT STEPS FOR THE SHADOW HEALTH AND WELLBEING BOARD 2012/13

A joint report of Officers was submitted on a range of matters in preparation for formal arrangements commencing in April, 2013.

In his presentation of the content of the report the Assistant Director, Health Reform Programme Lead outlined the content of the report in relation to the following issues:-

- Joint Health and Wellbeing Strategy development and the Joint Strategic Needs Assessment
- Public Engagement Update
- Draft Shadow Board Development Session 2012/13 Plan
- Draft Work Programme 2012/13
- Governance

In commenting on the report the Assistant Director reported on the ongoing consultation with children and young people at specific events to be held and the Assistant Director Performance and Partnership (Children's Services) gave further details in this regard. It was noted that when the process of consultation had been completed a further report would be submitted to the Board on this.

The Assistant Director, Health Reform Programme Lead also reported that in relation to the development sessions held the Local Government Association had indicated that funding for support had been extended to March next year and so there may be further opportunities for them to engage with members of the Board at further events.

Arising from the presentation given and comments made members made particular comments referring to the need to ensure that, with regard to liaison arrangements between the Board and other bodies, in addition to the Health Scrutiny Committee this should be extended to the Children's Scrutiny Committee and in relation to Conflict Resolution this should also cover the NHS National Commissioning Board.

With respect to the NHS National Commissioning Board it was considered that there needed to be an appropriate level of representation from the local Board onto the Health and Wellbeing Board given the role that the NHS National Commissioning Board was to play in the new health structure. In response Mr Williams indicated that it was the intention of the NHS National Commissioning Board to require a senior member of the local area office team to be provided to attend and contribute to each Health and Wellbeing Board in the area of the local office.

Regarding Appendix 3 to the report detailing the membership of the Shadow Board it was commented that the words - (until abolished) - should also be included after the heading Black Country PCT Cluster.

RESOLVED

- (1) That the information contained in the report submitted on the current content of the developing Joint Health and Wellbeing Strategy and on engagement, be noted.
- (2) That an Equality Impact Assessment be undertaken to support the developing Joint Health and Wellbeing Strategy before the end of September, 2012.
- (3) That a further Engagement Event and other associated activity to meet the engagement needs of all people including children and young people in the Borough to participate as fully as possible in the process be agreed.
- (4) That approval be given to the proposed content and process for Shadow Board Development through development sessions in 2012/13.
- (5) That approval be given to the proposed draft work programme as set out in Section 6 of the report submitted.

- (6) That, subject to the minor updates referred to during the consideration of the issue of governance, the proposed amendments to the terms of reference of the Board be noted and work continued in this regard and that the membership of the Board be reviewed in the light of relevant best practice and wider evidence.
-

7 THE ANNUAL REPORT OF DUDLEY SAFEGUARDING ADULTS BOARD 2011

A report of the Director of Adult, Community and Housing Services was submitted on the Annual Report of the Dudley Safeguarding Adults Board 2011, a copy of which was attached as an Appendix to the report submitted.

In his presentation of the content of the report, and Appendix to the report, submitted, the Assistant Director Health Reform Programme Lead, as Chair of Adults Safeguarding Board, commented that the report had been submitted to the Board given their overall leadership role.

Arising from the presentation given comments were made in relation to the impact of the Winterbourne enquiry and in response to this an assurance was given that there were no issues of concern following an audit undertaken within the Clinical Commissioning Group.

In response to a question regarding the lower number of referrals in 2011 compared with 2010 it was reported that this was due to system changes rather than a downturn in the level of reporting.

In response to a comment made about the implementation of the Pan West Midlands procedure across the West Midlands to provide a consistent approach to safeguarding it was reported that benchmarking material and figures submitted to the Department for Health could be supplied to Board members showing the relatively good performance achieved in this area.

It was also noted that adult safeguarding would be put on a similar statutory basis to that of safeguarding children which would increase the importance of the Adult Safeguarding Board in future years.

RESOLVED

- (1) That the information contained in the report, and Appendix of the report, submitted on the Annual Report of Dudley Safeguarding Adults Board 2011, be noted.
 - (2) That the Assistant Director, Health Reform Programme Lead be requested to arrange for relevant material in relation to benchmarking on adult safeguarding to be sent to all members of the Board.
-

8 DEVELOPMENT OF NHS COMMISSIONING BOARD FUNCTIONS

A report of the Director of Operations, Black Country Cluster and the Primary Care Lead, Black Country Cluster was submitted on the current expected range of responsibilities to be held by the NHS Commissioning Board and on an update on Local Area Offices together with the implications of these for the development of the Health and Wellbeing Board.

Mr Les Williams, Director of Operations, presented the content of the report submitted and in doing so introduced Lynne Allen, the Primary Care Leader for the PCT, Black Country Cluster.

In making his presentation it was commented upon that there remained continuing development of fine detail and that the content of the report was therefore subject to further change. Mr Williams indicated that he would be happy to provide further updates, as necessary.

In commenting on aspects of the report submitted Mr Williams reported that there would be 27 local area offices for the National Health Service Commissioning Board and that there would be a Black Country and Birmingham Local Area Office, covering the boundaries of the current Black Country and Birmingham and Solihull PCT Clusters. Wendy Saviour had recently been appointed as the Director for the Local Area Office and would be taking up her appointment in the next two weeks.

It was also noted that appointments would then be made to the management team with the rest of the structure being appointed through to September, 2012. The number of staff in each Local Area Office would depend on the range of functions undertaken by them. It was further noted that the case continued to be made from health organisations for a physical presence in the Black Country.

Given the linkages with this Board and the leadership role in developing responses to health issues of the Health and Wellbeing Board, it was reiterated that a senior member of the Local Area Office Team would be provided to attend and contribute to meetings of the Health and Wellbeing Board.

Following the presentation given members made a number of comments and queries with particular reference to the complexity of the NHS changes and the need to develop with all branches partnership working. Responses to questions of detail would need to await the appointment of persons to the management team of the Local Area Office and it was also important to stress that until March, 2013 the Primary Care Trust still had a role to play.

A further issue raised was that of trying to ensure that the public were aware of the changes that were occurring and the role of this Board in that process. Again this was seen to be an ongoing issue given the uncertainties in a number of areas and developing situations. However some work in this area was being done and further work would be done on this.

RESOLVED

That the information contained in the report submitted, and as reported at the meeting, on the current expected range of responsibilities to be held by the NHS Commissioning Board and an update on Local Area Offices and implications for the development of the Health and Wellbeing Board, be noted.

9 DEVELOPMENT OF INTEGRATED COMMISSIONING

A joint report of officers was submitted on issues in relation to the development of integrated commissioning arrangements, in the context of the future role of the Health and Wellbeing Board, on existing developments and on current arrangements in relation to the use of Section 75 of the Health Act, 2006.

RESOLVED

- (1) That the information contained in the report, and Appendix 1 to the report, submitted identifying in particular those areas for the potential further development of integrated arrangements be noted and further reviewed.
 - (2) That the information contained in the report submitted on those care pathways which may benefit from an integrated approach in both Adult and Children's Services, starting with dementia and mental health and wellbeing, be noted
 - (3) That the Audit Commission's report and the outcome of the evaluation of integrated care pilots, for people aged over 65, be used to inform this process for the relevant groups.
-

10 DUDLEY CLINICAL COMMISSIONING GROUP STRATEGIC COMMISSIONING PLAN 2012/15

A copy of the Strategic Commissioning Plan 2012/15 of the Dudley Clinical Commissioning Group was submitted and commented upon by the Senior Management Lead of Dudley Clinical Commissioning Group.

In his presentation of the content of the plan he reported that the Plan had been approved by the Dudley Clinical Commissioning Group Board and would form part of their submission in their application for authorisation. A site visit in connection with this would be held in September. It was further noted that the key commissioning priorities were:

- To address health inequalities in Dudley
- Improve the quality of services locally
- To ensure that local services deliver the best possible outcomes for the whole population

Regarding the role of the Health and Wellbeing Board it was noted that when the Board was established from April, 2013 it would need to offer an opinion on the plan submitted by the Clinical Commissioning Group.

Arising from the presentation given comments were made welcoming the priority to reduce health inequalities in the borough and on the role of this Board in the authorisation process. In this regard, it was considered that consideration needed to be given now to the tests that the Board should apply as part of the process so that they could sign off future Plans.

Arising from a further comment made it was considered that all Councillors should have an understanding of the work of the Clinical Commissioning Group and that to assist this a briefing could be arranged for elected members.

RESOLVED

- (1) That the information contained in the Strategic Commissioning Plan 2012/15 of Dudley Clinical Commissioning Group be noted.
- (2) That the Chair and relevant officers give consideration to the suggestion made that a briefing be arranged for all elected members on the work of the Dudley Clinical Commissioning Group.

The meeting ended at 4.32 pm

CHAIR

MEETING OF THE CABINET

Wednesday, 12th September, 2012 at 6.00 p.m.
in Committee Room 2 at the Council House, Dudley

PRESENT:-

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

together with the following Minority Group Members appointed to attend meetings of the Cabinet

Councillors Blood, Harley, L Jones, Mrs Shakespeare, Vickers, Mrs Walker and Wright (Conservative Group)

OFFICERS:-

The Chief Executive, Director of Corporate Resources, Director of Children's Services, Treasurer, Director of the Urban Environment, Director of Public Health, Assistant Director, Adult Services (Directorate of Adult, Community and Housing Services) and Mr J Jablonski (Directorate of Corporate Resources), together with other officers.

21 APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were submitted on behalf of Councillors Foster and Partridge.

22 DECLARATIONS OF INTEREST

Councillor Lowe declared a Non-Pecuniary Interest in respect of agenda item number 10 (The Local Government Ombudsman's Annual Review Letter 2011/12) as he was acquainted with some of the people referred to in Appendix 3C of the report.

Councillors Mrs Shakespeare and Mrs Walker also declared Non-Pecuniary Interests in agenda item number 10 – Appendix 3C - referred to above, for the reasons that Councillor Mrs Shakespeare was the Cabinet Member at the time of the decision and Councillor Mrs Walker had a personal friendship with a resident who would be a recipient of compensation awarded.

23 MINUTES

RESOLVED

That the minutes of the meeting of the Cabinet held on 20th June, 2012, be approved as a correct record and signed.

24

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 of the report submitted to the meeting be noted and that budgets be amended to reflect the reported variances.
 - (b) That Amblecote House be declared surplus to requirements and disposed of by the Director of Corporate Resources; that £420,000 from the capital receipts from this disposal be earmarked for the Dementia Gateways project; and that subject to resource availability this project be approved and included in the Capital Programme, as set out in paragraph 5 of the report submitted to the meeting.
 - (c) That it be noted that the Adult Social Care minor works programme for this year includes £80,000 of investment in Libraries and Archives, as set out in paragraph 6 of the report submitted to the meeting.
 - (d) That the replacement of Leisure Centre Lockers be approved and included in the Capital Programme, as set out in paragraph 7 of the report submitted to the meeting.
 - (e) That the contribution of £120,000 from Dudley NHS Public Health towards Active Travel Network development be noted, and the associated spend included in the Capital Programme, as set out in paragraph 8 of the report submitted to the

meeting.

- (f) That the Local Sustainable Transport Fund allocation be noted, and that subject to detailed confirmation, Dudley's element of the Smart Network Smarter Choices project be included in the Capital Programme, as set out in paragraph 9 of the report submitted to the meeting.
- (g) That the Urgent Amendment to the Capital Programme, as set out in paragraph 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)

25

STRAY AND ILLEGALLY GRAZING HORSES – POLICY ADOPTION

A report of the Director of the Urban Environment was submitted on the Stray and Illegally Grazing Horses Policy as developed by the Regeneration, Culture and Adult Education Scrutiny Committee.

The Cabinet Member for Environment and Culture wished to place on record her thanks to the Members of the Working Group of the scrutiny committee who, in consultation with others, had developed the policy.

RESOLVED

- (1) That the Stray and Illegally Grazing Horses Policy, as detailed in Appendix 1 of the report submitted to the meeting, be approved.
- (2) That the Stray and Illegally Grazing Horses Policy be reviewed in twelve months time and promoted via the Communications and Public Affairs Section of the Chief Executive's Directorate.

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

26

QUARTERLY CORPORATE PERFORMANCE MANAGEMENT REPORT

A report of the Chief Executive was submitted on the first Quarterly Corporate Performance Management Report for 2012/13, relating to performance for the period from 1st April to 30th June, 2012.

In the discussion, it was reported that proposals for further engaging with Members of the Council on processes and performance were being looked at and would be reported on later in the year.

RESOLVED

- (1) That the Quarterly Corporate Performance Management Report for the period from the 1st April to the 30th June, 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.

27

FOOD SERVICE PLAN 2012/13

A report of the Director of the Urban Environment was submitted on the contents of the Directorate of the Urban Environment Food Service Plan 2012/13.

RESOLVED

That the Council be recommended that the contents of the Food Service Plan of the Directorate of the Urban Environment for 2012/13 be approved.

28

RE-PUBLICATION OF THE STOURBRIDGE AREA ACTION PLAN

A report of the Director of the Urban Environment was submitted on progress on the Stourbridge Area Action Plan (AAP) and to seek approval for the AAP to be published for a final six-week period of public consultation and subsequently submitted to the Secretary of State for examination.

Arising from comments made, it was agreed that any minor changes to the document would be notified to all Members of the Council.

RESOLVED

- (1) That the publication of the Stourbridge Area Action Plan be approved for a statutory period of public consultation.
- (2) That the Council be recommended that following public consultation, the Stourbridge Area Action Plan be submitted to the Secretary of State so that it may be subjected to a Public Examination.

- (3) That the Director of the Urban Environment, in consultation with the Leader of the Council and Cabinet Member for Regeneration be authorised to agree any minor recommended changes to the document prior to submission to the Secretary of State, following consultation which concludes on 12th November, 2012 and that any such changes be notified to all Members of the Council.

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

29

THE LOCAL GOVERNMENT OMBUDSMAN'S ANNUAL REVIEW LETTER 2011/12

A report of the Director of Corporate Resources was submitted on the Annual Review Letter for 2011/12 from the Local Government Ombudsman in respect of complaints received against the Council and dealt with by the Ombudsman's office over the year ending 31st March, 2012.

Arising from the presentation of the report, it was noted that the Environment Scrutiny Committee at its meeting held on 5th September, 2012, had considered the report referred to at Appendix 3C to the report submitted. A number of learning points had been raised and would be actioned.

In the discussion arising in particular about the delay in the payment of compensation to residents, in relation to the report referred to at Appendix 3C to the report submitted, the Cabinet Member for Environment and Culture agreed to respond direct to Councillor L Jones on the reasons for the delay in paying the compensation agreed upon.

An undertaking was however given that all compensation payments would be made.

RESOLVED

- (1) That the information contained in the report, and Appendices, submitted to the meeting, be noted and that the Chief Executive and Directors be requested to:-
 - (a) Review their internal arrangements, as appropriate; and
 - (b) Continue to ensure that requests for information on complaints received are dealt with by the date requested, in order to ensure that responses can be submitted to the Ombudsman's office within the timescales set and the Council's excellent performance on response times can be

maintained.

- (2) That all Directorates continue to impose rigorous monitoring of complaint activity to ensure ongoing good practice and a continued reduction in complaints being received.
- (3) That the Annual Review Letter be posted on the Council's website.
- (4) That the Cabinet Member for Environment and Culture respond direct to Councillor L Jones on the reasons why compensation agreed to be paid to residents, referred to in Appendix 3C of the report submitted, had not yet been paid.

30

ISSUES ARISING FROM SCRUTINY COMMITTEES

No issues were reported under this item.

The meeting ended at 6.25pm.

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.**Delegated Decision Summary****Exempt**
Yes No

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 Halesowen North
Halesowen South
Hayley Green & Cradley
South
Date of Decision 05 September 2012 **Reference** DACHS/016/2012

Relocation of front of house services to Halesowen Library

To approve relocation of front of house Housing Services to Halesowen Library from the Area Office, 7 The Queensway, Halesowen. All other staff to be located at Capstan House on the Waterfront, Brierley Hill.

2.**Delegated Decision Summary****Exempt**
Yes No

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 10 September 2012 **Reference** DACHS/017/2012

Lookout Project

To renew the lease on the former Housing office, Pensnett, to the Lookout Project, a registered charity for a further two years, the market rental for the property being £3,600.

Delegate responsibility for future reviews to the Director of Adult, Community & Housing Services

3.**Delegated Decision Summary****Exempt**
Yes No

Decision Made By Cllr. Ali
Authorised By Cllr. Ali, Cabinet Member for Regeneration
In Consultation With John Millar, Director of the Urban Environment
Ward(s) Affected Brierley Hill
Date of Decision 10 August 2012 **Reference** DUE/26/2012

Approval of ESCROW funding for development of Dudley Local Enterprise Zone Proposal

To approve revenue expenditure for the development of the Dudley Local Enterprise Zone proposal.

4.**Delegated Decision Summary****Exempt**
Yes No

Decision Made By Cllr. Ali
Authorised By Cllr. Ali, Cabinet Member for Regeneration
In Consultation With John Millar, Director of the Urban Environment
Ward(s) Affected Gornal
Date of Decision 29 August 2012

Reference DUE/28/2012**Article 4 Direction – 7 Straits Road, Gornal Wood**

1.1 To request that Development Control Committee recommends to the Council's Cabinet Member for Economic Regeneration the approval of the making of a Direction under Article 4(1) of the Town and County Planning (General Permitted Development) Order 1995 so that the demolition of the locally listed building at 7, Straits Road, Gornal Wood is no longer permitted development but requires the benefit of planning approval.

1.2 Any delay in the approval process could result in the owner demolishing the building and this could be prejudicial to the proper planning of the area constituting a threat to the amenities of the area as it would result in a large vacant space in the historic core of Gornal Wood. The matter therefore needs to be treated as a matter of urgency under Scrutiny Committee Procedure Rules – rule 15 (1) and not subject to call in and be implemented with immediate effect.

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 16 July 2012

Reference DCS/29/2012**School Admissions Service - Traded Service**

To approve the charging structure for admissions work undertaken for Academies.

6.**Delegated Decision Summary****Exempt**
Yes No

Decision Made By Cllr Tim Crumpton
Authorised By Cllr Tim Crumpton, Opposition Group Spokesperson Children's Services
In Consultation With Jane Porter, Director of Children's Services
Ward(s) Affected Belle Vale
Cradley and Wollescote
Halesowen North
Halesowen South
Hayley Green & Cradley
South
Date of Decision 08 August 2012

Reference DCS/30/2012**New Instrument of Government for Leasowes Community College**

To approve the sealing of a new Instrument of Government for Leasowes Community College

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, Director of Children's Services
Ward(s) Affected All
Date of Decision 13 September 2012 **Reference** DCS/31/2012

Dudley Schools Forum Constitution

To approve the revised Schools Forum Constitution, to include amendments as required by the Schools Forums (England) Regulations 2012.

8.

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 All
Date of Decision 10 July 2012 **Reference** DUE/23/2012

Street Inspection and Reactive Management Plan

That the Street Inspection and Reactive Management Plan be approved as a strategy, policy and operational document for defining how the borough manages its street inspection and reactive maintenance service. (The plan is available on request).

9.

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 Wollaston & Stourbridge
Town
Date of Decision 17 July 2012 **Reference** DUE/25/2012

Allocation of new road name off Scotts Road, Stourbridge

1.1 That the road identified on plan no. T&T/D/RN/181 is named 'Scholars Walk'.

10.**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 Kingswinford South
Date of Decision 17 July 2012 **Reference** DUE/24/2012

Allocation of new road name off High Street, Kingswinford

1.1 That the road identified on plan no. T&T/D/RN/180 is named 'The Lych Gate'.

11.**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 Brockmoor & Pensnett
Date of Decision 30 August 2012 **Reference** DUE/29/2012

Allocation of new road names off Tansey Green Road, Pensnett, Site 1

1.1 That the roads identified on plan no. T&T/D/RN/183 are named 'Great Western Way', 'Halt Mews', 'Field Sidings Way', 'The Crossing', 'Coach Mews', and 'Pullman Drive'.

12.**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 Brockmoor & Pensnett
Date of Decision 30 August 2012 **Reference** DUE/30/2012

Allocation of new road names off Tansey Green Road, Pensnett, Site 2

1.1 That the roads identified on plan no. T&T/D/RN/182 are named 'Chandler Drive', 'Taper Close', 'Bobeche Place', and 'Rushlight Gardens'.

13.**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 All
Date of Decision 19 September 2012 **Reference** DUE/31/2012

The Network Management Strategy & Plan

That the Network Management Strategy & Plan be approved as a strategy, policy and operational documentation for defining how the borough manages its highways network management service.

14.**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 26 July 2012 **Reference** HOPSS/38/2012

Establishment 1 Social Worker for Early Intervention

To Establish 1 Social Worker Post for Early Intervention

15.**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 26 July 2012 **Reference** HOPSS/39/2012

To Create Apprenticeship Posts Within the Leisure Centres

To create Gym Instructor apprenticeship posts at Crystal, Dudley and Halesowen Leisure Centres.

16.**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 26 July 2012 **Reference** HOPSS/40/2012

Casual cleaners

To approve the establishment of a pool of casual 'as and when' cleaning staff at Himley Hall

17.**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** 26 July 2012**Reference** HOPSS/41/2012**Appointment of Temporary Project Archivist and Temporary Project Assistant, Earl of Dudley estate collection**

Approval for the appointment of a Temporary Project Archivist and Temporary Project Assistant for 12 months for the Earl of Dudley estate collection cataloguing project

18.**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** 26 July 2012**Reference** HOPSS/42/2012**Targeted Youth Support (TP) Project Support Worker Roles**

To make the 2 part-time project support worker roles permanent.

19.**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** 26 July 2012**Reference** HOPSS/43/2012**Targeted Youth Support (Respect Yourself/Teenage Pregnancy) Project Support Worker for Young Men**

To create a one year temporary role to support young men and young Father's

20.

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 01 August 2012 **Reference** HOPSS/45/2012

To create an additional customer service advisor post at Dudley Council Plus to assist with increased work volumes after taking on "Tell Us Once" work.

To increase the establishment of customer service advisors at Dudley Council Plus to cater for the new "Tell Us Once" initiative.

Funding for this additional post has been identified by the Treasurer following approval at Corporate Board on 31st January 2012.

21.

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 01 August 2012 **Reference** HOPSS/44/2012

Creation of new post – 1fte Administrative Assistant (Domestic Abuse Response Team)

To create 1 fte post for administrative support to the DART (Domestic Abuse Response Team) to ensure referrals are recorded and progressed as appropriate.

22.

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 09 August 2012 **Reference** HOPSS/46/2012

Senior CAF Officer post

To recruit to the Senior CAF Officer post

23.**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 09 August 2012 **Reference** HOPSS/47/2012

CAF Officer posts

To recruit two CAF Officer posts.

24.**Delegated Decision Summary**Exempt
Yes No

Decision Made By Cllr Gaye Partridge
Authorised By Cllr Gaye Partridge, Cabinet Member for Human Resources, Law and
Andrea Pope-Smith, Director of Adult, Community and Housing Services
In Consultation With Teresa Reilly, Assistant Director
Ward(s) Affected None
Date of Decision 09 August 2012 **Reference** HOPSS/48/2012

CAF Administrator post

To recruit to the CAF Administrator post

25.**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 09 August 2012 **Reference** HOPSS/49/2012

To create an additional customer service advisor post at Dudley Council Plus to assist with increased work volumes after taking on "Tell Us Once" work.

To increase the establishment of customer service advisors at Dudley Council Plus to cater for the new "Tell Us Once" initiative.

Funding for this additional post has been identified by the Treasurer following approval at Corporate Board on 31st January 2012.

26.**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** 09 August 2012**Reference** HOPSS/50/2012**To approve the creation of 12 new roles as part of the Directorate of Children's Services third tier restructure**

Decision

To approve the creation of 12 new roles as part of the Directorates 3rd tier restructure

27.**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** 09 August 2012**Reference** HOPSS/51/2012**Approval for a revised Administrator 2 post at Himley Hall.**Approval for a re-designated supervisory/administrative post at Himley Hall.

28.**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** 09 August 2012**Reference** HOPSS/52/2012**Creation of 5 Fixed Terms posts – Family Support Workers and 1 Senior Family Support Worker (Troubled Families Programme)**

To establish 5 temporary one year Family Support Workers and 1 Senior Family Support Worker (Troubled Families) with the potential for the posts to be extended to March 30, 2015 pending on going grant funding from DCLG. To be located alongside the existing FIP team.

29.**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 09 August 2012 **Reference** HOPSS/53/2012

Creation of a new post, Assistant Cook (12 month contract)

To create a post of Assistant Cook at Earls High School (12 month contract initially). 30 hours per week, 8.00am – 2.00pm, Monday – Friday. Term time only.

30.**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 15 August 2012 **Reference** HOPSS/54/2012

Appointment of six additional support workers

To agree to the appointment of six additional support workers (30 hours per week @ Grade 3 £13,874 - £15,444 pro rata per annum SCP10 – 13) to support the work of the three dementia gateways.

31.**Delegated Decision Summary**Exempt
Yes No

Decision Made By Cllr Gaye Partridge
Authorised By Cllr Gaye Partridge, Cabinet Member for Human Resources, Law and
In Consultation With Philip Tart, Director of Corporate Resources
Ward(s) Affected All
Date of Decision 17 August 2012 **Reference** DCR/26/2012

To approve the Year 4 refresh of the Human Resources Strategy, 2009-2014

To approve the refreshed Year 4 (of the Council's 5 year) HR Strategy and work plan prioritising the use of HR resources within the Council.

32.**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** 17 August 2012**Reference** HOPSS/55/2012**Approval of the flexible retirement for RS, Commissioning Manager in the Children's Social Care Commissioning Team, C and F Division of CS effective from 1/9/12**

To seek approval for the flexible retirement of Mr RS, 59 years old in the Directorate of Childrens Services, effective from 1 September 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** All**Date of Decision** 22 August 2012**Reference** HOPSS/56/2012**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.

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** 22 August 2012**Reference** HOPSS/57/2012**To create an additional Part Time Registration Officer post at Dudley Register Office to assist with increased work volumes after taking on "Tell Us Once" work.**

To increase the establishment of Registration Officers at Dudley Register Office to cater for the new "Tell Us Once" initiative.

Funding for this additional post will be met from the existing Registrars Service budget.

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** 22 August 2012**Reference** HOPSS/58/2012**To create a temporary post of Income generation and sponsorship support officer for a minimum of 19 months**

To create the post of a (0.75 fte Grade 5) fixed term income generation and sponsorship support officer for a minimum of 19 months, based within Communications and Public Affairs Team Council's recruitment policy will apply.

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** All**Date of Decision** 22 August 2012**Reference** HOPSS/59/2012**Appointment of four additional Dementia Advisors (30 hour posts)**

To agree to the appointment of four additional dementia advisors (Grade 6 £19,126 - £21,519 pro rata per annum SCP22 - 25) working 30 hours per week to support the work of the three dementia gateways

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** 05 September 2012**Reference** HOPSS/60/2012**To create Apprenticeship Posts within the Street and Green Care departments of DUE.**

To create Apprenticeship posts within the Street Maintenance Teams and the Green Care Teams based within the Environmental Management Division of DUE.

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 05 September 2012 **Reference** HOPSS/61/2012

Recruitment of full time Occupational Therapist on Temporary basis for One year – New Post

To approve recruitment to this new OT post to undertake Independent mobility assessments (IMA's) for the Blue Badge parking scheme.

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 Philip Tart, Director of Corporate Resources
Ward(s) Affected All
Date of Decision 13 September 2012 **Reference** HOPSS/62/2012

Approval to seek expressions of interest in Voluntary Redundancy for the Stores, Waste and Transport Review

- 1.1 Approval to seek expressions of interest in Voluntary Redundancy for the Stores, Waste and Transport review following the approval of recommendations to generate efficiency savings within the Stores, Waste and Transport service which forms part of Housing and Building Services Division within the Directorate of Adult, Community and Housing Services
1.2 Approval is also being sought for bumping to be considered as part of the process
1.3 In accordance with the Managing Employee's at Risk of Redundancy Procedure and are being requested to minimize the need for compulsory redundancies

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 September 2012 **Reference** HOPSS/63/2012

Appointment of Two Permanent Community Alarm Officers

To recruit two permanent Community Alarm Officers that work Monday to Friday to carry out complex installations of telecare to support the most vulnerable across the Borough.

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 September 2012 **Reference** HOPSS/64/2012

To create a temporary post for a maingrade Educational Psychologist in Dudley Educational and Child Psychology Service (DECPS)

To create 1 new post for a maingrade educational psychologist who will be employed full-time on a temporary contract (until the 31.03.13)

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 September 2012 **Reference** HOPSS/65/2012

Approval to advertise for 6 casual posts of Associate Educational Psychologist in Dudley Educational and Child Psychology Service (DECPS)

To create 6 new post for associate educational psychologists who will be employed on a casual basis as work becomes available

43.**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 13 July 2012 **Reference** DCR/24/2012

The acceptance of a Tender following a Competitive Tendering Exercise (1250)

That, following a Tender exercise, to award the Contract for the Supply of Vehicles, Service, Parts & Accessories on behalf of Dudley MBC (Contract Management Ref no. 1250).

44.**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** 13 July 2012**Reference** DCR/25/2012**The acceptance of a Tender following a Competitive Tendering Exercise (1251)**

That, following a Tender exercise, to award the Contract for the Supply of Vehicle Bodies, Service, Parts & Accessories on behalf of Dudley MBC (Contract Management Ref no. 1251).

45.**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** 07 September 2012**Reference** DCR/27/2012**The Exercise of Delegated Authority by the Director of Corporate Resources in relation to:
The extension of a contract.**

To extend the Contracts for the supply of Heating Oil, Unleaded Petrol and Diesel for the period 1st August 2012 to 31st December 2012, (Contract Management Ref no. 1257).

46.**Delegated Decision Summary****Exempt**
Yes No
 Decision Made By Cllr. Waltho**Authorised By** Cllr. Waltho, Cabinet Member for Adult and Community Services**In Consultation With** Andrea Pope-Smith, Director of Adult, Community and Housing Services**Ward(s) Affected** All**Date of Decision** 10 July 2012**Reference** DACHS/014/2012**Extension of the Care at Home Contract**

To extend the current Care at Home contracts with the Independent Sector for a further two years subject to annual review

47.**Delegated Decision Summary****Exempt**

Yes No

 Decision Made By Cllr. Waltho**Authorised By** Cllr. Waltho, Cabinet Member for Adult and Community Services**In Consultation With** Andrea Pope-Smith, Director of Adult, Community and Housing Services**Ward(s) Affected** All**Date of Decision** 16 August 2012**Reference** DACHS/015/2012**Review of Charges 2012/13 – Social Care**

To agree to the proposed increase in charges for 2012/13 to be implemented from Monday 1st October 2012

48.**Delegated Decision Summary****Exempt**

Yes No

 Decision Made By Cllr Wood**Authorised By** Cllr Wood, Cabinet Member for Environment and Culture**In Consultation With** John Millar, Director of the Urban Environment**Ward(s) Affected** All**Date of Decision** 24 August 2012**Reference** DUE/27/2012**Approval to spend grant funding to implement the national food hygiene rating scheme**

That the grant funding from the Food Standards Agency to implement the national food hygiene rating scheme in Dudley be approved for spend.