

# **COMMITTEE AND SUB- COMMITTEE MINUTES**

**JUNE 2014  
TO  
SEPTEMBER 2014**

**AND  
DELEGATED DECISION  
SUMMARIES**

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

## LIST OF MEETINGS

<u>Committee/Fora</u>	<u>Dates</u>		<u>Pages</u>
		<u>From</u>	<u>To</u>
<u>COMMUNITY FORA</u>			
Kingswinford North and Wallheath, Kingswinford South and Wordsley	01/07/2014	KCF/1	KCF/3
Kingswinford North and Wallheath, Kingswinford South and Wordsley	09/09/2014	KCF/4	KCF/8
Brierley Hill and Brockmoor and Pensnett	01/07/2014	BHCF/1	BHCF/4
Brierley Hill and Brockmoor and Pensnett	10/09/2014	BHCF/5	BHCF/6
Belle Vale and Hayley Green and Cradley South	02/07/2014	BVCF/1	BVCF/4
Belle Vale and Hayley Green and Cradley South	09/09/2014	BVCF/5	BVCF/7
Amblecote, Cradley and Wollescote and Lye and Stourbridge North	02/07/2014	ACF/1	ACF/3
Amblecote, Cradley and Wollescote and Lye and Stourbridge North	10/09/2014	ACF/4	ACF/7
Netherton, Woodside and St Andrews and Quarry Bank and Dudley Wood	01/09/2014	NQCF/4	NQCF/7
Gornal and Upper Gornal and Woodsetton	01/09/2014	GCF/4	GCF/6
Coseley East and Sedgley	02/09/2014	CSCF/4	CSCF/6
Halesowen North and Halesowen South	02/09/2014	HCF/4	HCF/6
Norton, Pedmore and Stourbridge East and Wollaston and Stourbridge Town	03/09/2014	NPCF/4	NPCF/6
Castle and Priory, St James's and St	03/09/2014	CPCF/7	CPCF/10

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SCRUTINY COMMITTEES

Overview and Scrutiny Management Board	08/09/2014	OSMB/6	OSMB/12
Adult,Community and Housing Services	07/07/2014	ACHS/1	ACHS/6
Adult,Community and Housing Services	15/09/2014	ACHS/7	ACHS/13
Urban Environment	09/07/2014	UE/1	UE/5
Health	16/07/2014	HSC/1	HSC/7
Health	22/09/2014	HSC/8	HSC/15
Corporate Performance Management, Efficiency and Effectiveness	04/09/2014	CPMEE/9	CPMEE/14
Children's Services	25/09/2014	TO FOLLOW	

REGULATORY COMMITTEES

Appointments Committee

Appointments Committee	21/07/2014	APP/1	APP/2
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Audit and Standards Committee

Audit and Standards Committee	08/07/2014	ASC/1	ASC/8
Audit and Standards Committee	18/09/2014	TO FOLLOW	

Development Control

Development Control Committee	30/06/2014	DC/9	DC/16
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Development Control Committee	22/07/2014	DC/17	DC/23
Development Control Committee	11/08/2014	DC/24	DC/31
Development Control Committee	08/09/2014	DC/32	DC/39

#### Licensing and Safety

Licensing Sub Committee 1	08/07/2014	LSBC1/1	LSBC1/2
Licensing Sub Committee 1	16/09/2014	TO FOLLOW	
Licensing Sub-Committee 2	19/08/2014	LSBC2/1	LSBC2/4
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Licensing Sub-Committee 3	22/07/2014	LSBC3/16	LSBC3/18
Licensing Sub-Committee 3	26/08/2014	LSBC3/19	LSBC3/26
Licensing Sub-Committee 4	29/07/2014	LSBC4/5	LSBC4/6
Licensing Sub-Committee 4	02/09/2014	LSBC4/7	LSBC4/19

#### Taxis

Taxis Committee	15/07/2014	T/5	T/7
Taxis Committee	12/08/2014	T/8	T/14
Taxis Committee	23/09/2014	TO FOLLOW	

#### ERNEST STEVENS TRUSTS MANAGEMENT COMMITTEE

Ernest Stevens Trusts Management Committee	21/07/2014	EST/1	EST/3
Ernest Stevens Trusts Management Committee	09/09/2014	EST/4	EST/8

#### CABINET

Meeting of the Cabinet	03/07/2014	C/1	C/8
Meeting of the Cabinet	17/09/2014	C/9	C/13

**Action Notes of the Kingswinford North and Wall Heath, Kingswinford South and Wordsley Community Forum**

**Tuesday 1<sup>st</sup> July, 2014 at 6.30pm**  
**at the St Mary's Church Hall, The Village, Kingswinford, DY6 8AY**

**Present:**

Councillors C Billingham, Blood, P Brothwood, P Harley, D Hemingsley, P Miller, N Neale, G Simms and D Tyler

**Officers:**

A Webb (Acting Lead Officer) (Head of Sport and Physical Activity) and L Jury (Democratic Services Officer)

Together with 3 members of the public

1 **Welcome and Introductions**

The Lead Officer welcomed those present. Members expressed their thanks to former Councillors and Ward members, Councillors L Boleyn and J Jones for their hard work and commitment to the Borough during their time as Members.

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2 **Election of Chair**

Councillor P Miller was elected Chair of the Forum for the municipal year.

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3 **Election of Vice-Chair**

Councillor C Billingham was elected Vice-Chair of the Forum for the municipal year.

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4 **Apologies for Absence**

Apologies were accepted on behalf of Jeremy Butler and Iain Newman.

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5 **Listening to you: Questions and Comments from Local Residents**

Subject

Action

Comment raised regarding the standard of grass cutting in Wall Heath and Kingswinford.	Concillor N Neale has made a formal complaint to DUE and was awaiting a reply.
Concern raised in relation to the increase in fees for car parking and the effect this was likely to have on local retailers.	Councillor P Harley requested that the Cabinet Member for Transport carry out a strategic review of car parking fees throughout the Borough.
Request for an update on the consultation carried out in relation to the closure of the Walk In Centre at Holly Hall.	Members advised that this was still under review.
Comment raised relating to Councillors who have lost seats in recent elections being no longer visible in the community.	Members commented on possible reasons for this.
Request for resurfacing of Bells Lane and repair work to a pot hole on Lawnswood Avenue.	Members requested a copy of the programme of forthcoming Highway repairs.
Request for an update on the future use of shops at Sandringham Place, Wordsley.	Councillor Hemingsley advised that the owner of the shops was currently negotiating rent issues with prospective tenants.
Comment raised relating to the ongoing demise of Wordsley Festival.	Councilor D Hemingsley and Councillor G Simms to invite Mr Davies to attend the next meeting of the Friends of Wordsley Park to discuss the concerns raised by residents.
Concern raised regarding the increasing traffic congestion on A491 from Kingswinford to Stourbridge and whether changes in traffic signal sequencing would ease congestion.	Members advised residents about the control of traffic signals and the complexity of altering the sequencing of signals.

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7 **Working with you: Topics Raised: Topics raised by Local Councillors**

<u>Subject</u>	<u>Action</u>
Councillor P Brothwood referred to the lack of cycle lanes from Stourbridge to Dudley and particularly along the A491.	Lead Officer to raise this issue with Traffic Engineers.

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8 **Community Forum Funding**

Application

Recommendation

Samaritans Brierley Hill  
Branch.

Approved a £445.20 contribution.

Life Centre Debt Advice

Refused as does not meet the local criteria.

Dudley Christian Fellowship

Deferred as incomplete application and pending  
the new guidelines to be issued regarding  
Borough-wide grant applications.

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9 **Dates, Time and Venues of Future Meetings**

Tuesday 9<sup>th</sup> September, 2014 commencing at 6.30pm at St Mary's Church Hall,  
The Village, Kingswinford DY6 8AY.

The meeting ended at 7.40pm.

**Action Notes of the Kingswinford North and Wall Heath, Kingswinford South and Wordsley Community Forum**

**Tuesday 9<sup>th</sup> September, 2014 at 6.30pm  
at St Mary's Church Hall, The Village, Kingswinford, DY6 8AY**

**Present:**

Councillor Miller – Chair  
Councillor Billingham – Vice Chair

Councillors D Blood, P Brothwood, P Harley, D Hemingsley, N Neale, G Simms and D Tyler

**Officers:**

J Butler (Lead Officer) Directorate of the Urban Environment  
L Jury (Democratic Services Officer)

Together with 4 members of the public

10 **Apologies for Absence**

None received.

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11 **Welcome and Introductions**

The Chair welcomed those present and Members and Officers made introductions.

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12 **Listening to you: Questions and Comments from Local Residents**

**Subject**

**Action**

An update on the future of the shops at Sandringham Place was requested and concerns were raised regarding rubbish that was being left at the back of the shops causing a potential fire hazard.

An update on the rental situation was given and the Lead Officer to investigate the fly tipping.



An update on the resurfacing of Bells Lane was requested.

As the resurfacing of Bells Lane was not on the Highway Programme for 2014/15, Lead Officer agreed to investigate and respond directly to the resident. Lead Officer to also investigate the procedure being followed regarding the Highway programme proposals and the involvement of elected Members.

A request was raised on behalf of Wordsley youths relating to the introduction of a skate park in Wordsley Park.

Members advised that the youths contact the Friends of Wordsley Park to discuss their request.

Request for the resurfacing of footpaths on Blaze Hill Road, Wall Heath.

Councillor Neale agreed to investigate the site and Lead Officer to arrange for the site to be inspected by Highway officers.

A comment raised regarding the demise of the 205 bus service from Wall Heath to Russells Hall.

Councillor Tyler advised that he was meeting with Centro next week where the issue would be raised. Lead Officer to contact Centro also to request the reintroduction of the service.

Comment raised regarding the grant application awarded from this Forum towards the Black Country Day celebrations but the lack of any event in the local wards.

Lead Officer to request a breakdown of the money spent by Communications and Public Affairs within the local wards.

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Request for the number of Councillors to be decreased from 72 to 48.

Members advised that a motion to decrease Members from 72 to 48 had been put to Council but had been rejected. Councillor Tyler advised, however, that the number of Councillors is decided by the Boundary Commission based on the number of voters but representation would be made to the Boundary Commission at the next review.

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13 **Working with you: Topics Raised: Topics raised by Local Councillors**

Subject

Action

Relating to an issue that had already been raised, Councillor Brothwood advised that he had already lodged a complaint with regards to the fly-tipping at the back of the Sandringham Shops due to the fire hazard risk. Councillor Simms also voiced concerns for the safety of the residents who lived above the shops.

Lead Officer to investigate.

Councillor Blood advised that the request for the widening of a dropped kerb in Standhills Road to enable Ambulance access to a disabled resident had been refused and requested that this issue be investigated further.

Councillor Blood to forward details to Lead Officer to investigate and respond directly to Councillor Blood.

Councillor Simms referred to the seating area in Wordsley Park that had been vandalised.

Councillor Hemingsley advised that some of the culprits had been identified and it was anticipated that the situation would be concluded shortly.

Councillor Harley requested that the situation with regards to fly-tipping at the bottom end of the car park by Tesco on Bromley Lane be investigated. Lead Officer to investigate.

Cllr Harley raised an issue relating to the development at the old Wordsley Hospital site and requested an update on the situation with regards to section 106 monies and whether the money could be used towards grass verges in the local area. Lead Officer to investigate.

14 **Community Forum Funding**

Application

Recommendation

Wall Heath Community Centre

Approved £1,659 for the provision and fitting of roller blinds.

Kingswinford Community Centre

Deferred to enable the Lead Officer to contact the applicant to provide additional information relating to Government guidelines on installing CCTV cameras and seek advice on alternative security devices from the Community Safety Partnership Team.

Dudley Duke of Edinburgh Award Association

Deferred to enable the Lead Officer to contact the applicant to request whether funding had been sought from other sources. Applicant also to be advised that the Forum agreed a contribution of £500 only, on receipt of additional information.

Dudley Council Voluntary Services

Refused.

Black Country Wheels

Refused.

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15 **Date, Time and Venue of Future Meeting**

Tuesday 11<sup>th</sup> November, 2014 commencing at 6.30pm at St Mary's Church Hall,  
The Village, Kingswinford DY6 8AY.

The meeting ended at 8.00pm.

## **Action Notes of the Brierley Hill and Brockmoor & Pensnett Community Forum**

**Tuesday 1st July, 2014 at 6.30pm**  
**at the Fens Pool Community Centre, Tennyson Street, Brierley Hill**

### **Present:**

Councillors J Foster, R Harris, Z Islam, K Jordan and J Martin.

### **Officers:**

I McGuff (Lead Officer) (Assistant Director, Quality and Partnership) and  
K Buckle (Democratic Services Officer)

Together with 13 members of the public

### **1 Welcome and Introductions**

The Lead Officer welcomed those present and Members introduced themselves.

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### **2 Election of Chair**

Councillor K Jordan was elected Chair of the Forum for the 2014/15 municipal year.

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### **3 Election of Vice-Chair**

Councillor Z Islam was elected Vice-Chair of the Forum for the 2014/15 municipal year.

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### **4 Apologies for Absence**

Councillor M Wilson

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### **5 Opening Remarks of the Chair**

The Chair referred to the sudden death of Mr B Jones, West Midlands Police and Crime Commissioner and there followed one minute of silence as a mark of respect.

Councillor J Foster paid tribute to the late Mr Jones.

6 **Listening to you: Questions and Comments from Local Residents**

<u>Subject</u>	<u>Action</u>
Concerns were raised in relation to the proposed Waste Site at the Freight/Steel Depot, Moor Street, Brierley Hill with opposition to the proposed Anaerobic Digester causing pollution, odours and traffic congestion to the area given the amount of vehicles that would be used to transport waste to the site.	Councillor R Harris referred to the SNOW campaign advising of the permit that had been applied for by Clean Power and urging interested parties and those present to submit letters of objection to the Environment Agency within the next 20 days, this being the time limit for objections. A leaflet in relation to the campaign and sample objection letters were circulated to those present.  Councillor Z Islam echoed his support for the campaign urging members of the public to attend future SNOW campaign meetings.
Concerns in relation to a barrier that had been erected adjacent to the entrance way to the Fens Pool Community Centre which was restricting the disabled, fire services and police vehicles gaining access to the Centre.	Referred to the Director of the Urban Environment.
Concerns in relation to access to the Medical Facility on Venture Way Brierley Hill including the provision of a bus route and the need for more convenient crossings given the amount of elderly and disabled who needed to access the Centre.	Referred to the Director of the Urban Environment.
The need to relocate bus stops in Brierley Hill High Street as these were adjacent to each other causing obstruction and traffic congestion in the High Street.	Referred to the Director of the Urban Environment.

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7 **Working with you: Topics raised by Local Councillors**

<u>Subject</u>	<u>Action</u>
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Councillor J Foster referred to the following:- None

The new Tenants and Residents Association that covered Corbyn Hall and Commonside, Brockmoor and an Event that they had organised at the Dell Stadium on Sunday 13<sup>th</sup> July, 2014 between the hours of 1pm and 6pm.

A consultation in relation to the investment into the Pensnet High Street and how improvements could be made to traffic flow at High Oak and surrounding areas.

The formation of the Friends of Fens Pool and a provisional date of an event to launch the Group on Saturday 16<sup>th</sup> August, 2014.

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## 8 **Community Forum Funding**

Following further consideration of the Applications received at the meeting it was recommended as follows:-

<u>Application</u>	<u>Recommendation</u>
Black Country Radio	Approved a £1,000 contribution from the Brockmoor and Pensnett Ward.
Dudley Community Church	Refused.
Dudley Council for Voluntary Service.	Refused.
Hawbush and District Community Association	Approved a contribution from the Brierley Hill Ward of £2,620 towards sanding and resurfacing the hall floor and £489 to upgrade the lighting in the toilets and stage area.
LIFE Centre (Stourbridge)	Refused.
The Y Project	Refused.

9 **Dates, Time and Venues of Future Meetings**

Future meetings noted as follows:-

Wednesday 10th September, 2014 (Nine Locks Community Centre)

Tuesday 11<sup>th</sup> November, 2014 (Fens Pool Community Centre)

Wednesday 4<sup>th</sup> February, 2015 (Nine Locks Community Centre)

Tuesday 24<sup>th</sup> March, 2015 (Fens Pool Community Centre)

The meeting ended at 7.45pm



## **Action Notes of the Brierley Hill and Brockmoor & Pensnett Community Forum**

**Wednesday 10th September, 2014 at 6.30pm**  
**at the Nine Locks Community Centre, Hill Street, Brierley Hill**

### **Present:**

Councillor Z Islam (Vice Chair) (in the Chair)  
Councillors J Foster, R Harris and J Martin.

### **Officers:**

I Curnow (Lead Officer) (Divisional Lead – Commissioning and Procurement) and  
K Buckle (Democratic Services Officer)

Together with two members of the public

### 10 **Welcome and Introductions**

The Chair welcomed those present and Members introduced themselves.

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### 11 **Apologies for Absence**

Councillors Jordan and M Wilson

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### 12 **Issues raised – feedback with regard to matters raised by local residents at the last meeting**

The Lead Officer reported on the responses provided to questions raised at the last meeting and read out responses to questions.

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### 13 **Listening to you: Questions and Comments from Local Residents**

<u>Subject</u>	<u>Action</u>
No issues were raised	No action required.

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### 14 **Working with you: Topics raised by Local Councillors**

<u>Subject</u>	<u>Action</u>
No topics were raised	No action required

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15 **Community Forum – Love Your Local Community Funding**

The Lead Officer reported on the two successful Applications granted at the previous meeting to the Hawbush and District Community Association and Black Country Radio.

Recommendations made in respect of Applications received and discussed following the meeting were as follows:-

<u>Application</u>	<u>Recommendation</u>
Inspired Communities	Refused as does not meet the local criteria
Dudley Council for Voluntary Service.	Refused as does not meet the local criteria
Puresport Foundation Football Club	Approved a joint contribution from both Wards in the sum of £1611.29 to support the continuation of organised, coached football sessions at the Dell Stadium.
Black Country Wheels	Refused as does not meet the local criteria.

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16 **Community Forum – Love Your Local Community Funding**

Future meetings noted as follows:-

Tuesday 11<sup>th</sup> November, 2014 (Fens Pool Community Centre)  
Wednesday 4<sup>th</sup> February, 2015 (Nine Locks Community Centre)  
Tuesday 24<sup>th</sup> March, 2015 (Fens Pool Community Centre)

The meeting ended at 6.45pm

**Action Notes of the meeting of the Belle Vale, Hayley Green  
and Cradley South Community Forum**

Wednesday, 2nd July, 2014 at 6.30 p.m.  
at Earls High School, Furnace Lane, Halesowen

**PRESENT:-**

Councillors I Cooper, A Goddard, R James, D Russell, H Turner and K Turner

**OFFICERS:-**

A Webb (Lead Officer to the Forum) - Head of Sport and Physical Activity and R Sanders (Assistant Principal Officer - Democratic Services)

together with 17 members of the public

1 **Election of Chair for the 2014/15 municipal year**

Councillor Russell was elected Chair of the Forum for the 2014/15 Municipal Year.

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2 **Appointment Of Vice-Chair for the 2014/15 municipal year**

Councillor Goddard was elected Vice Chair of the Forum for the 2014/15 Municipal year.

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3 **Welcome**

Chair welcomed everyone present to the meeting.

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4. **Listening To You**

Questions and comments from local residents were made and responded to as follows :

Subject

Action

High Leasowes/Richmond Street

Wall at High Leasowes and Richmond Street considered to require immediate attention

Referred to the Directorate of the Urban Environment for attention.

### A456 Highway

Routine closure of one lane on each carrageway for length of A456 from the motorway junction to the junction with the B4183 during week days for grass cutting causing traffic jams along Highway, thus deterring motorists from entering Halesowen Town Centre. The member of the public who raised the issue and the Members of the Forum who entered into the discussion were concerned at the impact on trade for businesses in Halesowen.

Referred to the Directorate of the Urban Environment for attention and for the Chair to take up. Chair to refer back to the member of the public who raised the issue.

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5.

### Working for You

The following issues were raised:

#### Maypole Public House

Petition of some 600 signatures opposing change of use of premises from public house to convenience store referred to by the Vice-Chair

Petition to be submitted to Development Control section of Directorate of the Urban Environment.

#### Wheelie Bins

Cllr K Turner stated that when black wheelie bins had been emptied they were sometimes left in dangerous positions. He also referred to risk assessments he had asked for but which were awaited regarding the optimum number of wheelie bins that could be emptied per day.

Referred to the Directorate of the Urban Environment for attention.

Assurance requested by Councillor James that when additional staff had been employed to undertake 'dipping activity' (i.e. to pull out sharps from black bags), these staff were being employed on a temporary basis

Referred to Directorate of the urban Environment

## **Community Forum Funding**

### Application

### Recommendations

St Margaret's Church, Hasbury

Defer until the next meeting of the Forum in order to enable recommendation of Halesowen North and South Community Forum to be taken into consideration.

Highfield Park Allotment Association

Award of £3500 from this Community Forum to be made and that the Association be recommended to seek the residue requested of £2500 from the Community First fund for Belle Vale.

Dudley Community Church

Refuse application on the grounds that the Community Church is not situated within the areas of Belle Vale or Hayley Green and Cradley South Wards

West Mercia Scouts 23<sup>rd</sup> World Scout Jamboree

Approve a grant of £3,750 in total, on the basis of £625 for each Scout (6 in total) attending the Jamboree

Samaritans

Approve a contribution of £445.20 towards the application.

Cocoa - Welcome to Dudley Project

Application deferred until the next meeting in order to ascertain the outcome of the Project's endeavours to secure funding from other streams, including the Dudley Council for Voluntary Services..

Hasbury Community Association

Approve grant for the residue of the funding requested with the payment of the entire amount of £5,000 to be made immediately on completion of the necessary Lease agreement.

Life Centre Debt Advice

Deferred to enable a scoping exercise to be undertaken to confirm the benefits of the application on people in Halesowen.

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**First Halesowen Scout Group**

Further to the approval of the grant of £5,000 to the first Halesowen Scout Group, towards the cost of acquiring a new mini bus, the Leader of the Scout Group attended the meeting and thanked the Forum for its assistance in raising the requisite amount, reporting that the mini bus had now been purchased.

The meeting ended at 7.50 pm

CHAIR

**Action Notes of the meeting of the Belle Vale, Hayley Green  
and Cradley South Community Forum**

Tuesday, 9<sup>th</sup> September, 2014 at 6.30 p.m.  
at Caslon Primary School, Beeches View Avenue, Halesowen

**PRESENT:-**

Councillor D Russell (Chair),  
Councillor A Goddard (Vice Chair),  
Councillors I Cooper, R James, H Turner and K Turner

**OFFICERS:-**

A Webb (Lead Officer to the Forum) - Head of Sport and Physical Activity and R Sanders (Assistant Principal Officer - Democratic Services)

together with 4 members of the public

- 8 The Chair welcomed everyone present to the meeting.
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9 **Listening To You**

Questions and comments from local residents were made and responded to as follows :

**Subject**

**Action**

**Privet hedge at 1A High Park Road**

Privet hedge encroaching on adjacent public footpath

Referred to the Directorate of the Urban Environment for attention.

**Footpath from Foxlea to Moorfoot Avenue**

Condition of footpath surface and safety to public from overgrowing weeds and overhanging tree branches.

Referred to the Directorate of the Urban Environment for attention.

10 **Working for You**

No issues were raised under this item.

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**Love Your Community – Love Your Local Community Funding**
ApplicationRecommendation

St Margaret's Church, Hasbury

Consideration of this application deferred pending receipt of the further information previously requested. Lead Officer to contact applicants to clarify if the application is still to be progressed or whether funding has been secured from other sources.

COCOA – Welcome to Dudley Project

Consideration of this application deferred pending receipt of the further information previously requested. Lead Officer to contact applicants to clarify if the application is still to be progressed or whether funding has been secured from other sources.

Life Centre Debt Advice

Consideration of this application deferred pending receipt of the further information previously requested. Lead Officer to contact applications to clarify if the application is still to be progressed or whether funding has been secured from other sources.

Halesowen Abbey Trust – Purchase of Leasowes Walled Garden

Consideration of this application deferred until the next meeting pending information to be supplied regarding the ownership of this land and its sale to Birmingham Metropolitan College. Noted that a grant had been made by the Halesowen North and South Community Forum.

Black Country Wheels

Refused

Dudley Council for Voluntary Service

Consideration of this application



deferred for greater exactitude to be obtained on the proposed use of the grant requested and for information to be obtained on which Community Forums have recommended a financial contribution and which have not.

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12 **High Street Innovation Fund Empty Shops Grant/ Community Forum funding publicity**

The availability of funding from the residue of these grant monies was reported by the Lead Officer. The exact amount was not yet known pending a Decision Sheet. It was considered that the Forum should allocate to businesses since the grant was designed for that purpose and the Lead Officer agreed to contact MARCOMS to discuss how contact with representatives of local businesses could best be achieved. On the issue of publicity for Community Funding grants, making known the availability of funding through school newsletters was suggested and the Lead Officer agreed to pursue this.

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13 **Face the People**

The Lead Officer reported on a public meeting to be held at Netherton Arts Centre on 16<sup>th</sup> September, 2014 at which members of the public would have the chance to talk directly to the people who deal with crime and disorder policies in the Dudley Borough.

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14 **Dates, Time and Venues of Future Meetings**

Wednesday, 12<sup>th</sup> November, 2014 – Lutley Community Centre

Tuesday, 3<sup>rd</sup> February, 2015 – Windsor High School

Wednesday, 25<sup>th</sup> March, 2015 – venue to be confirmed

The meeting ended at 7.20 p.m.

**Action Notes of the Amblecote, Cradley and Wollescote and Lye and Stourbridge  
North Community Forum**

**Wednesday 2<sup>nd</sup> July, 2014 at 6.30pm  
at the Providence Methodist Church, Colley Orchard, Colley Gate, B63 2LA**

**Present:**

Councillors R Body, P Bradley, M Hanif, P Martin, G Partridge and C Perks

**Officers:**

A Grove (Lead Officer) (Head of Youth Service), J Forbes (Strategy Manager (Supporting People and Housing) and K Taylor (Democratic Services Officer)

Together with 8 members of the public

**1 Welcome and Introductions**

The Lead Officer welcomed those present and the local councillors and members of the public introduced themselves.

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**2 Election of Chair**

Councillor C Perks was elected Chair of the Forum for the municipal year.

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**3 Election of Vice-Chair**

Councillor Partridge was elected Vice-Chair of the Forum for the municipal year.

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**4 Apologies for Absence**

Councillors T Crumpton, T Herbert and P Lowe.

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**5 Listening to you: Questions and Comments from Local Residents**

**Subject**

**Action**

Request to re-position the clock in Lye to the front garden of Lye Library. A request has been forwarded to Dudley Council Plus, with no response to date.

Noted.

Concerns in relation to public parking at Wollescote Park, in particular that there had been a significant reduction in parking available to members of the public.

Councillor Partridge suggested the resident write to Ernest Stevens Trust Board.

Problems regarding the surface drainage water from the new housing development on the former Hickman's Manufacturing site in Delph Road, Silver End. This was raised at the last Forum meeting, although an acknowledge had been sent, no action has been taken.

The Chair responded to points raised and undertook to continue to monitor the situation.

Why do Midland Heart and the Council not alter plans to access the new extra care home on Homer Hill by using land off Park Lane, Netherend, rather than using Trust land used for recreation. The land off Park Lane is vacant and open for development.

Referred for a written response.

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## 6 **Gibbs Road – Midland Heart**

Mr J Greenwood, Midland Heart, gave a verbal presentation on the developments of a site in Gibbs Road, Lye.

Mr Greenwood provided a history of the development including the erection of 58 flats to provide a service to residents in the Dudley Borough, or those who had suffered Domestic Violence. He also stated that the aim of the building was to be used by residents and the community, and three initiatives would be offered – learning; health and wellbeing and employment.

Mr Greenwood responded to various questions raised by councillors and members of the public in relation to the funds used to maintain the home; coping strategies for anti-social behaviour; ensuring people engaging, and the advertising and consultation process.

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## 7 **Working with you: Topics raised by Local Councillors**

### Subject

### Action

Councillor Hanif referred to the following :-

Problems in Caledonia, Lye in relation to horses straying on the highway.

Councillor Hanif undertook to continue discussing the issue with officers.

Ongoing problems with anti-social behaviour by children in Lye.

Noted.

Councillor Partridge referred to the arson attacks of two buildings in Colley Gate and the ongoing criminal investigation.

Councillor Partridge undertook to provide an update at the next Forum meeting.

The Chair reported that the area behind Withymoore School would be cleared during the summer holidays.

Noted.

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## 8 **Community Forum Funding**

### Application

### Recommendation

1<sup>st</sup> Peters Hill Girls Brigade

Deferred pending further information on the costings for the equipment only.

Life Centre Debt Advice

Approved a £220.00 contribution towards stationary only.

Direxions

Approved a £1500.00 contribution towards laptop, printer, stationary & study books only.

Stourbridge Football Club

Refused.

Dudley Community Church

Refused as does not meet the local criteria.

Dudley Council for Voluntary Services

Refused as does not meet the local criteria.

Brierley Hill Samaritans

Approved a £180.00 contribution towards the computer.

It was also suggested that Brierley Hill Samaritans might be minded to donate their old equipment to other groups, and a resident agreed to discuss the application via a Patients Panel with the Clinical Commissioning Group.

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## 9 **Dates, Time and Venues of Future Meetings**

Future meetings noted as follows:-

Wednesday 10th September, 2014 (Lye Community Centre)

Wednesday 12<sup>th</sup> November, 2014 (Providence Methodist Church)

Wednesday 4<sup>th</sup> February, 2015 (Amblecote Church Hall)

Wednesday 25<sup>th</sup> March, 2015 (Lye Community Centre)

The meeting ended at 8.25pm

**Action Notes of the Amblecote, Cradley and Wollescote and Lye and Stourbridge  
North Community Forum**

**Wednesday 10<sup>th</sup> September, 2014 at 6.30pm  
at Lye Community Centre, Cross Walks, Lye**

**Present:**

Councillor C Perks (Chair)  
Councillor G Partridge (Vice-Chair)  
Councillors P Bradley, T Crumpton, M Hanif and P Lowe

**Officers:**

A Grove (Lead Officer - Head of Youth Service) and K Griffiths (Democratic Services Officer)

Together with 5 members of the public

10 **Welcome and Introductions**

The Lead Officer welcomed those present. The local Councillors and members of the public introduced themselves.

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11 **Apologies for Absence**

Councillors R Body, T Herbert and P Martin.

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12 **Listening to you: Questions and Comments from Local Residents**

<u>Subject</u>	<u>Action</u>
Reference was made to the missing gates at the entrance of Homer Hill Park. It was noted that the builders involved in developing the Extra Care Housing on the former Cradley High School site were responsible for removing them. A request was made to replace the gates as a matter of urgency.	Referred for a written response.
Concern about the poor condition of Cross Walks, particularly as many residents use Lye Community Centre. Request to either resurface the road or for pot holes to be repaired.	Referred for a written response.

Reference was made to residents in Clinic Drive “dumping” refuse bags in the Street, despite being issued with wheelie bins.

Councillor Hanif responded and assured the Forum that the matter was being dealt with.

Problems with rubbish generated by shops in Grange Road, with particular mention to wooden pallets being stacked up outside Pedmore Wines.

Referred for a written response.

Issue relating to overgrown brambles on both sides of the railway bridge in Brook Street and requesting the Council to tidy up the area.

Referred for a written response.

Councillor Lowe responded and indicated that the Rail Authority had been contacted on two separate occasions regarding the overgrown brambles. He suggested that voluntary clean up group could be used to maintain the area.

Concerns were raised in relation to blocked drains in Grange Road.

Referred for a written response.

A resident reported on ongoing promotional activities concerning national health and well-being related projects.

A presentation to be given at the next meeting of the Forum.

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13 **Face the People Consultation**

Mr A Winning (ASBU Development Manager) referred to the “Face the People” event to be held at the Netherton Arts Centre on 16<sup>th</sup> September, 2014 from 7 pm – 9 pm. Representatives from the Police, Council and Probation Service would be in attendance to answer residents’ queries in relation to crime, anti-social behaviour and substance misuse.

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14 **Working with you: Topics raised by Local Councillors**

Subject

Action

Councillor Perks, on behalf of her constituents, referred to issues raised concerning the lack of public parking at Wollescote Park, which was raised at the Community Forum held on 2<sup>nd</sup> July, 2014. She indicated that residents had received a response, however, expressed concern that that the matter had not been resolved.

Noted.

Councillor Partridge referred to the “Face the People” event referred to above and encouraged local people to attend. Noted.

Councillors Partridge and Lowe referred to a meeting to be held on 1<sup>st</sup> October, 2014 for residents of the Borough concerning council tenants to be held at the Copthorne Hotel and encouraged local people to attend. Noted.

Councillor Lowe referred to a number of current initiatives aimed to engage the public to participate in issues affecting the Borough and indicated that further suggestions from the public would be welcomed. Noted.

Councillor Hanif referred to general issues affecting the area of the Community Forum, with particular reference to fly tipping, drainage problems and the poor condition of roads. Noted.

Councillor Hanif referred to the lack of car parking on the New Farm Estate and that the Council was working with residents to resolve the issue. Noted.

Councillor Crumpton referred to a community art event taking place at St Peters Church in Cradley and asked for any suggestions as to ways to increase local knowledge in relation to issues and possible solutions to reduce grooming and child sexual exploitation. Noted.

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15 **Community Forum Funding**

It was noted that due to limited funding being available, and in the interests of fairness, a maximum of £1,000 would be considered for future applications. Larger amounts would be considered in exceptional circumstances.

Application

Recommendation

Midland Film and Art

Approved £995.00 to fund creative work with adults with learning difficulties.

16 **Other Business**

The Lead Officer referred to the Gibbs Road development in Lye and indicated that any ideas for a new name would be welcomed. A decision would be made after September.

Members suggested a number of topics for discussion at future meetings including Safeguarding Children and aspects of highways maintenance and drainage. Officers would be invited accordingly.

Members referred to the Cradley Day event taking place on Saturday 4<sup>th</sup> October, 2014 at Cradley Sports and Social Club between 10 am to 3 pm and encouraged attendance. It was noted that Cradley Library would also be running ancestry sessions on the same day.

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17 **Dates, Time and Venues of Future Meetings**

Future meetings noted as follows:-

Wednesday 12<sup>th</sup> November, 2014 (Providence Methodist Church)

Wednesday 4<sup>th</sup> February, 2015 (Amblecote Church Hall)

Wednesday 25<sup>th</sup> March, 2015 (Lye Community Centre)

The meeting ended at 7.15pm



**Action Notes of the Netherton, Woodside and St Andrews/Quarry Bank and  
Dudley Wood Community Forum**

**Monday 1<sup>st</sup> September, 2014 at 6.30pm  
at Quarry Bank Community Centre, Sheffield Street, Quarry Bank**

**Present:-**

Councillor Q Zada (Chair)  
Councillor B Cotterill (Vice-Chair)  
Councillors J Cowell, D Sparks and E Taylor

**Officers:-**

A Tromans - Lead Officer to the Forum (Information Systems Manager, ICT Services) and K Griffiths - Democratic Services Officer (Directorate of Corporate Resources)

Together with 12 members of the public

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9 **Apologies for Absence**

Apologies for absence were received on behalf of Councillor W Duckworth and Sergeant W Lambeth, West Midlands Police.

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10 **Welcome and Introductions**

The Chair welcomed everyone to the meeting. Following general announcements, the Councillors and Council officers introduced themselves.

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11 **Feedback from the Community Forum held on 23<sup>rd</sup> June, 2014**

The Lead Officer gave an update on issues raised at the previous meeting, a hard copy of the summary had been distributed to Members. The Lead Officer reported that he would be available at the end of the meeting if anyone had any further concerns in relation to any issues raised.

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12 **Listening to you – Questions and Comments by Local Residents**

**Subject**

**Action**

Further discussions concerning Saltwells Nature Reserve, with particular reference to the proposals for a new Wardens base and the situation regarding the current position of the Developers.

Noted. Report to be prepared for Members in advance of next meeting.

The Leader of the Council noted the ongoing  
NQCF/4

issues and responded to specific points.

Concerns were raised in relation to flooding outside 158 Heath Road, which was preventing access to Saltwells Nature Reserve and requested that the matter be investigated.

Referred for a written response.

Issue relating to overgrown brambles and bushes at Netherton Reservoir Boat House on the Lodge Farm Estate and requested that the Council tidy up the area.

Referred for a written response.

The Chair responded that the area was not included in the maintenance regime, however he queried whether the Council would be able to assist by trimming brambles and bushes once per year.

A general issue was raised in relation to land in Quarry Road.

Councillor Cotterill responded and assured the Forum that the matter was being dealt with.

Reference was made to the future use of the site at the former Birch Coppice public house.

A number of specific concerns were raised in relation to Dudley Wood Park, in particular:-

Referred for a written response.

- Lack of action with footballs being kicked into gardens and people jumping fences to retrieve footballs without permission.
- Youths kicking footballs against fences.
- Receiving verbal abuse from adults and young people when challenged, worried and concerned regarding physical attack.
- Questioning why the park had three football pitches when only two required.
- Issues with people riding motorbikes on park.
- Issues with dogs not on leads.
- Identify what and how pitches were allocated by the Council.

A suggestion was made to remove the permanent goalposts and replace them with removable goalposts.

A meeting was requested with Green Care officers and Police to discuss problems and possible solutions.

Concerns were raised in relation to vans parking on the pavements of Baptist End Road and Swan Street, obstructing visibility for drivers.

The Chair responded that Dudley MBC were aware of this issue and would deal with the matter accordingly.

Concerns were raised in relation to the road layout at the junction of Northfield Road and Halesowen Road and requested that further remodelling of the junction be considered.

Noted. Report to be prepared for Members in advance of next meeting.

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13 **Working with you: Topics raised by Local Councillors**

Subject

Action

Councillor Cotterill referred to the new development in Birch Coppice and encouraged attendance to the upcoming open day. He also referred briefly to the site at the former Birch Coppice public house and indicated that work to develop a facility for people and young children with learning difficulties would commence shortly.

Noted.

Councillor Cotterill referred, in positive terms, to the recent refusal of a liquor licence at an establishment in Quarry Bank.

Noted.

Councillor Zada referred to Dudley's Big Switch, the Councils energy saving scheme and encouraged the Forum to support the scheme.

Noted.

Councillor Zada referred to the recent report issued by the Government regarding NHS Hospital parking and indicated that any concerns be directed to local councillors. He also requested that the link to the report be circulated to all Members of the Forum.

Noted.

Democratic Services Officer to action.

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14 **Community Forum – Love Your Local Community Funding**

The Lead Officer referred to the redistribution of the Empty Shops Grant and High Street Innovation Fund to Community Forums, funding aimed at improving commercial businesses. The criteria and process would be similar to that used for Community Forum funding.

<u>Application</u>	<u>Recommendation</u>
Dudley Christian Fellowship	Refused as it did not meet local criteria.
Inspired Communities	Netherton, Woodside and St Andrews Ward - approval of £350 to contribute towards publicity.
Dudley Disabled Learning Activities and Advice Centre	Refused as the premises had not yet been identified and there was not sufficient detail on the services provided in the application.
Dudley Council for Voluntary Service	Refused as it did not meet local criteria.
Royal British Legion Quarry Bank (Councillor Sparks indicated that he had no involvement in the consideration of the grant as he was a Member of the Royal British Legion).	Quarry Bank and Dudley Wood Ward – approval of £5,750 to provide a commemorative stone to honour 147 Quarry Bank people who lost their lives during World War 1.

## 15 **Face the People Consultation**

Mr Andy Winning (ASBU Development Manager) referred to the “Face the People” event to be held at the Netherton Arts Centre on 16<sup>th</sup> September, 2014 from 7 pm – 9 pm. Representatives from the Police, Council and Probation Service would be in attendance to answer residents’ queries in relation to crime, anti-social behaviour and substance misuse.

## 16 **Dates, Time and Venues of Future Meetings**

- Monday 3rd November, 2014 - 6.30pm - Venue to be confirmed
- Monday 26th January, 2015 - 6.30pm - Woodside Community Centre
- Monday 16th March, 2015 - 6.30pm - Netherton Sports and Social Club

The meeting ended at 7.30pm

## **Action Notes of the Gornal and Upper Gornal and Woodsetton Community Forum**

**Monday 1<sup>st</sup> September, 2014 at 6.30pm**  
**at the Upper Gornal Pensioners Club, Kent Street, Dudley**

### **Present:**

Councillor S Turner (Vice Chair) (in the Chair)  
Councillor R Scott-Dow

### **Officers:**

J Jennings (Lead Officer) (Head of Communications and Public Affairs) and  
K Buckle (Democratic Services Officer)

Together with 15 members of the public

### 10 **Apologies for Absence**

Councillors A Aston, D Branwood, K Casey and D Perks.

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### 11 **Welcome and Introductions**

The Chair welcomed those present and there followed introductions.

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### 12 **Castle and Crystal Credit Union**

Mr D Dhaliwal the Business and Finance Manager of the Castle and Crystal Credit Union gave a verbal presentation on the not for profit Co-operative advising that every member of the Credit Union received a dividend and referred to the calculation of interest rates which would not result in early repayment charges unlike high street lenders and the aim of the Union which was to retain local residents money in the local area.

Leaflets detailing the affordable, ethical safe and secure savings and loans were distributed together with an Express and Start article entitled "Escaping Cycle of Lending Debt".

Mr Dhaliwal referred to the pre-payment debit card and how this operated, the Jam Jar Universal Credit System which would separate monies in order to create a budgeting system and how accounts were opened.

Mr Dhaliwal confirmed that home visits or visits to other council facilities such as Dudley Council Plus or libraries could be arranged for those who found it difficult to access the main offices of the Credit Union in New Street, Dudley.

The Chair thanked Mr Dhaliwal for the presentation and the work undertaken by the Credit Union and recommended that the presentation be rolled out to all Community Forums.

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13 **Listening to you: Questions and Comments from Local Residents**

<u>Subject</u>	<u>Action</u>
Request to consider closure of the alleyway that connects Hill Street to Harvest Close, Upper Gornal following the assault of a young child.	Referred to the Director of the Urban Environment.
Concerns relating to safety and traffic congestion on Redhall Road, Gornal due to parents parking on pavements when taking and collecting their children from school and a request that parking restrictions be considered during peak periods.	The Chair undertook to request the school to speak to parents and would consult with the appropriate Officers and the police in relation to parking and continue to investigate other parking options for parents.
The formation of a Friends Group for Quarry Park, Upper Gornal and the possibility of a consultation with local residents who may wish to join the Friends Group.	The Chair undertook to provide assistance with the formation of the Group.
A request that building materials be removed from the land at the top of Kennedy Crescent, Gornalwood.	The Chair to refer the matter to the appropriate Officers.
Problems with blocked guttering and drains on the Oval/Tudor estate, Upper Gornal and a request for clarification on how often these were cleared.	Referred to the Director of the Urban Environment.
Following cabling work at the junction of Elm Green and Parkes Hall Road holes were appearing in the relayed tarmac on the road.	Referred to the Director of the Urban Environment.
A suggestion that clarification between the Council and their partners Keep Moat should take place in order to keep residents informed in relation to the housing work that was to be undertaken to their properties.	The Chair to consult with the appropriate Officers.

14 **Working with you: Topics raised by Local Councillors**

No topics were raised.

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15 **Community Forum Funding**

Application

Recommendation

2nd Lower Gornal Scout  
Group.

Approved £500 from the Gornal Ward.

Ellowes Hall and Area TRA

Approved £899.93 from the Gornal Ward.

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16 **Dates, Time and Venues of Future Meetings**

Noted by the Forum.

The meeting ended at 8.15pm

## **Action Notes of the Coseley East/Sedgley Community Forum**

Tuesday 2<sup>nd</sup> September 2014 at 6.30 pm  
at Age Concern, Ettymore Road, Sedgley

### **Present:-**

Councillor D Caunt (Chair)  
Councillor C Baugh (Vice-Chair)  
Councillors M Evans and M Mottram

### **Officers:-**

S Cooper (Lead Officer to the Forum) (Head of Strategic Asset Planning) and M Johal (Democratic Services Officer)

Together with five members of the public.

### 9 **Apologies**

Councillors B and S Etheridge.

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### 10 **Welcome and Introductions**

The Chair welcomed everyone to the meeting of the Coseley East/Sedgley Community Forum.

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### 11 **Listening to you – Questions and Comments from Local Residents**

#### Subject

Reference was made to vehicles that did not have car insurance and the new forthcoming arrangements in that DVLA were to cease the issuing of paper tax discs and it was queried whether the taxpayer would be footing the bill or whether the police were allocating any resources to enforce these measures.

#### Action

Councillor C Baugh and M Mottram to raise the issue at the next PACT meeting.

At this juncture Councillor D Caunt declared a non-pecuniary interest in view of reference made to The Seven Stars Public House as he was a Member of the Development Control Committee and he vacated the Chair and withdrew from the meeting during consideration of the item.

Councillor C Baugh in the Chair



Reference was made to the proposal from Morrisons supermarket to acquire the Seven Stars public house in Gospel End Road and it was stated that this would have an impact on local traders. An update on the matter was requested.

Councillor M Evans stated that a specific group had been set up with a view to defining proposals and that Marstons would be providing further information in January of next year.

Councillor D Caunt in the Chair

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12 **Working with you – Topics Raised by Local Councillors**

Subject

Action

Councillor C Baugh referred to the recent Chairs/Vice-Chairs/Lead Officers Community Forum briefing meeting and informed the meeting about the High Street Innovation Fund and Empty Shops Grant and proposals to allocate the funding equally between the Borough's ten Community Forums of £16,736 each and that Forums would have the flexibility to allocate funding within their areas.

Councillor M Evans stated that he had attended the recent PACT meeting and that there were no significant problems to report in Sedgley other than some break-ins.

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13 **Community Forum Funding**

The Chair referred to funding that had previously been made to the Black Country Community Radio and the Dudley Arts Council. It was requested that an update be given on whether the Community Radio had been granted the licence and that a breakdown of costs associated to the holding of the Black Country Day be provided.

Application

Recommendation

Dudley Council for Voluntary Services (DCVS)

Approve £300 – (£150 to be allocated from each Ward)

Summerhill Community Association

Approve £2450 subject to final checks by the Lead Officer – Coseley East Ward

Sedgley Community Association

Approve £5000 subject to final checks by the Lead Officer – Sedgley Ward (Funding to be allocated from the High Street Innovation Fund and Empty Shops Grant)

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14 **Dates, Times and Venues of Future Meetings**

Future meetings noted as follows:-

Tuesday 4<sup>th</sup> November, 2014 (Christ Church C of E School, Church Road)

Tuesday 27<sup>th</sup> January, 2015 (Age Concern, Ettymore Road)

Tuesday 17<sup>th</sup> March, 2015 (Christ Church C of E School, Church Road)

The meeting ended at 6.45 pm

**Action Notes of the Halesowen North and Halesowen South Community Forum**

Tuesday 2<sup>nd</sup> September, 2014 at 6.30pm  
at Leasowes School, Kent Road, Halesowen

**Present:**

Councillor K Shakespeare (Chair)  
Councillor A .Taylor (Vice-Chair)  
Councillors H Bills, N Gregory, S Henley and D Vickers.

**Officers:**

S.Beckett (Lead Officer) (Head of Dudley Council Plus)) and J.Jablonski  
(Assistant Principal Officer - Democratic Services )

together with 5 members of the public

8 **Welcome**

The Chair welcomed everyone to the meeting.

9 **Listening to you: Questions and Comments from Local Residents**

<u>Subject</u>	<u>Action</u>
Notice board on Great Cornbow – request that this be used for community notices. Suggested use – top section details for community groups, middle space – advertisement of specific town events and the bottom space used to display Councillors’ details and surgeries	Lead Officer to persue this matter, in particular arrangements for the notice board key to be held in the Cornbow Office and with Marcomms for the design of a notice detailing Members information and surgeries..

Request for information as to where fees received from advertisements on local traffic islands are currently allocated and a request that they be allocated to Halesowen Greencare and used for traffic island improvements in Halesowen..	Issue referred to the relevant Council Directorate for a response.
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10     **Working with you: Topics raised by Local Councillors**

<u>Subject</u>	<u>Action</u>
Councillors Bills updated the meeting on measures put in place to hopefully mitigate the effects of works to be carried out in Narrow Lane.	Noted. .

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11     **Community Forum Funding**

<u>Application</u>	<u>Recommendation</u>
Halesowen Abbey Trust	Approval of £5,000 to the trust since the last meeting noted.
Elayna Barnsley and Matthew Wong – World Scout Jamboree in Japan,2015	Approve a contribution of £625 to each scout.
Dudley Council for Voluntary Service	Approve a payment of £300, on the basis of a one-off payment.
COCOA (Welcome to Dudley) – further consideration given to application in the light of further information	Refusal – as unclear as to how hard to reach people would be identified and lack of detail as to position in Halesowen North and South Wards.

12. **Allocation of High Street Innovation Fund/Empty Shops Grant**

The Chair reported on proposals for each community forum to receive approximately £16,000 from the High Street Innovation Fund/Empty Shops Grant. Applications would be invited in due course for applications which would improve the appearance or economic vitality of an area.

Further details would be reported to the forum but in the meantime those present were asked to consider projects on which the monies could be spent.

13 **Face the People – Public Meeting**

The Lead Officer reported on a public meeting to be held at Netherton Arts Centre on 16<sup>th</sup> September, 2014 at which members of the public would have the chance to talk directly to the people who deal with crime and disorder policies in the Dudley Borough.

14. **Dates, Time and Venues of Future Meetings**

4th November, 2014 - Olive Hill Primary School - 6.30pm  
27th January, 2015 - Leasowes School - 6.30pm  
17th March, 2015 - Olive Hill Primary School - 6.30pm

The meeting ended at 7.10pm

**Action Notes of the Norton, Pedmore and Stourbridge East, Wollaston and  
Stourbridge Town Community Forum**

**Wednesday 3<sup>rd</sup> September, 2014 at 6.30pm  
at Ham Dingle Primary School, Old Ham Lane, Pedmore, Stourbridge**

**Present:**

Councillors N Barlow, C Hale, I Marrey and H Rogers

**Officers:**

A Leigh (Lead Officer) (Head of Services (Housing Strategy and Development) – Directorate of Adult, Community & Housing Services) and H Shepherd (Democratic Services Officer – Directorate of Corporate Resources)

Together with 3 members of the public

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9 **Welcome and Introductions**

The Chair welcomed those present and Members and Officers introduced themselves.

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10 **Apologies for Absence**

Councillors C Elcock, I Kettle and M Wood

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11 **Listening to you: Questions and Comments from Local Residents**

**Subject**

**Action**

Rubbish and litter in Stourbridge Town Centre, particularly near to the Subway restaurant.

Referred to the Directorate of the Urban Environment for a response.

Councillor Barlow to also raise the issue via twitter.

Customers using the Seven Stars Public House causing disturbance to Local residents. Broken glass in the street and empty glasses left in resident's gardens. Customers parking over the zig-zag lines by the pedestrian crossing which is a safety issue for residents using the crossing.

Issue raised with West Midlands Police.

Referred to Directorate of Corporate Resources/Directorate of the Urban Environment for a response.

Mis-advised in relation to a Love my Community Forum Funding application and therefore will not be considered until the next cycle of meetings.	Chair explained the funding application process and apologised for any misunderstanding.
Tesco car park – concerns that people are using the car park entrance for pedestrian access, serious safety issue.	Tesco had been advised of the safety issues.  Referred to the Directorate of Urban Environment
Tidy up of the Longlands site	Chair advised that he had not received any further updates on this issue but would continue to monitor the situation.
Parking Issues at Mary Stevens Park	Councillor H Rogers confirmed that this issue had been raised at Ernest Stevens Trusts Management Committee and that a special meeting had been scheduled for 9 <sup>th</sup> September to discuss this issue further.  Referred to Directorate of Children's Services/Directorate of Urban Environment/Directorate of Corporate Resources for a response.

12     **Working with you: Topics raised by Local Councillors**

<u>Subject</u>	<u>Action</u>
Councillor H Rogers referred to the parking issues at Mary Stevens Park.	Await the outcome from the meeting of the Special Meeting of the Ernest Stevens Trusts Management Committee on 9 <sup>th</sup> September, 2014.

13     **Community Forum Funding**

<u>Application</u>	<u>Recommendation</u>
Transition Stourbridge (River Stour Clear Water Project)	Approve £262.00
Black Country Wheels	Approve £500 subject to the other 9 community forums approving the match funding.

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14     **Dates, Time and Venues of Future Meetings**

Future meeting dates noted as follows:-

Wednesday 5<sup>th</sup> November, 2014 – Wollaston Village Hall

Wednesday 28<sup>th</sup> January, 2015 – To be confirmed

Wednesday 18<sup>th</sup> March, 2015 – Chawn Hill Church

The meeting ended at 7.40pm



**Action Notes of the Castle and Priory, St James's and St Thomas's  
Community Forum**

Wednesday 3<sup>rd</sup> September 2014 at 6.30 pm  
at St Barnabus' Church of England Church, Middlepark Road, Russells Hall,  
Dudley

**Present:-**

Councillor K Finch (Chair)  
Councillors K Ahmed, M Aston, A Finch, M Roberts and S Waltho

**Officers:-**

S Griffiths (Lead Officer to the Forum) (Democratic Services Manager) and M  
Johal (Democratic Services Officer), A Winning (ASBU Development Manager)

Together with twelve members of the public.

9 **Apologies**

Councillors S Ali, A Ahmed and S Arshad.

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10 **Welcome and Introductions**

The Chair welcomed everyone to the meeting of the Castle and Priory, St James's  
and St Thomas's Community Forum and Members and Officers introduced  
themselves to the meeting.

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11 **Listening to you – Questions and Comments from Local Residents**

**Subject**

**Action**

Mr Andy Winning (ASBU Development  
Manager) explained about an event "Face the  
People" to be held at the Netherton Arts Centre  
on 16<sup>th</sup> September, 2014 from 7 – 9 pm.  
Representatives from the Police, Council and  
Probation Service would be in attendance to  
answer residents' queries.

Circulated leaflets.

## Russells Hall Estate

- Complaint about damage caused by young people that regularly climbed onto the roof of St Barnabus' Church. Although the matter had been reported to the Police on numerous occasions there had been no satisfactory response.
- Overfield Playing Fields – Complaint that the area needed attention. Youths drove cars and motor bikes onto the park during the night, there were syringes and needles, broken glass strewn and rubbish dumped including a mattress. It was also stated that other parks in the Borough had extensive facilities and it was requested that consideration be given to improving the facilities at the playing fields to benefit local young people.
- Ashenhurst Road – Ongoing issue regarding trees that were dangerous and required maintenance and care.
- Ongoing litter problems on Middlepark Road (Broadmeadow) and also that a dead tree had fallen down onto a property
- Trees and bushes needed cutting along Barrow Hill up to Pearce Close.
- An update was requested on the bus shelter opposite the chip shop on Middlepark Road.
- Speeding issues and request for double yellow lines on Overfield Road as cars obstructed residents' drives.
- Fly tipping to the rear of a property in Langstone Road which was causing the fence to the property to bend. The rubbish was attracting vermin and there was an unpleasant odour in warm weather.
- Complaint about Ring and Ride's booking system.

The Chair and Cabinet Member for Transport responded to specific points raised and noted ongoing issues.

Issues noted for a written response.

Mr Winning undertook to speak to the complainant and to raise the matter with the Neighbourhood Police Team. Ward Councillors also to raise the issue at the next PACT meeting with a view to ascertaining why the Police had not responded to the matter.

In relation to Overfield Playing Fields the Chair undertook to conduct a Site Visit with Ward Councillors and a relevant officer from the Directorate of the Urban Environment. Councillor K Ahmed and the Chair also advised residents to set up a Friends of Park Group as it was easier to access and apply for funds.

The Chair, Ward Councillors and a relevant officer from the Directorate of the Urban Environment to conduct a Site Visit to ascertain the extent of the problem relating to trees on Ashenhurst Road.

Chair and Ward Member to raise issues relating to Middlepark Road (Broadmeadow) at next Council meeting.

Kates Hill, Dudley

Request for a passageway running between properties on Kitchener, Highfield and Corporation Roads to be cleared as the entry had become a rubbish dump and was overgrown with weeds and sprouting trees.

Referred for a written response.

Blackacre Road, Dudley

Complaints made about problems caused by the permanent closure 'stopping up' of Blackacre Road and that the congestion problem had now shifted on to the side streets. Due to the narrowness of the side streets damage was also being caused to vehicles.

Referred for a written response.

The Cabinet Member for Transport undertook to reassess the matter following a suitable period after King Street was opened to two way traffic.

Wolverhampton Street, Dudley – Complaint about the former furniture business and comments made that it was unsafe.

Councillor K Ahmed informed the meeting that the property would be sold at an auction shortly.

Douglass Road, Dudley – An update on the request for speed humps.

The Cabinet Member for Transport reported that there were issues as not all residents wanted speed humps.

Priory Estate, Dudley

Complaint about littering and flytipping at the top end of Paganel Drive between The Green and Priory Park and funding was sought for signage and Closed Circuit Television (CCTV) to monitor the entrance to the park and also to re-slab the path.

Referred for a written response.

The Friends Group to consider applying for funding from the Community Forum. The Chair also asked that efforts be made with a view to collating evidence to identify the "flytipping" culprits.

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12 **Working with you – Topics Raised by Local Councillors**

No issues raised under this item.

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13 **Community Forum Funding**

The Lead Officer to the Forum declared a non-pecuniary interest as he was a Member of the Dudley Ex Servicemen's Club in a social capacity. He informed the meeting that he had no involvement in the application made by the Royal British Legion.

The Lead Officer to the Forum informed the meeting about the High Street Innovation Fund and Empty Shops Grant and on the proposals to allocate the funding equally between the Borough's ten Community Forums of £16,736 each. Forums would have the flexibility to allocate funding within their areas in line with agreed criteria.

<u>Application</u>	<u>Recommendation</u>
The Young Smiles Project	Confirm allocation of £3000 approved under urgency (St James Ward)
The Life Centre Debt Advice (Stourbridge)	Refuse as no further information received to ascertain take up from Wards relating to this Forum.
Castle and Priory Regeneration Area Board	Approve contribution of £1500 (Castle and Priory Ward)
Royal British Legion	Approve contribution of £800 (St Thomas's Ward)
Claughton Youth Centre	Defer pending further information to ascertain the amount of funding requested.

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14 **Dates, Times and Venues of Future Meetings**

Future meetings noted as follows:-

Wednesday 5<sup>th</sup> November, 2014 (Wrens Nest Community Centre)  
Wednesday 28<sup>th</sup> January, 2015 (St Thomas's Community Network)  
Wednesday 18<sup>th</sup> March, 2015 (St Barnabus' C of E Church)

The meeting ended at 8.00 pm

## **Minutes of the Overview and Scrutiny Management Board**

**Monday, 8<sup>th</sup> September, 2014 at 6.00 p.m.  
at the Council House, Priory Road, Dudley**

### **Present:**

Councillor Tyler (Chair);  
Councillor A Finch (Vice-Chair);  
Councillors D Blood, I Cooper, C Hale, M Hanif, R James, L Jones,  
M Mottram, K Turner and M Wood.

### **Officers:**

R Sims, Assistant Director (Housing Strategy and Private Sector - Lead Officer to the Board) – For Minute Nos. 9 to 15 below.

J Polychronakis (Chief Executive), C Williams (Director – West Midlands Employers) and S Griffiths (Democratic Services Manager - Directorate of Corporate Resources)

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9      **Apology for Absence**

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

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10      **Appointment of Substitute Member**

It was reported that Councillor M Wood had been appointed as a substitute for Councillor C Elcock for this meeting of the Board.

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11      **Declaration of Interests**

No Members declared interests, in accordance with the Members' Code of Conduct, in respect of any of the items to be discussed at this meeting.

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12      **Minutes**

Resolved:

That the minutes of the meeting held on 11<sup>th</sup> June, 2014, be approved as a correct record and signed.

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13      **Change in Order of Business**

Resolved:

That the remaining items of business be considered in the order shown in the minutes below.

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14      **Amendment to the Annual Scrutiny Programme 2014/15**

Further to Minute No. 7 of the meeting held on 11<sup>th</sup> June, 2014, the Director of Corporate Resources reported on a proposed amendment to the Annual Scrutiny Programme for 2014/15.

At its meeting on 16<sup>th</sup> July, 2014, the Health Scrutiny Committee had resolved to recommend the Board to consider a proposal to change the Health Scrutiny Committee's area for review to be the Dudley Physical Activity and Sport Strategy. This would replace the original item on Elements of Patient Experience in Acute Care.

A view was expressed that the proposed amendment undermined the validity of the process whereby the Board set the Annual Scrutiny Programme at the start of the municipal year. A Working Group had already been established to begin consideration of the Dudley Physical Activity and Sport Strategy.

The Chair of the Health Scrutiny Committee responded to the above points. It was noted that the proposed amendment was a recommendation from the Health Scrutiny Committee, however, the final decision rested with the Overview and Scrutiny Management Board.

Resolved:

That the recommendation of the Health Scrutiny Committee to amend the Annual Scrutiny Programme for 2014/15 by the inclusion of the Dudley Physical Activity and Sport Strategy, in place of the item on Elements of Patient Experience in Acute Care, be approved.

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15      **Forward Plan of Key Decisions**

The Board received the Forward Plan of Key Decisions for the four month period commencing 1<sup>st</sup> September, 2014.

Reference was made to the item in the Forward Plan concerning consultation on School Place Planning and it was noted that this was within the remit of the Children's Services Scrutiny Committee.

With regard to the localised Council Tax Reduction Scheme the Board noted that consultation would only be required if the scheme was amended from that agreed by the Council in December, 2013.

Resolved:

That the Forward Plan of Key Decisions be noted.

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16 **Review of Senior Management and Organisational Structure**

The Board considered a report of the Chief Executive on proposals for the Council's senior management restructure. Following an introduction from John Polychronakis, Chief Executive, the Board received a presentation from Colin Williams (Director – West Midlands Employers) on the proposed senior management and organisational structure, together with proposals for the appointment of a new Chief Executive. The Cabinet had endorsed proposals at its meeting on 3<sup>rd</sup> July, 2014 to form the basis of formal consultation in line with an agreed procedure and timetable.

The Chair indicated that no written questions had been submitted in advance of the meeting and invited Members of the Board to ask any questions on the report and presentation. The Board raised a range of issues as follows:

- The creation of a Strategic Director (Resources and Transformation) was noted. However, a Member questioned why Finance and Legal Services had been combined in the remit of one Chief Officer, with particular reference to the distinct governance roles of finance and legal services, including the statutory functions of the Section 151 Officer and the Monitoring Officer. The Board was advised that this was ultimately a matter for the Council to decide. However, the structure provided for all statutory officers to have direct channels of communication to the Chief Executive. Future job descriptions would clarify this and the statutory officers would be represented on the Council's senior management team. The recommendation was based on the number of Chief Officers overall and the need to reflect major corporate challenges associated with the transformation of services. The Chief Executive indicated that this issue had been raised during the consultation and would be reflected in the report to the Cabinet and Council in October, 2014.
- The structure was designed to be flexible to respond to any future decisions of the Council to outsource functions or to adopt different models of service delivery, without undermining the basis of the organisational structure.
- Members questioned whether the salaries of Chief Officers would be set at the same level or reflect different levels of responsibility. It was reported that posts had been evaluated and currently, two bands of 'job size' had been identified at Chief Officer level. An alternative was to consider market supplements for certain posts in appropriate circumstances.

- Arising from the above point, it was reported that the three proposed Strategic Director posts had also been subject to a job evaluation process, leading to potentially different salaries for these posts taking account of varying levels of responsibility.
- It was confirmed that teaching staff were not included in the restructuring proposals under consideration at this meeting.
- The financial implications were questioned in the context of the overall saving of £1m from senior management posts. Although the number of Directors and Chief Officers would be significantly reduced, the job evaluation of the senior posts would result in additional costs to be absorbed elsewhere in the structure. Assurances were sought that any increase in senior management salaries would not create unacceptable pressures on 4<sup>th</sup> tier posts and below. A key principle of the restructure was to devolve greater responsibility and decision making to lower tiers of management and it was considered important to ensure that the workloads of employees at fourth tier and below were not increased to levels that created unacceptable risks to services. A concern was also expressed that the structure did not contain sufficient flexibility to address these concerns at a later date if adverse service issues became apparent.
- The Chief Executive acknowledged that risks had been identified during the consultation process and all efforts would be made to minimise these risks moving forward. However, the principles associated with greater devolved decision making were fundamental to the change of culture and approach referred to in the report. The proposals aimed to establish a structure that was 'fit for purpose' and save £1m, taking account of reductions in senior management levels together with associated support and on costs.
- Reference was made to the allocation of responsibilities below Chief Officer level. It was noted that the proposed structure indicated a broad outline of functions for further consultation once the senior management positions were appointed. Job evaluations would be undertaken, but the restructuring would have to be implemented within the overall savings identified. Particular reference was made to the possibility of reconsidering the inclusion of ICT Services as a function under Finance and the possibility of combining relevant budgets to support the transition of young people from Children's Services to Adult Services.
- In relation to budget responsibilities, the Chief Executive indicated that the structure would provide for a corporate approach with significant input from the 3 strategic Directors and the Corporate Management Team. The structure recognised the significant corporate budgetary challenges faced by the Council in future years.
- The Board acknowledged the significant corporate challenges associated with service transformation and particular areas that would be affected with key developments such as the implementation of the Care Act.



- In response to a question concerning the approach taken by other metropolitan authorities, an assurance was given that the structures of other Councils had been considered in submitting recommendations. However, the key issue was to propose a structure that was fit for purpose in Dudley and which met the financial brief to save £1m.
- In response to a question concerning feedback received to date, the Chief Executive reported that the restructuring was an inclusive process and the two main areas of feedback related to the Chief Officer for Finance and Legal Services and the salary grades of the Chief Officer posts. These issues would be reflected in the report to Cabinet and Council.
- Further comments were made concerning the potential for reductions in the number of posts at 4<sup>th</sup> tier level and the effect this might have on services, particularly in the event of the long term absence of any key post holders. It was considered that a key element of the restructuring was the ability of the Council to recruit and retain employees and in this regard, the Council should pay the market rate for key posts within the overall budget available.
- In response to a question concerning the inclusion of private sector housing alongside health and wellbeing functions, it was noted that all the functions at 4<sup>th</sup> tier were subject to review and there was a potential for functions to be moved during the next stage of consultation.
- The Chair indicated that since the existing Scrutiny Committees were based on Directorate structures, the restructuring would necessitate a review of Scrutiny Committees and associated support functions. This was a matter for Members to consider, but it was suggested that Scrutiny Committees should closely reflect the 8 Chief Officer (and Cabinet Member) portfolios in the future.
- Reference was made to the involvement of the Council's workforce in the consultation and the Chief Executive repeated his commitment that the process was being managed in an inclusive and consultative manner. Trade Unions had been involved in the first stage consultation and various responses had been received from individual members of staff following the publication of information on the Intranet. A further detailed consultation would take place during December/January, following the appointment of the Chief Executive, Directors and Chief Officers, in line with the timescales set out in the report.
- The Chair questioned the 'ring fencing' of posts at 2<sup>nd</sup> and 3<sup>rd</sup> tier levels, which might not achieve the required fundamental change in culture and approach as referred to in the report. The Chief Executive indicated that existing post holders would not be automatically appointed to any new posts under the revised structure. Existing post holders would be afforded the opportunity to be considered, but the decision on appointments was a matter for the Appointments Committee. Posts would be advertised externally if the Committee so decided.

- In relation to Black Country Joint Working and shared services, the Chief Executive emphasised the need for the Council to be engaged in more collaborative working with the Black Country and West Midlands authorities. The proposals were designed to achieve stability over the next three years and the proposed structure would not restrict any ongoing work.
- Reference was made to the potential for scrutiny support being included in a centralised policy support team. Such a team could also oversee corporate issues such as equality and the co-ordination of funding bids. It was recognised that the restructuring might provide the opportunity for services to be realigned or centralised from within existing teams. However, the creation of dedicated support functions would have to be viewed in the context of overall affordability and the potential for self-financing.
- Support was expressed for the combination of Planning and Economic Development functions within the Chief Officer portfolio.
- It was noted that in addition to the Leader and Deputy Leader, the 8 Chief Officer positions would mirror the future Cabinet portfolios. The view was repeated that Scrutiny Committees should be closely aligned to these portfolios to allow Members to undertake in depth scrutiny of specific topics.

Following the general discussion and final comments, the Board was invited to consider making any recommendations or observations to the Cabinet. The following points were noted in summary:

- The Council must consider and work within the overall financial 'envelope' with the aim of saving £1m from senior management. The pay structure at the top three tiers of management should not inhibit the proposals for the development of management at the 4<sup>th</sup> tier and the Council should be mindful of any potential risks to services as referred to at this meeting.
- Consideration should be given to combining Adult and Children's Social Services budgets to take account of the need for seamless management of key budget issues in the future.
- Assurances were sought that the new structure would provide for flexibility and corporate working across all service areas.
- The restructuring should build in appropriate flexibility to ensure that any ongoing issues can be reviewed and dealt with in a timely way and that the overall proposals should be subject to full evaluation after 12/18 months.

- Subject to points noted above, general support was given to the proposal to review functions at the 4<sup>th</sup> tier level following the appointments to the top three tiers of senior management, in accordance with the agreed timescales. It was confirmed that the 4<sup>th</sup> tier consultation would be reported to the Board in due course.
- The changes to Directorate structures would necessitate a full review of Scrutiny Committees and this should be a Member-led process.

At the conclusion of the meeting, thanks were recorded to the Chair and Members for their contributions to the consultation process. The Chief Executive and the Director of West Midlands Employers were thanked for their attendance and responses to the issues raised at the meeting. A Member also recorded his thanks to C Williams for his past work on the implementation of the pay and grading review.

Resolved:

That the Chief Executive include a summary of the key issues raised by the Board, as set out above, in his report to the Cabinet on 1<sup>st</sup> October and the Council on 13<sup>th</sup> October, 2014 concerning the review of the senior management and organisational structure.

The meeting ended at 7.55 p.m.

CHAIR

**Minutes of the Adult, Community and Housing Services Scrutiny  
Committee**

**Monday, 7th July, 2014 at 6.00 p.m.  
in Committee Room 2 at the Council House, Dudley**

**Present:**

Councillor M Hanif (Chair)  
Councillor R James (Vice Chair)  
Councillors R Body, I Cooper, A Goddard, Z Islam, J Martin, D Perks, K Turner,  
D Tyler and D Vickers.

**Officers:**

M Williams (Assistant Director, Customer Services), (Lead Officer to the Committee), M Bowsher (Assistant Director for Quality and Commissioning), D Channings (Assistant Director of Housing Services) and K Buckle (Democratic Services Officer).

1 **Welcome**

The Chair welcomed all those present to the meeting, following which introductions were made.

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2 **Declarations of Interest**

In accordance with the Members' Code of Conduct, the following interests were Declared:-

Councillor K Turner declared non-pecuniary interests in Agenda Item No's. 5 – Annual Scrutiny Programme 2014/15, 6 – The Care Act – Implications for Dudley and 7 – Housing Futures Board as Chairman and Trustee Director of Age Concern, Stourbridge and Halesowen, Director of Right To Buy Services Limited and being a private landlord for properties in Dudley and other areas.

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3 **Minutes**

Resolved

That subject to the inclusion to Minute No. 38 – New Bradley Hall – Up-Date and Next Steps – that a member of the public had referred to a provider with a proven track record being required to provide care services at New Bradley Hall, the minutes of the meeting held on 4<sup>th</sup> March, 2014, be approved as a correct record and signed.

#### 4 **Annual Scrutiny Programme 2014/15**

The Committee considered a report of the Lead Officer and Director of Corporate Resources on the items proposed and suggested for inclusion in the Annual Scrutiny Programme for detailed consideration during 2014/15.

Following a concern raised by a Member, the Lead Officer reported that following a review last year there was a revised process to be followed in relation to the addition of further items to be scrutinised, which would involve the items being recommended to the Overview Scrutiny and Management Board for inclusion in this Committees Annual Scrutiny Programme.

Councillor J Martin wished to add Welfare Reforms to the Annual Scrutiny Programme and following further discussion, it was agreed that the possibility of this would be explored further following the presentations in relation to the two items proposed and suggested for inclusion in the Annual Scrutiny Programme.

Following further discussion it was

Resolved

That the proposed items contained in the Annual Scrutiny Programme for 2014/15, as referred to in paragraph 3 and Appendix 1 to the report submitted, be endorsed.

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#### 5 **The Care Act – Implications for Dudley**

The Committee considered a presentation of the Assistant Director for Quality and Commissioning on the Care Act – Implications for Dudley. The presentation was circulated to Members and was available on the Council's Committee Management Information System (CMIS).

The content of the presentation was to outline the key changes the Care Act would make for those accessing care services including details of personal budgets for allocating a sum of money to an individual, the enforceable rights that carers would qualify for and deferred payments for the cost of care at home.

The Assistant Director for Quality and Commissioning outlined other changes including the provision of counselling, advocacy, information and advice and the legal obligation upon the Council to have Safeguarding Boards.

The new duties and powers to provide prevention and reduction measures, the duty to provide an information service and a general duty to shape the market so as to secure diverse provision of services were outlined together with the significant duty imposed on the Care Quality Commission.

The current and new charging arrangements for residential care and care at home were outlined, and it was noted that in relation to the new rates, although the assessed contribution rate had increased this rate also included the value of a property. Details were also provided in relation to the new charging arrangements and the Care Cap and it was demonstrated that in most cases the new charging arrangements would not impact upon the current client base.

It was noted that people would remain responsible for a contribution towards general living costs and when a person has care and support needs but does not qualify for financial support from the local authority, they are still able to request that the local authority arrange the care and support that they require.

Following the presentation by the Assistant Director for Quality and Commissioning and the suggested potential areas for further scrutiny, Members asked questions and the Assistant Director for Quality and Commissioning responded as follows:-

- That the role of day care services under the Care Act and costings would be provided;
- In relation to state funded care shared rooms were no longer allowed under the Care Act.
- That In relation to an individual having to contribute towards the first £72,000 of care costs in their lifetime, that this cap would be from April 2016, and any retrospective contributions towards care costs would not be taken into account in order that all those accessing care services are in the same position relating to the cap;
- Work had commenced in relation to the provision of advocacy services;
- That there were 36,000 unpaid carers in the Dudley Borough and Members could chose to invite a number of carers organisations to future meetings of the Committee in order to examine carers rights and how they would be supported under the Care Act;
- That modelling work was being undertaken in relation to the financial readiness for the implementation of the Care Act and this work would provide an indication of the gap between need and the provision of services;

Following further detailed discussion in relation to the potential areas for further scrutiny it was suggested that Support to Carers and the Readiness of Information and Advice Systems be scrutinised to include the financial implications at the September meeting of the Committee.

Members were in general agreement that they also wished to scrutinise the following areas:-

- Financial Implications of the Care Act: modelling work, cost pressures, the care cap, impact on self funders, residential nursing and day care fees, maximising income for carers:
- The Effectiveness of the Adult Safeguarding Board including how the quality of care will be monitored and how effective the Safeguarding Adults Board was;

- Market Shaping and ensuring that there was adequate choice within the Dudley Borough including the financial implications of the themes above for scrutiny at the meetings of the Committee scheduled to take place in January and March, 2015.

Resolved

- (1) That the information contained in the presentation and comments made arising from the presentation, as indicated above on The Care Act – Implications for Dudley, be noted.
- (2) That the Director of Adult, Community and Housing Services be requested to submit a report to the September meeting of the Committee in relation to Support to Carers and detailing the information outlined above in relation to Carers.

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## 6 **Housing Futures Board**

The Committee considered a presentation of the Assistant Director of Housing Services on the Housing Futures Board.

The Assistant Director of Housing Services also provided feedback from the Institute of Housing Conference that she had recently attended and reported on the work of the Housing Futures Board, which was established with the Cabinet Member and Shadow Cabinet Member for Housing and Community Safety, and the further detail that was required in relation to the Dudley Boroughs housing stock and housing need going forward in order for the Council to position themselves to meet the housing needs of residents in the future.

The Assistant Director of Housing Services advised that the largest area for housing demand was in relation to young single people and there was a need to ensure that the right provision was made for this area of housing demand.

It was noted that investigations would be undertaken in relation to existing Council housing stock and whether there was a need to demolish, given the lack of interest in maisonettes and multi storey properties, and it was crucial that there was a housing stock in place that was fit for purpose.

Suggestions for Scrutiny were outlined and following these suggestions, Members asked questions made comments and observations as follows:-

- A request that a Member of the UK Independence Party become a Member of the Housing Futures Board.
- Whether there should be a review of existing Council Housing stock year on year;

- Whether the additional funding from the Local Growth Fund would be ongoing;
- That given the difficulties faced by young single people obtaining housing, a suggestion that options for young single people to acquire a part share in properties and subsequently owning a percentage of properties should be investigated;
- In relation to void properties, was there a geographical trend in relation to the areas where people were reluctant to rent those properties?
- Could options be explored in relation to those properties that were difficult to rent?
- Was there a reason why tenants were not represented on the Housing Futures Board?
- The possibility of converting maisonettes into one or two bedroom properties;
- Concerns in relation to any loss of revenue resulting from the impact of the reinvigorated right to buy scheme discount and the possibility of the maximum discount applying;
- That the right to buy scheme placed credibility and respect back into properties and was rewarding to long term Council tenants;
- The possibility of working with partners in order to house young single people;
- That the needs of young people should also be focused upon when investigating remodelling existing council housing stock;
- The need to discover the owners of town centre properties in order to encourage them to rent their properties;
- The impact of the welfare reforms on rent arrears and the council's current position in relation to arrears and the need to update Elected Members with those details;

The Assistant Director of Housing Services responded to Members questions as follows:-

- Council Housing stock was reviewed year on year given competing demands and the impacts of the Welfare Reforms;
- The Local Growth Fund was a two year grant only;
- Shared ownership had not proved successful in the past;
- That it was primarily maisonettes and multi storey void properties that were proving difficult to rent;
- That the sustainability model was important as it was a question of what Council Housing stock should be maintained and could be sustained in the future;
- There was a loss of income to the Council in relation to those properties that were difficult to rent and the additional financial burden due to the obligation on the Council for the payment of Council Tax;



- That a Tenants Board was to be formally enacted in October and specific links would be forged with them, the Housing Futures Board and this Committee.
- That conversions in the Dudley Borough were not as successful as purpose built properties and the need to ensure that through conversion, further problems are not created thus resulting in a failure to sustain the new housing model;
- The reinvigorated right to buy scheme had some inbuilt protection in relation to new properties for some time in the future;
- That information held in relation to private landlords and the type of properties they owned would be accessed and provided to Members as part of the scrutiny process;
- That currently the impact of the new Universal Credit and the replacement of Disability Allowance was awaited and updates in relation to the impact of the Welfare Reforms on rent arrears would be emailed to all Elected Members as and when they were available;

The Lead Officer to the Committee also undertook to provide all Elected Members with regular updates in relation to the Welfare Reforms and Universal Credit.

Members were in general agreement with the suggestions for Scrutiny and the inclusion of the needs of young people when scrutinising Council Housing stock especially in relation to sustainability remodelling.

Resolved

- (1) That the information contained in the presentation and comments made arising from the presentation, as indicated above on The Housing Futures Board, be noted.
- (2) That approval be given to the suggestions for Scrutiny contained in the presentation with the addition of including the needs of young people in Council Housing Stock sustainability modelling.
- (3) The Assistant Director of Housing Services and the Lead Officer to the Committee be requested to provide regular updates to all Elected Members in relation to the impact of Welfare Reforms upon Council services.

The meeting ended at 7.45 p.m.

CHAIR

ACHS/6

**Minutes of the Adult, Community and Housing Services Scrutiny  
Committee**

**Monday, 15<sup>th</sup> September, 2014 at 6.00 p.m.  
in Committee Room 2 at the Council House, Dudley**

**Present:**

Councillor M Hanif (Chair)  
Councillor R James (Vice Chair)  
Councillors I Cooper, K Finch, A Goddard, Z Islam, J Martin, C Perks, D Perks,  
K Turner and D Vickers.

**Officers:**

M Williams (Assistant Director, Customer Services), (Lead Officer to the Committee), D Channings (Assistant Director of Housing Services), P Griffiths (Head of Investment), A Leigh (Head of Service – Housing Strategy and Development) (All Directorate of Adult, Community and Housing Services), C Ludwig (Housing Finance Manager) and K Buckle (Democratic Services Officer) (Both Directorate of Corporate Resources).

7. **Apologies for Absence**

Apologies for absence from the meeting were submitted on behalf of Councillors Body and Tyler.

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8. **Appointment of Substitute Members**

It was reported that Councillors C Perks and K Finch had been appointed as substitute members for Councillors Body and Tyler respectively.

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9. **Declarations of Interest**

In accordance with the Members' Code of Conduct, the following interests were Declared:-

Councillor K Turner declared non-pecuniary interests in Agenda Item No 6 – Right to Buy (RTB) and replacement New Build – Update and any reference to private tenants as a Director of Right to Buy Services Limited and a private landlord for properties in Dudley and other areas.

10. **Minutes**

Resolved

That, the minutes of the meeting of the meeting held on 7th July, 2014, be approved as a correct record and signed.

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11. **Opening Remarks of the Chair**

The Chair suggested that arising from the consideration of items to be scrutinised Members may wish to consider the following:-

Future Meetings commencing at 5pm;  
The appointment of Working Groups;  
The requirement for additional Meetings;  
Virtual Email Meetings.

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12. **Public Forum**

There were no issues raised under this agenda item heading.

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13. **The Dudley Borough Housing Strategy**

A report of the Director of Adult, Community and Housing Services was submitted on the development of the Dudley Borough Housing Strategy and how the views of young people were accounted for, the housing issues facing them and the role the private housing sector (market housing) played in the Borough's overall housing provision.

In presenting the report submitted the Head of Service, Housing Strategy and Development specifically referred to the Appendices to the report submitted and outlined the detail contained in the Housing Strategy 2013-2016 including strategic aims and challenges for the Borough.

Arising from the presentation of the report submitted, Members asked questions, raised concerns and made suggestions and the Head of Service, Housing Strategy and Development responded as follows:-

In relation to affordability issues giving rise to unmet housing demand and the provision of 748 additional new affordable homes per year being required over the next 13 years, concerns were raised that this was unachievable due to building costs and funds available. It was accepted that it would be difficult to meet those requirements and discussions would be welcomed on how to

improve on the number of affordable housing properties within the Dudley Borough but that work would continue with the Council as a direct provider and other Registered Provider partners in order to build affordable housing.

In relation to housing market trends properties were now being built to a smaller level and to lower environmental standards however the Council continued to build properties to Code level 3 of the Building Regulations.

The suggestion that Municipal Mortgages through prudential borrowing would encourage greater home ownership was welcomed and noted.

A funding bid had been successfully submitted to the Department of Health for the provision of social housing in the Dudley Borough for older people and people with disabilities at The Walk, Sedgley and Norfolk Road Wollaston. A bid to the Homes and Communities Agency for the conversion of Arcal Lodge, Sedgley to provide 14 bungalows.

The Assistant Director of Housing advised that housing need/demand was complex. Examples given related to affordability. Tenants had abandoned properties because of charges relating to welfare reform. Young people often could not afford to leave home and this was associated not only with rent but the cost of independent living. It was agreed that affordability issues and whether the Council could meet demand could be debated in more detail at future meetings.

The Assistant Director of Housing Services confirmed that in addition to the Council receiving no rental income from hard to let properties the Council were incurring costs by the continuing obligations to pay Council Tax on those properties.

A Member suggested that in relation to new builds consideration of incorporating environmental issues to reduce running costs should be addressed including the provision of cavity wall insulation and solar panels. It was confirmed by Officers that this was already in place.

The Assistant Director of Housing Services advised that although shared ownership had not proved successful in the past, additional funding had been obtained and work had commenced with Housing Associations on shared living. It was believed that this would prove to be more successful given the welfare reforms and change in environment. The Assistant Director undertook to provide Members with a briefing note on proposals for the shared living project.

A Member suggested that in social housing means testing should be applied throughout the tenure. The Assistant Director did not think this was workable. Currently there were restrictions in relation to capital.

In responding to a Member's question in relation to rental values the Housing Finance Manager advised that affordable social rent could be set no higher than 80% of the market rent and that rent was determined by a number of factors for example a new build would attract a higher rental value given the market value.

In responding to a Member's question the Head of Service, Housing Strategy and Development reported that the concealed household data had been obtained from the Residents Survey which was conducted in 2011 and undertook to provide Members with details of trends from the previous survey completed in 2005. He explained that the increase in numbers requiring affordable housing was based on income and housing affordability.

The Head of Service, Housing Strategy advised that the provision of extra care housing was only one option for a growing elderly population and that other options included sheltered housing, private market housing for sale e.g. McCarthy & Stone and adaptations to older people's existing homes. It was not contended that extra care housing would meet all the additional provision that would be required in the future.

Following a Member's concerns in relation to the possible discrimination against those in private ownership failing to qualify for bungalows and ground floor accommodation, the Assistant Director of Housing Services confirmed that the Allocations Policy placed restrictions on those applying for social housing in relation to capital, rent arrears and anti social behaviour. She undertook to provide Members with the Housing Allocations Policy.

In relation to a Member's question regarding the direction of travel by the Government, the Head of Service, Housing Strategy and Development advised that the Government were clearly encouraging local authorities to build and had introduced a number of changes including help to buy schemes, significant changes in planning regulations to assist with obtaining planning permission for new builds and the introduction of the New Homes Bonus scheme.

The Head of Service, Housing Strategy and Development advised that no further work had been conducted in relation to tracking the progress of those in concealed households.

In responding to a Member's question the Head of Investment advised that in relation to recycling older people's properties work was conducted with the Council's Occupational Health Officers in relation to any adaptations that had been carried out to those properties, however it may be the case that such properties required updating as older tenants sometimes refused to have their properties re-modernised.

In relation to the provision of accommodation for young people the Head of Service, Housing Strategy and Development referred to the Youth Hub that offered housing advice and support to 16-24 year olds, the redevelopment of Gibbs Road Hostel in Lye with Midland Heart which was due for completion in 2015. This would offer 58 units of accommodation including 34 1 bedroom flats. Other provision included the supported housing for young people provided by Churches Housing Association of Dudley and District and Black Country Housing Group and the multi agency approach to provide more social housing within the Dudley Borough.

Resolved

That the information contained in the report, and appendices to the report, submitted on the Development of the Dudley Borough's Housing Strategy, together with Members comments, be noted.

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14. **Right to Buy (RTB) and Replacement New Build - Update**

A report of the Director of Adult, Community and Housing Services was submitted on Right to Buy sales and the Right to Buy Replacement target.

Following the presentation of the report and appendices to the report submitted, Officers responded to Members' questions as follows.

Should major works be completed to a social housing property or should a tenant move into a new build property and make a right to buy application within 15 years from such work being carried out, or transfer to a new build property, the cost of the re-build of the property would be the purchase price of the property, regardless of any applicable discount.

Should a former council tenant sell the property they purchased at the discount on market value within three years from purchase the discount would become repayable.

The Housing Finance Manager undertook to email to Members details in relation to the Council's Policy for reclaiming the market value discount from the estate of a tenant should death occur within three years from providing the right to buy discount.

In relation to using right to buy receipts for new builds this would not always be possible given the level of discount allowed, however there remained a conscious approach to obtaining the best value for money and other funding streams together with procurement costs, which were continually investigated and monitored.

In relation to the rationale that the right to buy receipt should represent no more than 30% of the cost of a new build, this was applied in order to ensure that Local Authorities contributed to replacement costs.

The Council's costs to rebuild was based on building larger houses for example four bedroom houses, and smaller properties which had larger design layouts for those who required wheelchair access and the installation of stair lifts. There was also the requirement for low rise blocks to install lifts together with the environmental factors that also applied to new builds, all of which increased the costs of new builds.

That the Council were using their existing land for new builds and that may increase costs due to high ground costs with some sites incurring additional infrastructure costs and unit costs escalating.

The right to buy scheme was supported by the Government who encouraged home ownership but recognised that some people would never achieve this and must have accessibility to social housing and it was accepted that the provision of social housing could not meet future demand.

That the Council would always try to assist parties' requirements for improvements to homes and in the provision of sheltered housing and the Council worked closely with tenants to ensure that their homes were fit for purpose when discharged from hospital and continued to attempt to carry out work to properties whilst tenants were in hospital but were not always notified of any adaptations required until patients were discharged.

In relation to the cost of new builds and development by property type that this was reported in the Capital Programme at a gross level and also reported to the Homes and Communities Agency.

A Member suggested that it would aid the Committee's scrutiny if costs relating to developments could be provided by development and property type.

Resolved

That the information contained in the report, and appendices to the report, submitted on Right to Buy sales and the Right to Buy Replacement target together with Members comments, be noted.

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15. **Sustainability model to be used it assist in determining remodelling/demolition options.**

A report of the Director of Adult, Community and Housing Services was submitted on proposals and work undertaken to date concerning sustainability modelling of the Council's housing stock.

Following the presentation of the report and appendices to the report submitted there was a general discussion in relation to the infancy of sustainability modelling of the Council's housing stock and there was general agreement that a further report should be submitted to a future meeting of the Committee as options for re-modelling progressed.

Members welcomed the report and congratulated Officers on their work in this area.

Members discussed the proposals put forward by the Chair in relation to future meetings and it was

Resolved

- (1) That the information contained in the report and appendices to the report, submitted on proposals and work undertaken to date concerning sustainability modelling of the Council's housing stock, be noted.
- (2) That the Lead Officer to the Committee convene two further meetings of the Committee to consider further the Dudley Borough Housing Strategy and the Sustainability model to be used to assist in determining remodelling/demolition costs in view of Members' suggestions, concerns and comments outlined above.

The meeting ended at 8.20 p.m.

CHAIR



## **Minutes of the Urban Environment Scrutiny Committee**

**Wednesday, 9th July, 2014 at 6.00 p.m.**  
**in Committee Room 2 at the Council House, Dudley**

### **Present:**

Councillor D Tyler (Chair)  
Councillor A Finch (Vice Chair)  
Councillors S Ali, J Cowell, W Duckworth, N Gregory, C Hale, I Kettle, P Miller,  
R Scott-Dow and E Taylor.

### **Officers:**

R Sims (Assistant Director, Adult, Community and Housing Services - Housing Strategy and Private Sector), (Lead Officer to the Committee), P Coyne (Assistant Director - Economic Regeneration and Transportation), G Dean (Head of Street and Green Care), N Ford (Manager of Executive Support Team), H Martin (Head of Planning), J Scott (Principal Executive Support Officer), M Williams (Assistant Director – Environmental Management) and Mrs K Buckle (Democratic Services Officer).

### 1 **Welcome**

The Chair welcomed all those present to the meeting.

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### 2 **Declarations of Interest**

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

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### 3 **Minutes**

Resolved

That the minutes of the meeting held on 24<sup>th</sup> March, 2014, be approved as a correct record and signed.

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### 4 **Annual Scrutiny Programme 2014/15**

The Committee considered a report of the Lead Officer and Director of Corporate Resources on the items proposed and suggested for inclusion in the Annual Scrutiny Programme for detailed consideration during 2014/15.

- (a) There followed a presentation by the Assistant Director of Economic Regeneration and Transportation in relation to Economic Development including inward investment. In relation to re-investment it was noted that in view of competition from Developers and the lack of available land, that speed was of the essence in dealing with issues including the cost to assemble sites and de-contamination.

The work with Local Enterprise Partnerships was outlined and the funding available to remove some of the risks from sites in order to make them readily available.

The requirement at Black Country Level to investigate funding streams, how land supply problems were being dealt with and in effect what was being carried out well and what could be dealt with better.

Following the presentation by the Assistant Director of Economic Regeneration and Transportation, Members asked questions and made comments which were responded to by the Assistant Director as follows:-

- That information sharing with Black Country neighbours was reciprocated by them with some enquiries emerging through the Local Enterprise Partnership in order to investigate sites across the four Black Country authorities, to ascertain best options and in order to retain existing businesses within the Dudley Borough;
- The availability of larger sites of land remained a problem as these may have to be assembled in terms of the need for access roads and de-contamination and the Council continually reviewed industrial sites across the Dudley Borough, in order to work both with owners and developers to obtain funding in order to make land available for those interested parties.
- The various commercial investments in the Dudley Borough during 2014/15 were outlined including the Castle Gate Development, the possible provision of a supermarket on the Cavendish House Site, Dudley, the investment in the market place and the provision of housing on Constitution Hill and surrounding areas.
- It was noted that new investment discussions were ongoing and there was a requirement to have a balance against a better portfolio of investment land together with the need to provide sites to existing businesses in order to create economic growth and retain those businesses within the Dudley Borough.
- That there continued to be robust auditing of new business funding streams.

- Reference was made to the advertising that had taken place in relation to the investment zone at the Waterfront, Brierley Hill, detailing the space available which would provide good office space and the two year business rate freeze that was offered as an incentive with a significant campaign taking place once the sale was completed.
- The work that was required with Black Country partners in relation to regional investment inquiries and the requirement to develop expertise with partners, in order to recognise the nature of the site required and the supply need in order to know how to develop the site.

Details of the Black Country Reinvestment Fund and the funding streams available from Europe in relation to investments for local businesses were referred to together with the presentation that Members had considered last year regarding that funding. The Assistant Director of Economic Regeneration and Transportation invited Members to consider whether to invite the Black Country Society to provide a further updated presentation to the Committee.

The Assistant Director of Economic Regeneration and Transportation also referred to further ring fenced investment for the Dudley Borough and in particular the funding available for assisted jobs and the work conducted with the Department for Trade and Industry, in relation to inward investment and job creation.

Following a discussion in relation to the provision of services to businesses by Dudley Business First, the Assistant Director of Economic Regeneration and Transportation undertook to investigate the possibility of providing property and landowners in the Dudley Borough with information in relation to Dudley Business First.

The Chair suggested that in order to investigate issues and problems with investment and Agents, that a Commercial Estate Agent be invited to a future meeting of the Committee.

The Assistant Director of Economic Regeneration and Transportation referred to future growth in the economy and the construction training and funding offered by the new College facility in Dudley and the wish to protect and expand engineering and manufacturing in the Dudley Borough. He also referred to the Burnt Tree project that had been completed in order to provide access to motorways.

The Lead Officer undertook to provide Members with details of the population resident in Dudley Town Centre.

- (b) The Assistant Director of Environmental Management outlined the area for scrutiny of Environmental Management, Commercial Services referring to strategies for waste and highway services. He advised that there were a number of services that operated on a commercial basis including trade waste and grounds maintenance.

The Assistant Director of Environmental Management referred to the following:-

- The requirement to expand on existing services and skills and the possibility of working with partners to develop services, although it was accepted that there was legislation constraints on the services that could be provided;
- Ensuring that employment opportunities were offered and the need to ensure a more robust framework in relation to proposed business opportunities;
- The requirement to be competitive in relation to tendering for services;
- The benchmarking data that was used to rate public services against the provision of services within the private sector and that the Council was reaching the top five percent in relation to many services it offered;
- That in expanding services this could benefit local businesses especially in relation to trade waste services;
- That following comparison soft market test exercises it had become apparent that there were certain services that could not be provided efficiently and an example was referred to relating to full re-construction of a carriageway;
- That in order to work efficiently should a team of workers be deployed to a particular area commercial interests would also be addressed within that same area;
- That there were dedicated trade waste crews and loyalty to those who procured Council services for example assisting with snow clearing at schools;
- That whatever services could be provided to provide added value for the public would be targeted including services for small businesses;

Following the presentation Members made comments and suggestions in particular relating to:-

That the provision of services by neighbouring authorities should be investigated;

A request for private sector bench marking data to be provided to future meetings of the Committee during the municipal year;

Following further discussion it was agreed that in relation to the early part of the Committee cycle Economic Development including Inward Investment be scrutinised followed by Environmental Management, Commercial Services in January 2015.

In relation to witnesses, the Chair suggested that further partners be identified particularly those that would provide a better understanding in relation to the business community and environmental recycling facilities.

Resolved

- (1) That the issues suggested for scrutiny in 2014/15 as recommended by the Overview and Scrutiny Management Board, and as set out in the report now submitted and expanded upon as set out above, be endorsed.
- (2) That a cross party working group be established in order to consider the items for scrutiny and conduct site visits as appropriate.

The meeting ended at 7.40 p.m.

CHAIR

## **Minutes of the Health Scrutiny Committee**

**Wednesday 16<sup>th</sup> July, 2014 at 6.00 p.m.**  
**in Committee Room 2 at the Council House, Dudley**

### **Present:-**

Councillor C Hale (Chair)  
Councillor C Elcock (Vice-Chair)  
Councillors N Barlow, K Turner, M Hanif, D Hemingsley, S Henley, M Roberts,  
K Shakespeare and E Taylor and Ms Pam Bradbury – Chair of Healthwatch

### **Officers**

M Farooq (Assistant Director – Law and Governance (Lead Officer to the Committee), A Sangian (Senior Policy Analyst – Directorate of Adult, Community and Housing Services) and M Johal (Democratic Services Officer – Directorate of Corporate Resources)

### **Also in Attendance**

Mr Richard Haynes – Dudley Clinical Commissioning Group  
Mr Jason Evans – Dudley Clinical Commissioning Group  
Ms Marsha Ingram – Dudley and Walsall Mental Health Partnership NHS Trust  
Ms Rosie Musson – Dudley and Walsall Mental Health Partnership NHS Trust

#### **1 Apologies for Absence**

Apologies for absence from the meeting were received on behalf of Councillors P Brothwood and K Jordan.

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#### **2 Declarations of Interest**

In accordance with the Members' Code of Conduct, non-pecuniary interests were declared by the following:-

Councillor S Henley in agenda item No 6 (Dudley and Walsall Mental Health Partnership NHS Trust) and agenda Item No 7 (Update on Urgent Care Development) in view of the fact that his partner works at Russells Hall Hospital as a Ward Clerk.

Councillor E Taylor in agenda item No 6 (Dudley and Walsall Mental Health Partnership NHS Trust) and agenda Item No 7 (Update on Urgent Care Development) in view of the fact that her daughter works at Russells Hall Hospital as a staff nurse.

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3 **Minutes**

**Resolved**

That the minutes of the meetings of the Health Scrutiny Committee held on 27<sup>th</sup> March and 8<sup>th</sup> April, 2014 be approved as correct records and signed subject to the following amendments to Minute No 62:-

Page No HSC/40 – To replace the date in the last sentence in the first paragraph from “8<sup>th</sup> May, 2014” to” 20<sup>th</sup> June, 2014”.

Page No HSC/42 – To delete the following words in the second bullet point, second paragraph “Walsall’s model as they were currently operating a combined facility” and replace with the words “examining a variety of designs and models”.

Page No HSC/45 – to replace the date in resolution No 3 from “May, 2014” to “July, 2014”.

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4 **Public Forum**

No issues were raised under this agenda item.

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5 **Dudley and Walsall Mental Health Partnership NHS Trust – CQC Assessment Outcome Update**

A report of the Dudley and Walsall Mental Health Partnership NHS Trust – Care Quality Commission Assessment (CQC) was submitted on the outcome of the recent assessment and on the actions that had been undertaken by the Trust to ensure full compliance with the CQC requirements. Copies of presentation slides were also circulated to Members of the Committee.

Arising from the presentation of the report Ms Ingram and Ms Musson responded to queries and comments made by Members as follows:-

- It was confirmed that the Trust had been made aware of the inspection visit in advance as it had been an announced visit. Although it was an announced visit it was pointed out that the Trust had not been aware of the framework and the specific areas or sites that were to be inspected. Members were assured that, where there were compliance concerns, spontaneous inspections were undertaken by the CQC and that the CQC also utilised various other methods to gather information for ongoing monitoring purposes.

- In relation to the query regarding any work being undertaken to address the Child and Adolescent Mental Health Services (CAMHS) out of hours pathway and whether it was an area of concern, it was reported that CAMHS, although not a high compliance issue, it was an area that had been identified where improvements should be made and subsequently a review of CAMHS was being undertaken.
- Responding to queries about staff and whether consideration had been given to addressing the issues, particularly that not all staff engaged in change, some felt bullied and were change exhausted, it was reported that the Trust had undergone various changes to services over the last three years and there had been some friction from staff. However, to alleviate some of these problems it had been agreed to utilise independent specialist advice with a view to engage with the staff to ascertain their feelings on change. With regard to maintaining staffing it was stated that NHS Trusts are required to publish the number of staff that are employed and that it was also mandatory to review staffing levels on a six monthly basis.
- It was confirmed that the Local Authority stakeholders for the Independent Mental Health Act services were primarily the Director of Adult, Community and Housing Services and the Assistant Director for Quality and Commissioning.
- With regard to the reference to building a high performing organisation and the framework associated to improved training and development for staff, it was reported that there was a comprehensive training programme, particularly for clinical staff, and that all staff had to complete mandatory training such as in health and safety. Inspectors had picked up on the need to offer training on specific areas such as dealing with patient cohorts and it was stated that there was a specific budget allocated for training requirements. Consideration was also being given to developing a training programme for staff to increase their awareness on dementia so that patients needs can be met. It was also stated that should there be staff shortages the Trust had their own internal “bank” of staff that they could utilise to ensure that continuous care could be given to patients.
- Regarding 4.1 – Compliance Notice 1 – Ensuring the dignity, privacy and independence of service users and the query about the number of mixed sex wards and whether they promoted or detracted dignity, it was reported that older adult wards were mixed, however, it was pointed out that they conformed to National Health Service (NHS) guidelines. There were certain issues where patients with dementia were concerned and there was a need to be acute to dignity in these cases. Efforts were made to draw up an Action Plan prior to the admission of patients to ensure that their individual needs could be met.



- There was a robust programme in place to ensure that information and leaflets were available in a variety of formats and, since the inspection, all wards had been inspected with a view to ensuring that information was available and updated.
- It was reported that each Ward had a designated activity co-ordinator and The Trust had pledged to undertake a complete review of inpatient activities with a view to expanding and exploring the delivery of activities during the out of hours period. Ms Ingram undertook to feedback the comments made about elder community groups and that various organisations, such as Age Concern, experienced similar difficulties and the suggestion that activity co-ordinators should collaborate with a view to developing a programme to benefit the community.
- Ms Ingram undertook to provide to the Senior Policy Analyst for circulation to Members a document containing information in relation to the timescales of completion for the actions plans and recommendations relating to the compliance areas. It was reported that the Action Plan was closely monitored by the Board.

In concluding the debate the Chair requested that an update report be submitted to the Committee for consideration at its meeting to be held in November, 2014.

### **Resolved**

- (1) That the information contained in the report and slides as circulated at the meeting on the new Care Quality Commission Assessment (CQC) processes and inspection regime and the outcome of the assessment, as contained in the report and slides circulated at the meeting, be noted;
- (2) That the work of the Trust undertaken to fully address the “Must, Should and Could” identified actions/areas for further improvement, be supported.
- (3) That a further update report from the Trust be submitted to the Committee at its meeting to be held in November, 2014.

## **6 Update on Urgent Care Development**

A report of the Chief Accountable Officer was submitted on progress made towards the opening of the new Urgent Care Centre (UCC) in Dudley.

Mr Evans and Mr Haynes in presenting the report also provided background information, highlighting the issues and concerns that had previously been discussed by the Committee, for the benefit of new Members,

Arising from the presentation of the report Mr Evans and Mr Haynes responded to queries and comments made by Members as follows:-

- It was expected that the new Urgent Care Centre (UCC) would open towards the end of April of next year and it was commented that it would genuinely be a better, safer and more efficient model of care.
- The bidding process was explained and it was reported that the applicants had been provided with a brief for the Centre and that they were expected to come back with suggestions and their offer by 10<sup>th</sup> August, 2014. Following the completion of this stage the service specification could be made available to the Committee for their perusal, together with preliminary drawings and floor plans to include the number of bays etc. The Multi-Disciplinary Panel would then scrutinise the information with a view to awarding the contract to the most suitable provider in early October.
- In relation to a query that an earlier version of the specification did not reflect what the GP service provision would be and their role in the initial assessment, if any, it was confirmed that although the GP's may not be doing the streaming the Urgent Care Centre would be a GP led service. However details relating to the exact numbers of GP's and other staff that would be available and on site at any given time would be finalised following submissions from potential providers. A flow diagram would also be made available.
- It was explained that the Urgent Care Facility would comprise of a single point of entry and that a robust process would be in place with a view to seeing patients. Patients that presented themselves by "walking in" or via ambulance at the Urgent Care Centre would be seen by a Senior Nurse for an initial assessment and depending on the outcome of the assessment the patient would be directed to the Urgent Care Centre or the Accident and Emergency Department for treatment.
- A significant amount of work had been undertaken in conjunction with NHS England to improve and develop GP practices. GP's had been encouraged to consider extending their opening hours which had a positive impact as the number of patients not being able to get an appointment with their GP had declined. Although retaining and recruiting GP's was a national problem and an ongoing challenge consideration was being given to attract GP's to Dudley. It was confirmed that discussions were taking place with a view to smaller practices combining and merging with the larger practices.
- With regard to an update on the position in relation to a twenty four hour pharmacy on site it was reported that although there were plans to explore the option it was the responsibility of the Dudley Group NHS Foundation Trust and a decision for them to make.
- In relation to whether any appropriate training would be given to the "navigator" to resolving conflict with patients it was reported that the current version of the specification contained more detailed information and that potential providers would also be scored on their suggested submissions.

- In relation to managing the increase in the numbers of patients, the potential delays that would occur and insufficient car parking spaces to cope with the demand, it was stated that there were various mechanisms in place to alleviate problems. These included the NHS 111 first call triaging for all patients that telephoned the centre who could potentially be offered a more appropriate alternative which may mean that the patient did not need to access the urgent care centre. Furthermore the urgent care centre would deal with minor injuries far more rapidly than the current Accident and Emergency service resulting in patients being on site for a lesser time. Also the centre offering booked appointments for the out of hours service would help to keep time spent on site for patients using this service to a minimum. The development of GP practice appointment capacity across Dudley and the opening of the maternity staff car park for public use would also help alleviate parking issues. Concerns about parking in adjacent roads and the arising problems for residents were noted.

Arising from discussions on parking issues and concerns the representatives of the Dudley Clinical Commissioning Group agreed to:-

Consider a contingency plan relating to parking issues being included in the Centre's Business Continuity and Disaster Recovery Plans;

Consider the suggestion for installing additional pay machines to alleviate the queuing problem;

Invite representatives of Interserve to the next meeting of the Committee to respond to concerns about parking fees and issues with concession passes;

Consider sharing the final specification document with Centro with a view to consideration being given to improve public transport to Russells Hall Hospital.

Circulate to Members of the Committee the final version of the specification, together with preliminary drawings and floor plans following the completion of the tendering process in August, 2014.

## **Resolved**

- (1) That the information contained in the report updating Members on the development of the urgent care centre, be noted;
- (2) That a further update report to include the final version of the specification be submitted to the meeting of the Committee to be held in September, 2014.
- (3) That representatives of Interserve be requested to attend the next meeting of the Committee with a view to responding on concerns relating to parking fees.

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8 **Work Programme 2014/15**

A report of the Lead Officer to the Committee was submitted on the health scrutiny work plan for 2014/15.

Arising from the presentation of the report the Chair suggested that Members contact him directly within the next seven days should they wish to include any further items in the work plan and that consideration for inclusion of any additional items would be made in consultation with the Vice-Chair and Lead Officer to the Committee.

The Chair requested that all relevant information and background papers relating to future reports be provided for information for the benefit of Members and also that reports and information be received together in advance of the meeting.

In response to a request the Senior Policy Analyst undertook to circulate to Members a hard copy of the [Local Authority Health Scrutiny: Guidance to support Local Authorities and their partners to deliver effective health scrutiny](#).

The Committee noted that since submission to the Overview and Scrutiny Management Board a change in the topic for the in-depth review for the Committee for 2014/15 was proposed and it was considered that the Committee's area for review should be Dudley Physical Activity and Sport Strategy.

**Resolved**

- (1) That, the information contained in the report and Appendix to the report submitted on the proposed work plan, be approved.
- (2) That Members be requested to inform the Chair within the next seven days of any further items that they wished to be considered for inclusion in the Committee's work programme.
- (3) That the Overview and Scrutiny Management Board be requested to consider the Committee's proposal to change the Committee's area for scrutiny from "Elements of Patient Experience in Acute Care" to "Dudley Physical Activity and Sport Strategy".
- (4) That, subject to approval of (3) above, a Working Group be appointed to consider the proposed area for scrutiny, Dudley Physical Activity and Sport Strategy, and that membership of the Group comprise the Chair and Vice-Chair of the Committee together with Councillors K Shakespeare, N Barlow, S Henley, P Brothwood and E Taylor.

The meeting ended at 8.40 p.m.

CHAIR

HSC/7

## **Minutes of the Health Scrutiny Committee**

**Monday 22<sup>nd</sup> September, 2014 at 5.00 p.m.**  
**in Committee Room 2 at the Council House, Dudley**

### **Present:-**

Councillor C Hale (Chair)  
Councillor N Barlow (Vice-Chair)  
Councillors D Brothwood, C Elcock, M Hanif, D Hemingsley, S Henley, K Jordan, I Kettle, M Roberts and E Taylor

### **Officers**

M Farooq (Assistant Director – Law and Governance (Lead Officer to the Committee), B Clifford (Interim Assistant Director for Adult Social Care), A Sangian (Senior Policy Analyst – Directorate of Adult, Community and Housing Services) and M Johal (Democratic Services Officer – Directorate of Corporate Resources)

### **Also in Attendance**

Ms Paula Clark – Chief Executive (Dudley Group NHS Foundation Trust)  
Ms Liz Abbis – Dudley Group NHS Foundation Trust  
Mr Robert Greaves – Dudley Group NHS Foundation Trust  
Dr David Hegarty – Dudley Clinical Commissioning Group  
Mr Richard Haynes – Dudley Clinical Commissioning Group  
Ms Laura Broster – Dudley Clinical Commissioning Group  
Mr Jason Evans – Dudley Clinical Commissioning Group  
Mr Neill Bucktin – Dudley Clinical Commissioning Group

## **9 Introductions and Comments by the Chair**

Members, Officers and all those present introduced themselves to the meeting.

The Committee noted that the Director of Corporate Resources had been notified of a change to the Conservative Group's appointments on this Committee and that Councillor Barlow would be the Vice-Chair with immediate effect.

With regard to Agenda Item No 6 – Dudley Group of Hospitals Care Quality Commission (CQC) Outcomes and Financial Strategy Update it was reported that the presentation to this meeting would cover an update on the financial strategy only and that a report on the CQC outcomes would be submitted to a future meeting.

The Chair referred to Agenda Item No 9 – Delayed Transfers of Care and informed the meeting that the item would be deferred to the next meeting pending further information.

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10 **Apologies for Absence**

Apologies for absence from the meeting were received on behalf of Councillor K Shakespeare and Ms Pam Bradbury – Chair of Healthwatch.

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11 **Appointment of Substitute Member**

It was reported that Councillor I Kettle had been appointed as a substitute member for Councillor K Shakespeare for this meeting only.

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12 **Declarations of Interest**

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

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13 **Minutes**

Reference was made to Minute No 6 – Update on Urgent Care Development with regard to preliminary drawings and floor plans and it was reported that these had not been circulated to Members as requested. In responding Mr Evans, Dudley Clinical Commissioning Group reported that the information was not as yet available due to a delay in the completion of the tendering process and that information submitted by the final two providers was currently being considered with a view to awarding a contract.

It was queried why there were no representatives of Interserve in attendance as the Committee had previously requested that they attend this meeting to respond to concerns relating to parking charges. The Senior Policy Analyst undertook to pursue the matter.

**Resolved**

That the minutes of the meeting of the Health Scrutiny Committee held on 16<sup>th</sup> July, 2014 be approved as a correct.

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14 **Public Forum**

No issues were raised under this agenda item.

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15 **Dudley Group of Hospitals Financial Strategy Update**

A presentation was made by Ms Clark – Chief Executive, Dudley Group NHS Foundation Trust to update the Committee on the Dudley Group of Hospitals Financial Strategy.

During the course of the presentation Ms Clark explained that the Trust, together with all Trusts in England, were under extreme financial pressure due to budget freezes over a number of years and a requirement to make efficiency savings, year on year. Trends in funding and demand, had in part led to a financial gap in the Dudley Group of £21 million for 2014/15 and £30 million over the next two years and in view of this the organisation and the wider health service had to change to meet the challenges. An array of measures were being considered to “balance the books” and difficult decisions would need to be made with a view to maintaining services and if required the withdrawal of some services.

Arising from the presentation and in responding to Members’ queries Ms Clark made the following points:-

- Although massive investment was being directed into Information Technology it was difficult to predict the amount of monetary savings that would be made as the initiative mainly focused on achieving a more efficient and integrated service that would save time on resources such as chasing manual records and duplication.
- An exercise had been undertaken to minimise agency staff, where possible, as it was recognised that this was a significant cost cutting measure and efforts would be made to recruit for the vacant posts in the near future. Latest figures on the number of agency staff that were still employed and those that were no longer with the Trust could not be given but it was stated that they had been reduced to approximately half the original number.
- The Trust were confident that the public were getting value for money and assured Members that this was not an area of concern.
- The projected deficit ranged from £7 million to £15 million and it was predicted that it would be in the region of £10 million. However, if the deficit reached the upper level, Monitor, the regulator would take over and be responsible for the “turnaround”.
- It was confirmed that the Trust were currently under investigation by Monitor and regular monthly review meetings were being held with them.
- It was acknowledged that there was a problem with bed management and patient flows and that discharge processes could be improved. The Trust were financially penalised for missed targets although it was pointed out that the fines were reinvested.

### **Resolved**

- (1) That the information contained in the presentation on the Dudley Group of Hospitals Financial Strategy, be noted.
- (2) That a report on the Care Quality Commission Outcomes be submitted to a future meeting of the Committee.

## Update on Urgent Care Development

A report of the Chief Accountable Officer was submitted on progress made towards the opening of the new Urgent Care Centre (UCC) in Dudley.

Mr Evans, Dudley Clinical Commissioning Group in presenting the report updated Members on progress made since the last meeting. He informed the Committee that they had contacted Centro with a view to consideration being given to improving public transport to the hospital.

There had been a slight delay in choosing the final provider and work was currently underway to consider the submissions of two providers with a view to selecting one of the two final bids and it was hoped to award the contract during October or November. It was explained that the selection process was complex and rigorous and had involved a large number of Panel members that had to judge and score the providers on their submissions which had inevitably led to some delays as Panel members had differing views and had to reach an agreement.

Arising from the presentation of the report and in responding to Members' queries representatives of the Dudley Clinical Commissioning Group made the following points:-

- Initially there had been expressions of interest from twenty providers and varying submissions had been made from both profit and non profit organisations. There was a limit to the amount of profit that could be made by the provider; it was a modest amount set by NHS contractual terms and a document detailing the legal and governance rules applicable could be provided, if required.
- In terms of patient confidentiality and access to records it was explained that it was essential that providers were Care Quality Commission registered as they are then governed by the rules. It was pointed out that non-clinical staff had to access patients records, however, patients had the option to have their records restricted by writing to NHS England. It was also commented that during the consultation process strong views had been expressed that the UCC should be able to access patients' medical history and General Practitioner (GP) records for efficiency purposes.
- An explanation was given on the process involved when patients attended the UCC and it was stated that patients could turn up to the centre at anytime but it was hoped that the 111 service would also be used so that patients could be directed to other appropriate services.
- With regard to the number of staff that would be available at the UCC at any one time it was commented that both providers' submissions contained varying numbers and levels of staff. However, it was confirmed that there would be in excess of fifty staff although that number of staff may not be on site and available at the same time.



- It was confirmed that there would be continual reviews and audits of processes would initially be undertaken on a daily basis to ensure a smooth and efficient service was being provided.
- Patient data was available which aided the determination of a safe ratio of staff and an assurance was given in that the service specification stated that the UCC should always have sufficient numbers of staff available. Monitoring processes were in place and penalties would be issued if it was found that there were staff shortages.
- When patients were initially assessed this would be conducted by a Senior Nurse and the patient would be streamed with a view to being assessed as an urgent or non urgent case. Insofar as the level of experience of the nurse it was stated that the specification specified Band 7 which was of a high level.
- Although there had been some delay in the procurement process owing to meticulous legalities it was anticipated that the scheduled timings would still be adhered to. However, if there were to be any slippage there was provision to extend existing contracts, if required.
- In relation to car parking it was pointed out that a number of actions had been taken to alleviate the problems including “freeing up” the maternity car park that had originally been allocated for staff. Since these further spaces had become available for public use there had been no noticeable issues with car parking, however, it was acknowledged that there were problems with broken barriers which caused traffic to tailback. Alternative plans for staff car parking were being pursued to include the introduction of a Travel Policy.

Some Members disagreed and commented that there were parking problems as they had received several complaints from members of the public. It was further commented that because of parking fees and parking problems people were parking in the surrounding roads which caused nuisance to residents. It was considered that provision should be made for a multi-storey car park.

- In response to a query on whether there would be provision for car parking spaces to be made available directly at the front entrance, particularly for patients that were elderly or had children, it was stated that although there were no allocated spaces, there would be a drop off and pick up point.

Members considered that patients, particularly in emergency situations, should not be burdened with the worry of parking their cars and then having to walk to the main entrance. A Member suggested that a marshalling service should initially be provided at the front entrance to assist elderly and unwell patients and it was considered that volunteers that currently worked at the hospital could be utilised.

- Regarding redirecting patients from the UCC and the danger of a potential increase in patients being redirected it was stated that the payment mechanism in place would prohibit this from happening and would be to the providers' disadvantage. Further details of financial incentives were available in the UCC Commissioning Standards document and could be circulated to Members for information, if required.
- There were various key performance indicators in place and random sample checks would be undertaken to ascertain that patients were appropriately redirected. However, following redirection to a third party provider or service outside of the UCC it was not possible to check whether the patient had attended.
- The rules relating to recharging patients from other areas and patients from abroad were explained. It was pointed out that when treating patients from other areas the relevant General Practitioners' Clinical Commissioning Group were recharged. It was stated that anybody could turn up to the Accident and Emergency section and the first point of call was to ensure the patient was safe and treated appropriately. General tariffs that were charged were given and a list of charges for all procedures and operations could be made available, if required.
- When a patient was initially registered a record would automatically be created and any follow up action recorded.
- Following the opening of the UCC there would initially be rigorous monitoring on a daily basis and data could be provided on patients at anytime. In response to a request it was confirmed that data information could be made available to Members with a view to providing updates on performance of the UCC.
- It was confirmed that there would be a sufficient number of GP's available and further information on the staffing structure could be made available once the contract had been awarded. It was also stated that staff employed at the current walk in centre would have the option to transfer if they so wished.
- It was confirmed that the provider was obligated to abide by the specification requirements including delivering a primary care service to children and ensuring that paediatric training and safeguarding awareness was a key component of the clinical and non-clinical UCC staff team.

A Member referred to the recent review of specialised mental health services for children and young people and asked if a copy of the report could be made available to Members.

The Chair requested that a further report be submitted to a future meeting of the Committee detailing information on the number of patients attending the UCC to include information on how they were assessed, whether treated or redirected. The report should also include information on the numbers of staff that were available over a twenty four hour period.

**Resolved**

- (1) That the information contained in the report and Appendix to the report on progress made towards the opening of the new Urgent Care Centre (UCC) in Dudley, be noted;
- (2) That a further report detailing information on the number of patients attending the UCC to include information on how they were assessed, whether treated or redirected and information on the numbers of staff that were available over a twenty four hour period, be submitted to a future meeting of the Committee.

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17 **Clinical Commissioning Group/Council: Better Care Fund Planning and Care Act Reforms – Update**

A report of the Chief Accountable Officer was submitted on the current position in relation to the Better Care Fund.

**Resolved**

- (1) That the information contained in the report submitted on the current position in relation to the Better Care Fund, be noted.
- (2) That a further detailed report be submitted to the next meeting of the Committee to be held in November, 2014.

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18 **Delayed Transfers of Care**

The Committee noted that the report had been deferred to the next meeting pending further information.

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19 **Future Meetings**

Following brief discussions on future meetings it was:-

**Resolved**

- (1) That reports to the next meeting include:-
  - (i) Delayed Transfers of Care
  - (ii) The Better Care Fund
  - (iii) Update on the Urgent Care Centre to enable questions to be formulated for a detailed discussion to be held in January, 2015.
- (2) That the next meeting of the Committee be held at 5pm if required and that timings of future meetings remain under review.

The meeting ended at 7.50 p.m.

CHAIR

**Minutes of the Corporate Performance Management, Efficiency and Effectiveness Scrutiny Committee**

**Thursday 4<sup>th</sup> September, 2014 at 6.00 pm**  
**In Committee Room 2, The Council House, Dudley**

**Present:-**

Councillor D Blood (Chair)  
Councillor B Cotterill (Vice-Chair)  
Councillors N Barlow, C Baugh, D Caunt, A Finch, S Henley, I Marrey, M Mottram and M Wood

**Officers:-**

G Thomas (Assistant Director, Policy and Improvement (Lead Officer to the Committee)), M Wooldridge (Principal Policy and Performance Management Officer) and J.Jablonski (Assistant Principal Officer(Democratic Services))

**Also in Attendance**

Chief Superintendent C Johnson – Dudley Local Policing Unit and S Haywood – Head of Community Safety – for agenda item number 5 only.

9 **Apologies for Absence**

Apologies for absence from the meeting were submitted on behalf of Councillors P Harley and D. Russell.

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10 **Appointment of Substitute Member**

It was reported that Councillor N Barlow had been appointed as a substitute member for Councillor P Harley for this meeting only.

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11 **Declarations of Interest**

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

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12 **Minutes**

Resolved

That the minutes of the meeting of the Committee held on 18<sup>th</sup> June, 2014, be approved as a correct record and signed.

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### **Dudley Local Policing Unit and Police and Crime Board – Priorities, Performance and Vision**

A report of the Dudley Local Policing Unit's Chief Superintendent was submitted on an update in respect of the Dudley Local Policing Unit and Dudley's Police and Crime Board priorities for 2014/15 and on an overview of the linkages to the role of the West Midlands Police and Crime Commissioner.

Following introductions, Chief Superintendent Johnson commented that he had been the Unit Chief Superintendent for ten weeks and had set out the key issues in his report. One change was that the elections for the new Police and Crime Commissioner had now been held and David Jamieson had been elected. It was noted that Mr Jamieson had been invited to attend the meeting of the committee to be held in February, 2014.

Chief Superintendent Johnson also commented that Dudley had the lowest ever crime figures and that these could now be checked and compared with comparable data. Also that HM Inspector of Constabulary had recently reported that the Force listened to people and had a good performance regarding the recording and reporting of crime.

Broadly, performance was on a par with the previous year with the exception of violent crime which was going up. However if domestic crime was excluded performance was on a par with previous years.

The increase in cases was however seen as a positive thing indicating the building of trust and confidence in reporting the crime. Also this was part of the role of the Unit in protecting vulnerable people.

Reference was then made to a television programme to be shown on Monday, the first of four such programmes on the Unit's work, together with partners, in trying to steer offenders away from a life of crime and cut reoffending rates. The focus was therefore on prolific offenders.

A Member then asked a question as to how violent crime was identified. In response Chief Superintendent Johnson referred to the range of such crime from murder to common assault involving pushes and shoves and everything in between. The vast majority of cases were at the lower end of the scale. The methods used to mitigate such crime were then referred to involving offender management in specific areas of activity. The aim was to try and manage situations by designing crime out of the situation.

Such measures and partnership working had led to the reduction in crime referred to earlier.

A Member then asked about the work undertaken in respect of child exploitation and the comment was made that this was treated differently now to previously with a lot of work undertaken through Child Safeguarding and the Child Exploitation Board.

Chief Superintendent Johnson reported that he would be happy to attend a future meeting of the committee together with an Officer from the Child Safeguarding Team to discuss the matter further.

The changes had arisen from the measures taken to restructure the Force so that all offences involving children were now dealt with within one team and in conjunction with the right partnerships.

Results had already been achieved from the new approach.

Regarding the new arrangements the Chair referred to an article on the Force website on the new arrangements which would mean that by the end of 2014 a tenth of all police officers in the West Midlands would work as part of the force's specialist Public Protection Unit.

A Member referred to the work undertaken as part of the unseen work of the Police and considered low crime rates as a double edged matter as the view could be that as there were low rates resources could be diverted away from an area which could then have an adverse effect..

Reference was then made to the provision of custody blocks involving 60 cells.It was reported that this was work in progress ,that it was planned to have three such blocks with the first in Oldbury opening in March,2015.This would impact on staff in Dudley but they should spend fewer hours than currently spent in custody blocks.

A Member then asked about female genital mutilation and whether there was any evidence of this happening in Dudley. In response it was reported that there was a problem in obtaining evidence but intelligence indicated that it did go on. Again this was an instance of a need to further built trust and gain confidence with communities. Reference was also made to the work carried on at the maternity unit at Russells Hall Hospital.

Regarding local crime and community safety priorities, reference was made to work to address these priorities being taken forward under six strategic themes outlined in paragraph ten of the report submitted. These needed to be made more tangible and form the basis for consultation with the public.

In this regard reference was made to a forthcoming meeting to be held on 16<sup>th</sup> September, 2014 at Netherton Arts Centre when the public would have the chance to talk directly to the people who deal with crime and disorder policies in Dudley Borough.

Following consultations held the outcomes would be reported to the Local Police and Crime Board for consideration and implementation in April,2015.

Regarding performance, reference was made to the performance data set out in paragraph 17 of the report. Overall the figures were good however in respect of customer satisfaction with anti-social behaviour more work would be done in this area

In response to comments made by a Member about Police not attending certain crimes it was reported that the Police would not be attending crimes such as vehicle crime. However these would be recorded and dealt with differently. This did not mean that such crime was considered to be unimportant .

Reference was then made to the composition of Police and Crime Board and in response to comments made Chief Superintendent Johnson, the current Chair of the Board, in consultation with Sue Haywood would review the composition in particular in respect of Council directorate attendees.

Arising from a comment made about the extensive refurbishment of Lloyd House Chief Superintendent Johnson undertook to provide a written response as to the costs involved of the works and commented that following completion of the works this would then free up other buildings held for sale

Resolved

That the information contained in the report and as reported at the meeting on future policing priorities for the Borough be noted and that Chief Superintendent Johnson be requested to arrange for the matters indicated above requiring attention to be actioned.

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14

### **Review of Corporate Services Utilisation**

A report of the Lead Officer was submitted on a proposed review of the Council wide utilisation of a range of corporate services to ensure that wherever possible existing corporate Council services were used by all Directorates and that existing council policies were appropriate and adhered to.

During the presentation of this matter it was reported that the proposed focus of the Committees review was those services outlined in paragraph 4 of the report. Paragraph 6 of the report proposed how the review was undertaken.



The first part of the review would be undertaken at the November, 2014 meeting of the committee with conclusions at the February,2015 meeting.

During the consideration of this matter it was agreed that information as to the percentage split between internal and external expenditure on the services to be reviewed be obtained.

Resolved

That the proposed scope of the review of Corporate Services Utilisation, as set out in the report submitted, be endorsed, together with the request for a percentage split between internal and external expenditure on the services to be reviewed.,

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15      **Corporate Quarterly Performance Management Report**

A report of the Chief Executive was submitted on the first Quarterly Corporate Performance Management Report for 2014/15 relating to performance for the period 1<sup>st</sup> April to 30<sup>th</sup> June,2014.

Arising from an overview of the content of the report by the Principal Policy and Performance Management Officer, Members asked questions to which responses were given, as follows:-

- Arising from consideration of PI 64 – Violence with Injury – it was agreed that the Lead Officer would arrange for consideration to be given to the reporting of figures relating to child sexual exploitation and report back to the committee.
- In relation to PI 501.it was agreed that the actual numbers involved, and not just percentages, be reported..

It was also noted that there were a further three PI's in this category but that they were reported annually.

- Arising from consideration of PI 145 – it was noted that a review was to be undertaken on days lost through accidents and so the nature and causes of accidents would be looked at as part of that review.
- Regarding benchmarking of performance it was noted that some performance indicators were benchmarked against whilst others were not. Waste for example was a national indicator however whilst such national indicators were available for inclusion in the report the figures currently available only relate to data up to March, 2013.
- In relation to Section 5 – Corporate Risk Register - concerns were raised over risks 0002 and 0021 – shown as Major risks but with no supporting detail as to actions being taken to mitigate those risks, the Lead Officer reported that the Audit and Standards Committee were responsible for considering the risk register and at their June meeting had considered risk 0021 therefore details were not duplicated in this report.

The Lead Officer would arrange for this issue to be considered further.

In response to comments made it was also agreed that future reports would include comparative figures for the previous year so that it was clearer as to how performance indicators were progressing.

Resolved

That the information contained in the Quarterly Performance Management Report in respect of performance for the period 1<sup>st</sup> April to 30<sup>th</sup> June, 2014, be noted together with the comments made at this meeting and that the Officers indicated undertake the actions referred to above.

The meeting ended at 7.43 pm.

CHAIR

## **Minutes of the Appointments Committee**

**Monday, 21<sup>st</sup> July, 2014 at 5.00 pm**  
**in Committee Room 3 at the Council House, Dudley**

### **Present:**

Councillor D Sparks (Chair)  
Councillor P Lowe (Vice-Chair)  
Councillors D Branwood, M Evans, J Foster, P Harley, R Harris and K Turner.

### **Officers:**

T Reilly (Assistant Director of Corporate Resources - Human Resources and Organisational Development)

#### 1 **Apology for Absence**

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

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#### 2 **Appointment of Substitute Member**

It was reported that Councillor D Branwood was serving in place of Councillor S Turner for this meeting of the Committee only.

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#### 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.

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#### 4 **Minutes**

Resolved

That the minutes of the meeting held on 6<sup>th</sup> November, 2013 be approved as a correct record and signed.

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5      **Exclusion of the Public**

Resolved

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

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6      **Process for Appointment of Chief Executive**

The Committee considered a report of the Assistant Director of Corporate Resources (Human Resources and Organisational Development) on the recruitment process in connection with the appointment of the Chief Executive.

The Assistant Director of Corporate Resources (Human Resources and Organisational Development) submitted an analysis of two quotes submitted, out of four invited, in relation to the appointment of a specialist organisation to support the recruitment process.

Resolved

- (1) That the quotes submitted by the two specialist organisations now reported, out of the four quotes invited, be received and considered.
- (2) That West Midlands Employers be appointed as the specialist organisation to support the recruitment process for the post of Chief Executive, on the basis of the quote submission as now reported, for a sum of £14,500 including a traditional search by HAYS plus additional advertising and technical assessor costs.
- (3) That following benchmarking by West Midlands Employers, the salary for the post be advertised on the basis set out in the report, with the ability to negotiate should this be necessary in exceptional circumstances.
- (4) That the proposed recruitment process be endorsed.
- (5) That the Assistant Director of Corporate Resources (Human Resources and Organisational Development) be authorised to implement the associated decisions of this Committee concerning the recruitment process and to take any necessary or consequential action as appropriate.

The meeting ended at 6.00 p.m.

CHAIR

APP/2

## **Minutes of the Audit and Standards Committee**

**Tuesday 8<sup>th</sup> July, 2014 at 6.00 p.m.**  
**in Committee Room 2, The Council House, Dudley**

### **Present:-**

Councillor J Cowell (Chair)  
Councillor M Roberts (Vice-Chair)  
Councillors A Aston, M Attwood, M Evans, A Taylor, K Turner and D Tyler (From Minute No. 8)

### **Officers:-**

I Newman (Treasurer); L Bourne (Principal Information Security Officer); L Bradshaw (Head of Audit Services); S Denyer (Senior Auditor - Special Projects); M Farooq (Assistant Director – Law and Governance); G Harrison (Audit Manager - Central Services); I McGuff (Assistant Director - Quality and Partnership); S Potter (Audit Manager - Education/Social Services); P Tart (Director of Corporate Resources); G Thomas (Assistant Director - Policy and Improvement); D Whorton (Principal Auditor - Special Projects) and K Taylor (Democratic Services Officer).

### **Also in Attendance:-**

S. Joberns (Grant Thornton)

#### 1. **Apologies for Absence**

Apologies for absence from the meeting were submitted on behalf of Councillors P Brothwood and D Russell.

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#### 2. **Appointment of Substitute Member**

It was reported that Councillor K Turner had been appointed as substitute member for Councillor P Brothwood for this meeting of the Committee only.

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#### 3. **Declarations of Interest**

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

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4. **Minutes**

Resolved

That the minutes of the meeting held on 17<sup>th</sup> April, 2014, be approved as a correct record and signed.

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5. **Grant Thornton Fee Letter 2014/15**

A report of the Treasurer was submitted on the planned audit fee for 2014/15 by the Council's external auditor, Grant Thornton. A copy of the letter was attached as an Appendix to the report submitted.

Resolved

That the information contained in the report, and Appendices to the report, submitted on the audit fee for 2014/15 be noted.

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6. **Re-Appointment of Standards Sub-Committee**

A report of the Director of Corporate Resources was submitted on the re-appointment of the Standards Sub-Committee.

The Director of Corporate Resources in his presentation of the content of the report and Appendix 1 to the report submitted, circulated a proposed amendment to the recommendation, in particular, that the Sub-Committee comprise four members of the Committee; two from the controlling group together with one member from each of the opposition groups represented on the Committee.

Resolved

- (1) That the decision of the Council at the annual meeting on 5<sup>th</sup> June, 2014 confirming that the proportionality requirements of the Local Government and Housing Act 1989, shall not apply to any Sub-Committee(s) established by the Audit and Standards Committee to hear complaints against Members under the Members' Code of Conduct, be noted.
- (2) That the Standards Sub-Committee be re-appointed for 2014/15 with its existing Terms of Reference and that the membership of the Sub-Committee comprise Councillors P Brothwood, J Cowell, M Roberts and A Taylor, two members from the controlling group together with one member from each of the opposition groups on the Committee.

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7. **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 Nos. 9, 7, 8, 12 and 13.

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8. **Risk Management**

A report of the Treasurer was submitted on current corporate risks and other matters relating to risk management, and to provide closer scrutiny of the Council's corporate risk – Risk ORG0021 – Children and Young People – that was identified for consideration by the Committee at a previous meeting.

The Assistant Director - Quality and Partnership tabled a written report and gave a verbal presentation in relation to the nature of a major risk facing the Council and the Directorate of Children's Services and the mitigating actions that were being used to manage the risk.

The Assistant Director - Quality and Partnership reported to the Committee that it was becoming difficult for the Council to mitigate against the risks to children and young people who were vulnerable to harm due to rising demand for services and contracting budgets.

Reference was made to the children protection five-year trend statistics, in particular, that the number of children subject to strategy discussions and requiring section 47 investigations had increased significantly from 2008/09.

The Assistant Director - Quality and Partnership reported that there were reductions in resources due to the Directorate of Children's Services commitment to the Medium Term Financial Strategy, which had resulted in the loss of over 100 posts, and a further 200 posts could go by 2017/18. It was noted that the reduction in resources had been taking place at a time when regulatory and statutory requirements upon the Directorate were increasing; expectations of the performance by regulators such as OfSTED and the general public continued to rise, and partner agencies were also experiencing resource reductions and therefore were less able to support joint working.

Reference was made to the mitigating actions implemented and within managing budget reductions the services for children in need of help and protection, children looked after and care leavers continued to be a priority. It was also anticipated that a service be developed to enable early help with families so that young people were not placed at risk.

The Assistant Director - Quality and Partnership referred to the importance of engaging other agencies such as, school's, police and the health service to play a greater role in service delivery.

Arising from the presentation, Members asked a number of questions and the Assistant Director - Quality and Partnership responded as follows:-

- That although Partner Agencies had reducing resources, their commitment to the service continued.
- In relation to the steps introduced to address and prevent risks to children, it was reported that a number of parenting programmes had been used to identify adults who were in need of support in their home or family situation, and support and advice would be arranged in relation to parenting skills.
- That there were relatively few incidents of significant harm to children in the Borough.
- Concerns were raised in regard to the increase of referrals since 2012.
- In relation to the potential problems arising from the continued reduction in resources, it was reported that increasing risks had become apparent and the steps to address this would be to allow children to remain in their homes and implement packages of support, however this could result in children living in more unpredictable situations.
- That Dudley Council are willing to explore alternative processes, such as partnership working with neighbouring authorities, however it had been apparent that some other authorities did not wish to participate.
- That a major consequence of reduction in resources in social care were the inability to engage in early help work and the difficulty in increasing the size of acute services to sustain the pace of demand, which resulted in social workers having complex and increased workloads.
- Following concerns raised in regard to the placement of children outside the Borough; the Assistant Director - Quality and Partnership undertook to provide Councillor Evans with comparison data in relation to the cost of internal and external care placements over a three year period.
- The Assistant Director - Quality and Partnership undertook to provide Councillor Tyler with data in relation to the percentage of children in care who were adopted or cared for by extended family members.
- In relation to the lack of funding for early intervention work, the Assistant Director - Quality and Partnership agreed that there could be improvements, and if additional funds were available for early help, it could reduce the risk to vulnerable children.
- The Assistant Director - Quality and Partnership acknowledged difficulties of initial contact and responses to referrals, however these were isolated incidents, and he was confident that contact duty workers were able to handle enquiries and referrals correctly and efficiently.



- In recent years due to West Midlands Police increasing the awareness of the importance to responding to Domestic Violence that involved children, contributed to the increase of referrals.

During his presentation of the content of the report, and Appendix 1 to the report submitted, the Treasurer referred, in particular, to the Committee giving consideration to identifying and scrutinising a specific risk from those shown in the Appendix for consideration when the Committee next considered the issue of corporate risks at its meeting in December, 2014.

Resolved

- (1) That the information contained in the report, and Appendix 1 to the report, submitted on current corporate risks and other matters relating to risk management, be noted.
- (2) That the risk ORG0021 – Children and Young People, be noted.
- (3) That the risk ORG0013 – Information Governance – be the particular risk identified for closer scrutiny the next time a risk report was referred for consideration by the Committee, on 9<sup>th</sup> December, 2014.
- (4) The Assistant Director - Quality and Partnership be requested to provide the following:
  - a) Councillor Evans with comparison data in relation to the cost of internal and external care placements over a three year period.
  - b) Councillor Tyler with data in relation to the percentage of children in care who were adopted or cared for by extended family members.

## 9. **Internal Audit Services Annual Performance and Review Report 2013/14**

A report of the Treasurer was submitted on an overview of the performance of Audit Services in the year to the 31<sup>st</sup> March, 2014 and to inform members of the Head of Audit Services review of Audit Services in line with the Accounts and Audit Regulations, 2011, which require the Council to conduct an annual review of the effectiveness of internal audit. The Head of Audit was also required to give an opinion on the system of risk management and internal control and this was referred to in paragraphs 21 and 22 of the report submitted.

Following a presentation of the content of the report and related Appendices to the report submitted, lettered A – D, the Head of Audit Services commented on the self assessment of good practice and effectiveness.

The Head of Audit Services undertook to circulate a self assessment checklist, based on the CIPFA model, to members of the Committee, to evaluate their skills and knowledge, with a possibility of training given for identified gaps. Feedback of the questionnaire would be reported at a future Committee meeting.

Members asked a number of questions and made comments that were responded to, in particular in respect of the effects caused by the reduction of planned work, that resulted in a number of audits cancelled or deferred.

Regarding the number of post-audit questionnaires returned in 2013/14, although this had increased by 22% from the previous year, a Member of the Committee believed this should be improved.

Resolved

That the information contained in the report, and Appendices to the report, submitted on the performance and review of Audit Services in 2013/14, be accepted and that the Head of Audit Services be requested to circulate the self assessment checklist to members of the Committee.

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10. **Committee Work Plan 2014/15**

A report of the Treasurer and the Director of Corporate Resources was submitted on a Committee Work Plan for 2014/15.

Resolved

That the information contained in the report, and Appendix 1 to the report, submitted be approved.

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11. **Exclusion of the Public**

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

<u>Description of Item</u>	<u>Relevant Paragraphs of Part I of Schedule 12A</u>
Annual Audit Report in relation to the Chief Executives Directorate	2 and 7
Annual Audit Report in relation to the Directorate of Corporate Resources	2 and 7

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12. **Annual Audit Report in relation to the Chief Executives Directorate**

A report of the Treasurer was submitted on the audit work, undertaken in the Chief Executive's Directorate for the financial year 2013/14 and incorporating details of the more important findings as indicated in Appendix 2 to the report submitted.

Arising from consideration of the report, and Appendix to the report, submitted Members asked a number of questions and made comments which were responded to, in particular, in respect of the management responses highlighted in the report, and emergency planning.

The Assistant Director - Policy and Improvement referred to a training course on Monday 6<sup>th</sup> October, 2014, and agreed to circulate an invitation to Members.

Resolved

That the findings of the 2013/14 audit work be accepted.

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13. **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 2013/14 and incorporating details of the more important findings as indicated in Appendices 2 and 3 to the report submitted.

In presenting the report, the Head of Audit Services referred to the increased number of recommendations for the Directorate, and stated that this resulted from audits undertaken in IT and HR and Organisational Development. The Head of Audit Services referred to discussions he had had with the Treasurer and Principal Information Security Officer in relation to IT, and assured the Committee that work was being undertaken.

Members asked a number of questions and made comments, which were responded to, in particular in respect of the management responses highlighted in the report.

In responding to a question by a Member, the Principal Information Security Officer undertook to provide Councillor Attwood with supplementary information in relation to the ICT software structure.

In responding to a question by a Member, the Head of Audit Services undertook to provide Councillor A Aston with supplementary information in relation to the implications of an Approved Bureaux status not being applied to a number of Academy Schools in order to undertake a BACS Approved Bureaux service.

Following comments made, the Director of Corporate Resources assured the Committee that work was being undertaken to address the recommendations highlighted in the report submitted.

Resolved

- (1) That the findings of the 2013/14 audit work be accepted.
- (2) That the Principal Information Security Officer be requested to provide Councillor Attwood with supplementary information in relation to the ICT software structure.
- (3) That the Head of Audit Services be requested to provide Councillor A Aston with supplementary information in relation to the implications of an Approved Bureau status not being applied to a number of Academy Schools.

The meeting ended at 8.05 p.m.

CHAIR

## **Minutes of the Development Control Committee**

**Monday 30<sup>th</sup> June, 2014 at 6.00 pm**  
**In Committee Room 2, The Council House, Dudley**

### **Present:-**

Councillor Q Zada (Chair)  
Councillor K Casey (Vice-Chair)  
Councillors A Ahmed, N Barlow, D Caunt, N Gregory, J Martin, C Perks and H Turner.

### **Officers:-**

G Breakwell (Senior Solicitor), T Glews (Public Protection Manager), I Hunt (Senior Project Engineer), M Johal (Democratic Services Officer), J North (Development Control Officer), P Reed (Principal Development Control Officer) and S Willetts (Planning Control Manager)

#### **1 Councillor J Woodall**

As a mark of respect following the death of Councillor J Woodall and funeral that day the Committee held a one minute silence.

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#### **2 Declarations of Interest**

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

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#### **3 Minutes**

Resolved

That the minutes of the meeting of the Committee held on 9<sup>th</sup> June, 2014, be approved as a correct record and signed.

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#### **4 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 had indicated that they wished to speak at the meeting and spoke on the planning applications indicated:-

<b><u>Application No</u></b>	<b><u>Objectors/supporters who wishes to speak</u></b>	<b><u>Agent/Applicant who wishes to speak</u></b>
P14/0612	Councillor A Taylor (Ward Councillor)	Mr David Folkes
P14/0647	Mr Paul Benge	
P14/0692	Councillor Colin Elcock (Ward Councillor) Mr Graham Dean	Ms Linda Vincent
P14/0759	Mr Kevin Street	Mr Mark Griffiths
P14/0793		Mr Troy Kidsley

<b><u>Application No</u></b>	<b><u>Location/Proposal</u></b>	<b><u>Decision</u></b>
P14/0612	Former MEB Headquarters, Mucklow Hill, Halesowen – Outline Application for the Erection of 66 No Dwellings (Access to be Considered)	Approved, subject to the applicant entering into a Section 106 Agreement to secure affordable housing on the site and conditions, numbered 1 to 41 (inclusive), as set out in the report submitted.
P14/0647	Land Adjacent to 8 Cross Street, Wall Heath, Kingswinford – Erection of 1 No Dwelling (Following Demolition of Existing Garage)	Deferred pending a Site Visit to be held prior to the next meeting of the Committee.
P14/0692	King Edward VI Sports Ground, Swinford Road, Oldswinford – Demolition of Existing Pavilion and Changing Rooms and Erection of a New Sports Pavilion with Associated Car Parking and Access	Deferred pending negotiations to take place with a view to increasing the car parking spaces available from twelve to twenty four, and should an agreement be reached, the Director of the Urban Environment be authorised to approve the application, subject to conditions, numbered 1 to 11, (inclusive) as set out in the report submitted, together with additional conditions, numbered 12 and 13, as follows:-

12. The building hereby approved shall be used between the hours of 0900 and 2100 only and shall not be used outside of these times, unless agreed in writing with the Local Planning Authority.
13. The building hereby approved shall only be used in association with a sports use, by schools, colleges and community sports groups and shall not be used for any other purpose unless agreed in writing with the Local Planning Authority.

P14/0759	Land Between 6 and 8 Lawn Street, Stourbridge – Erection of 1 No Dwelling	<p>Approved, subject to conditions, numbered 1 to 3 and 5 to 10 (inclusive), as set out in the report submitted together with an amended condition, numbered 4, as follows.</p> <ol style="list-style-type: none"> <li>4. No part of the development shall be commenced until large scale drawings of verges, eaves, dormers chimneys, window and door surrounds have been submitted to and approved in writing by the Local Planning Authority and thereafter the development shall only be carried out in accordance with these details.</li> </ol>
P14/0793	<p>Everley Retirement Home, 15 Lyde Green, Cradley, Halesowen –</p> <p>Part A – One and Two Storey Side, Single Storey and Orangery to Western Side and Rear of Building</p> <p>Part B – First Floor Rear Extension to Eastern Side of Building, Laundry Room Extension to Rear and Internal Alterations. Enlarge Existing Vehicular Access</p>	<p>Part A of the application be refused for the following reason:-</p> <p>The western elevation extension, due to both its distance from scale and location is considered to have an adverse/overbearing impact on the amenity of the neighbouring property at number 17. This is particularly due to the impact of extension on the only side habitable room (kitchen) at ground floor. Consequently the proposed works are considered contrary to the provisions of policies DD1 and DD2 of the saved Dudley Unitary Development Plan 2005.</p>

Part B of the application be approved subject to conditions, numbered 1 to 3, as follows:-

1. The materials to be used in the approved development shall match in appearance, colour and texture to those of the existing building unless otherwise agreed in writing with the Local Planning Authority.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 10-442-3 P2, 10-442-4 P2 and 10-442-6.
3. No materials other than those indicated on the approved plans shall be used without the approval in writing of the Local Planning Authority.

P14/0049	P14/0049 – 25A Brick Kiln Street, Quarry Bank, Brierley Hill – Demolition of Existing Dwelling and Erection of 6 No Dwellings	Approved, subject to conditions, numbered 1 to 12 (inclusive), as set out in the report submitted.
P14/0211	Churchill Drive, Amblecote, Stourbridge – Installation of External Wall Insulation to 29 Homes in Churchill Drive only Including Replacement of Single Glazed Windows to Double Glazed UPVC Windows and Loft Insulation.	<p>Deferred pending discussions to take place with a view to properties being finished with like for like material so that it does not affect the street scene, and should an agreement be reached, the Director of the Urban Environment be authorised to approve the application, subject to conditions, numbered 1 and 3, as set out in the report submitted, together with amended condition, numbered 2, as follows:-</p> <ol style="list-style-type: none"> <li>2. The development hereby permitted shall be carried out in accordance with the following approved details: Amended site location plan (excluding dwellings to Vicarage Road) and specification.</li> </ol>



P14/0403	3 Birmingham Street, Dudley – Change of use to D1 (Non Residential/Education)	Approved, subject to conditions, numbered 1 to 4 and 6 to 8 (inclusive), as set out in the report submitted, together with varied condition, numbered 5, as follows:-  5. Prior to the first use of the premises, boundary fencing as indicated on the hereby approved plan shall have been erected in accordance with approved details to the rear of the dwellings on Bourne Street and within six months of the date of this approval, to site boundaries adjacent to Birmingham Street and thereafter maintained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.
P14/0405	Sterling Dental Ceramics Ltd, 127 Coombs Road, Halesowen – Two Storey Rear Extensions to Lower and Ground Floors and New Secure Car Parking Building to Rear (Resubmission of Withdrawn Planning Application P13/1344)	Approved, subject to conditions, numbered 1 to 8, (inclusive), as set out in the report submitted, together with an additional condition, numbered 9, as follows:-  9. The turning area shown on Drawing Number 8001-501E shall be kept clear and used for no other purpose than for the manoeuvring of vehicles for the lifetime of the development. All vehicles shall access and egress Coombs Road in a forward gear.
P14/0542	Land off Marine Crescent, Wordsley, Stourbridge – Erection of 27 No Dwellings with Associated Car Parking, Installation of New Access Road from Marine Crescent (Resubmission of Withdrawn Planning Application P13/0414)	Deferred pending further information to clarify affordable housing levels and details of abnormalities associated with this particular site that renders it unviable.

P14/0571	Former Future Skills (Dudley), Griffin Street, Netherton, Dudley – Change of use from Former Housing training Depot to Education Centre (D1) with Elevational Changes, Fencing and Double Gates	Approved, subject to conditions, numbered 1 to 5, (inclusive), as set out in the report submitted.
P14/0602	5 Highland Mews, Coseley – Two Storey and First Floor Side Extension and New Front Porch	Approved, subject to conditions, numbered 1 to 3, (inclusive), as set out in the report submitted.
P14/0664	Former Male and Son, Corbyns Hall Lane, Pensnett – Outline Residential Development (All Matters Reserved)	Approved, subject to:- <ul style="list-style-type: none"> <li>(a) The applicant entering into a Section 106 Agreement for a Transport Infrastructure Improvements contribution (to be calculated at the relevant reserved matters stage), and the provision of up to 25 percent affordable housing units (exact number, location, type and tenure to be calculated/agreed at the relevant reserved matters stage) together with a management monitoring charge.</li> <li>(b) Conditions, numbered 1 to 14 (inclusive), as set out in the report submitted, together with an additional condition, numbered 15, as follows:-</li> </ul>

15. Development shall not begin until a scheme for protecting residents in the proposed dwellings from noise from road traffic on High Street has been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be completed before occupation of the permitted dwellings, unless otherwise agreed in writing by the Local Planning Authority. The protection measures in the agreed scheme shall be maintained throughout the life of the development.

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

P14/0755	88A Station Road, Brierley Hill – Single Storey Rear Extension	Approved, subject to conditions, numbered 1 to 3, (inclusive) as set out in the report submitted.
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## 5 **Confirmation of Tree Preservation Orders**

A report of the Director of the Urban Environment was submitted requesting consideration as to whether Tree Preservation Orders TPO/0066/HAS (Dogkennel Lane, Halesowen), TPO/0067/HAS (Waxland Road/Romsley Close, Halesowen), TPO/0068/HAS (Overbury Close, Halesowen), TPO/0076/WST (South Road, Norton) should be confirmed with or without modification in light of the objections that had been received.

Resolved

- (a) That Tree Preservation Order TPO/0066/HAS, (Dogkennel Lane, Halesowen), be confirmed subject to the following modification:
  - Tree 11 is deleted from the order
- (b) That the Tree Preservation Order TPO/0067/HAS, (Waxland Road/Romsley Close, Halesowen), be confirmed subject to the following modification:
  - The plan and schedule to be corrected to reflect the accurate locations of the T15 and T16.
- (c) That the Tree Preservation Order TPO/0068/HAS, (Overbury Close, Halesowen), be confirmed without modification:

- (d) That the Tree Preservation Order TPO/0076/WST, (South Road, Norton), be confirmed without modification:
- 

5 **Development Control Performance 1<sup>st</sup> April 2013 – 31<sup>st</sup> March 2014**

A report of the Director of the Urban Environment was submitted on the performance of the Development Control Section for the period 1<sup>st</sup> April 2013 – 31<sup>st</sup> March 2014. The report included details of the processing of planning applications, appeals, enforcement investigations and trees and an update on the planning policy.

Arising from the presentation of the report the Planning Control Manager undertook to seek clarification on the discrepancy in the figures given in relation to the number of cases that had been closed.

Resolved

That the information contained in the report submitted, on the performance of the Development Control Section for the period 1<sup>st</sup> April 2013 – 31<sup>st</sup> March 2014 and updates to the planning policy, be noted.

The meeting ended at 8.30 pm.

CHAIR

**Minutes of the Development Control Committee**

**Tuesday 22<sup>nd</sup> July, 2014 at 6.00 pm**  
**In Committee Room 2, The Council House, Dudley**

**Present:-**

Councillor Q Zada (Chair)  
Councillor K Casey (Vice-Chair)  
Councillors A Ahmed, N Barlow, D Caunt, N Gregory, J Martin, C Perks and  
H Turner.

**Officers:-**

G Breakwell (Senior Solicitor), J Butler (Group Engineer), M Johal (Democratic  
Services Officer), H Martin (Head of Planning) D Owen (Principal Planning Officer),  
P Reed (Principal Development Control Officer) and S Willetts (Planning Control  
Manager)

6 **Declarations of Interest**

In accordance with the Members' Code of Conduct Councillor K Casey declared a  
non-pecuniary interest in Planning Application No P14/0959 (Mons Hill Cottage, 1  
Mons Hill, Woodsetton, Dudley) in view of the reference to the Member of  
Parliament (MP) for Dudley North as he works for the MP.

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7 **Minutes**

Resolved

That the minutes of the meeting of the Committee held on 30<sup>th</sup> June, 2014,  
be approved as a correct record and signed.

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8 **Site Visit**

Consideration was given to the following planning application in respect of which  
Members of the Committee had undertaken a site visit earlier that day.

<u>Application No</u>	<u>Location/Proposal</u>	<u>Decision</u>
P14/0647	Land Adjacent to 8 Cross Street, Wall Heath, Kingswinford – Erection of 1 No Dwelling (Following Demolition of Existing Garage	Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.

9 **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 had indicated that they wished to speak at the meeting and spoke on the planning applications indicated:-

<u>Application No</u>	<u>Objectors/supporters who wishes to speak</u>	<u>Agent/Applicant who wishes to speak</u>
P14/0599	Councillor C Elcock (Ward Councillor) Ms Ann Little	Ms Karen Silvera
P14/0637	Mr Mark Jeavons	Mr Anthony Frost-Acoustic Consultant
P14/0788	Mr Ian Gay	

<u>Application No</u>	<u>Location/Proposal</u>	<u>Decision</u>
P14/0599	Gigmill County Primary Infant School, The Broadway, Stourbridge – Single storey extensions to create 4 No Classrooms, a new staffroom and increased dining room facilities. Enlarge and improve access to 3 No classrooms and continued use of mobiles. New nursery playground.	Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.

P14/0637

Land at Junction of Oak Lane and Holbeache Lane, Kingswinford – Change of use of vacant land to land for open storage of empty skips and lorry parking with concrete hardstanding, 2M high boundary fencing and new vehicular access with entrance gates.

Approved, subject to conditions, numbered 1, 3, 7 to 9 and 11, as set out in the report submitted, together with amended conditions, numbered 2, 4, 5, 6 and 10, as follows:-

2. No further use shall take place until details of the landscaping scheme for the application site (including the adjacent highway land) are submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented in accordance with the approved details before any use recommences. The approved scheme shall be retained as such in perpetuity.
  
4. No further use shall take place until details of the types, sizes and location of the boundary treatments and the proposed acoustic boundary fencing around the site is submitted to and approved in writing by the Local Planning Authority. The acoustic fencing details shall include details of the access points for badgers. This shall comprise of specialist 'badger gates' or appropriate gaps in the lower margins of fencing to facilitate use of the site by other species. The approved boundary detailing and acoustic fencing shall be implemented prior to the use recommencing in accordance with the details approved and retained as such in perpetuity.

5. No further use shall take place until the means of access and parking area are provided in accordance with the approved details and graded, levelled, surfaced, drained and marked out. These areas will be implemented prior to any recommencement of use and maintained as such for no other purposes for the life of the development.
6. No further use shall take place until a suitable person/s with accompanying wildlife brief to undertake a watching brief at the development site from the start of the works until completion shall be agreed in writing by the Local Planning Authority. If any protected species are found all works shall cease and will not resume without written consent from Natural England. The development shall be carried out in accordance with the agreed details.
10. No further use shall take place until a scheme for a continuous acoustic barrier bund constructed along the western boundary of the site, of minimum height of 4 metres and minimum surface density of 10kg/m<sup>2</sup> shall be submitted to and approved in writing by the Local Planning Authority. The acoustic bund, as agreed, shall be implemented on site prior to any recommencement of use on site and the acoustic barrier bund shall be retained throughout the life of the development.

P14/0788

25 Lutley Lane, Hayley Green, Halesowen – Loft conversion to create 1 No apartment with rear dormer (Resubmission of withdrawn application P13/1069)

Approved, subject to conditions, numbered 1 to 9 (inclusive), as set out in the report submitted.



P14/0542	Land off Marine Crescent, Wordsley, Stourbridge – Erection of 27 No dwellings with associated car parking, installation of new access Road from Marine Crescent (Resubmission of withdrawn planning application (P13/0414))	<p>Approved, subject to the following:-</p> <ul style="list-style-type: none"> <li>(a) The applicant entering into a Section 106 Legal Agreement for the provision of four affordable housing units and a managing and monitoring charge;</li> <li>(b) In the event that the Section 106 Agreement has not been completed within two months of the resolution to grant approval, the application be refused, if appropriate.</li> <li>(c) Conditions, numbered 1 to 25 (inclusive), as set out in the report submitted.</li> </ul>
P14/0741	1 Thames Close, Pensnett, Brierley Hill – Single Storey Front/Side Extension (Retrospective)	Refused for the reason as set out in the report submitted and that the Director of the Urban Environment be authorised to take Enforcement Action to remove the unauthorised extension.
P14/0753	Lye & Wollescote Cemetery Chapel, Cemetery Road, Lye, Stourbridge – Change of use from Cemetery Chapel (D1) to Venue for Civil Ceremonies and Associated Offices (B1) with external alterations to include new windows, doors and access ramp, upgrade cemetery access and creation of parking areas	Approved, subject to conditions, numbered 1 to 16 (inclusive), as set out in the report submitted.

P14/0754	Lye & Wollescote Cemetery Chapel, Cemetery Road, Lye, Stourbridge – Listed building consent for internal and external alterations to include new windows, doors and access ramp and upgrade cemetery access	Approved, subject to conditions, numbered 1 to 12 (inclusive), as set out in the report submitted.
P14/0766	15, 37, 51, 65 and 71 Valley Road, Upper Gornal – Crown thin 1 Beech Tree by 10%: crown thin 3 Beech Trees by 20%, 5M crown lift and prune: crown lift 1 Scotts Pine by 5M and reduce weight from limb over hanging highway	Approved, subject to the condition, numbered 1, as set out in the report submitted.
P14/0767	55 Glen Road and 23, 27, 32, 37 and 42 Tudor Road, Upper Gornal – Crown thin 3 Beech Trees by 20% and crown lift by 5M and prune back; crown thin 1 Beech Tree by 10% and crown lift by 5M; crown thin 1 Beech Tree by 20% and crown lift by 5M: crown lift 1 Beech Tree and prune back	Approved, subject to the condition, numbered 1, as set out in the report submitted.
P14/0796	351 Hagley Road, Stourbridge – Erection of shed in rear garden (retrospective)	Approved, subject to the condition, numbered 1, as set out in the report submitted.

P14/0845	Norton House, Moor Street, Brierley Hill – Outline Application for Residential Development (all matters reserved) (Resubmission of withdrawn planning application P13/0876)	Approved, subject to the following:- (a) The applicant entering into a Section 106 Legal Agreement to provide affordable dwelling units within the development, if appropriate; (b) Conditions, numbered 1 to 13 (inclusive), as set out in the report submitted.
P14/0860	27 Greenway, Sedgley, Dudley – Crown thin 5 Beech Trees, crown lift up to 5.5 metres and prune back from property by 3 metres	Approved, subject to the condition, numbered 1, as set out in the report submitted.
P14/0959	Mons Hill Cottage, 1 Mons Hill, Woodsetton, Dudley – Two storey side extension (Resubmission of part refused application P13/1826)	In considering the application several Members were of the opinion that the extension would not be harmful to the character and appearance of the area and therefore it was resolved:-  That the application be approved and that the Director of the Urban Environment, in consultation with the Chair, be authorised to approve related conditions.

10    **Enforcement Report**

A report of the Director of the Urban Environment was submitted on whether enforcement action should be authorised in respect of 70, High Street, Dudley.

**Resolved**

That the Director of the Urban Environment be authorised to take enforcement action against the property at 70 High Street, Dudley to remove the unauthorised UPVC windows.

The meeting ended at 7.45 pm.

CHAIR

DC/23

**Minutes of the Development Control Committee**

**Monday 11<sup>th</sup> August, 2014 at 6.00 pm**  
**In Committee Room 2, The Council House, Dudley**

**Present:-**

Councillor Q Zada (Chair)  
Councillor K Casey (Vice-Chair)  
Councillors N Barlow, D Caunt, J Martin, C Perks and Scott-Dow

**Officers:-**

S Ahmed-Aziz (Solicitor), J Butler (Group Engineer), J Dunn (Tree Protection Officer), N Howell (Senior Development Control Officer), M Johal (Democratic Services Officer), H Martin (Head of Planning), C Mellor (Principal Planning Enforcement Officer), D Owen (Principal Development Control Officer), N Powell (Head of Environmental Health) and S Willetts (Planning Control Manager)

11 **Apologies for Absence**

Apologies for absence from the meeting were submitted on behalf of Councillors N Gregory and H Turner.

12 **Appointment of Substitute Member**

It was reported that Councillor Scott-Dow had been appointed as a substitute member for Councillor H Turner for this meeting only.

13 **Declarations of Interest**

In accordance with the Members' Code of Conduct Councillor K Casey declared a non-pecuniary interest in Planning Application No P14/0981 (Amenity Space Adjacent to Sedgley Road/Parkes Hall Road, Dudley) as he had been heavily involved in the campaign with local residents and the Royal British Legion and he withdrew from the meeting during consideration of the application.

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14 **Minutes**

Resolved

That the minutes of the meeting of the Committee held on 22<sup>nd</sup> July, 2014, be approved as a correct record and signed.

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15 **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 had indicated that they wished to speak at the meeting and spoke on the planning applications indicated:-

<b><u>Application No</u></b>	<b><u>Objectors/supporters who wishes to speak</u></b>	<b><u>Agent/Applicant who wishes to speak</u></b>
P14/0765	Mrs Nichols	Mr M Ledington
P14/0847	Mr Chattha	Mr L Brown of Blakemore Retail Ltd
P14/0868	Ms Lindsey Whatmore	Mr R Smart
P14/0887	Mr David Price	Mr M Ali
TPO/0078/PED	Mr Wragg	

<b><u>Application No</u></b>	<b><u>Location/Proposal</u></b>	<b><u>Decision</u></b>
P14/0765	Public Open Space Between Murdoch Drive and Barton Lane and 11 Fellows Avenue, Wall Heath Part A: Fell 6 Pine Trees, Fell 1 Spruce Tree, Fell 1 Horse Chestnut Tree; Prune 5 Lime Trees Part B: Fell 4 Pine Trees; Fell 3 Spruce Trees; Fell 1 Oak Tree; Fell 1 Hawthorn Tree; Fell 3 Sycamore Trees; Crown Reduce 4 Leylandii Trees; Crown Reduce 14 Lime Trees	(1) That Part A of the application be refused for the reason as set out in the report submitted.  (2) That Part B of the application be approved, subject to conditions, numbered 1 and 2, as set out in the report submitted.

P14/0847	159-161 Bridgnorth Road, Wollaston, Stourbridge – Removal of party wall, new shopfront and entrance doors, rear delivery doors and ramp, ATM machine and anti-ram bollards	Approved, subject to conditions, numbered 1 to 3 (inclusive), as set out in the report submitted.
P14/0868	5 Vicarage Road West, Woodsetton, Dudley – Erection of single storey detached garage in rear garden (part retrospective)	<p>During consideration of this application Members expressed concern at the overall size of the structure and it was considered that it would have a detrimental impact on the amenity of residents.</p> <p>Refused, for the following reason:-</p> <ol style="list-style-type: none"> <li>1. That the height and general size of the detached building is inappropriate in terms of scale and overly large within the setting of the rear garden adversely impacting upon the character of the area and detrimental to residential amenity and the outlook from neighbouring properties, contrary to Saved Policy DD4 of the Dudley UDP (2005).</li> <li>2. That enforcement action be authorised for its removal.</li> </ol>
P14/0887	68 Windmill Hill, Cradley – Infill extension to create an extension to existing A5 takeaway unit at 68 Windmill Hill with fume extraction at rear (retrospective). Internal alterations, single storey rear extension and new shop front with steps (proposed)	Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.

P14/0371	<p>Land Rear of 17A – 33 Norfolk Road, Wollaston, Stourbridge – Demolition of existing brick building to erect 8 No support living residential units and 1 No carers unit over two storeys, re-use of existing access road and associated new car parking, landscape gardens and retaining walls</p>	<p>Approved, subject to conditions, numbered 1 to 5 and 7 to 19 (inclusive), as set out in the report submitted, together with an amended condition, numbered 6, as follows:-</p> <p>6. No development shall commence until details of nature conservation enhancement and mitigation works have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried in full accordance with the approved details prior to first occupation of the development and shall be maintained thereafter for the life of the development. The works shall not include the provision of an artificial badger sett at the site unless otherwise agreed in writing by the Local Planning Authority and it has been demonstrated to the Local Planning Authority that the provision of the artificial badger sett is an essential requirement (i.e. a Natural England Licence condition) to allow the development to proceed.</p>
P14/0553	<p>Streetbike, Mucklow Hill, Halesowen – Change of use to A1 and A5 use. Two storey side extension with new access stair and lift, first floor extension, blocking up of windows, doors and roller shutters. Associated works to care park.</p>	<p>It was reported that the application had been withdrawn from consideration at this meeting.</p>

P14/0854	Freebodies Tavern Public House, St John's Road, Dudley – Demolition of vacant public house and erection of 10 No dwellings with associated car parking.	That the application be approved, subject to the following:-  (1) That the applicant be invited to make an application to the Secretary of State, under Section 247 of the Town and Country Planning Act 1990 to close, create and improve highways as shown on drawing No 2084/03/Rev E and NATTRAN/WM/S247/1445 to enable development authorised by planning permission to take place. The full costs and works to the Local Authorities' satisfaction shall be met by the developer;  (2) Conditions numbered 1 to 20 (inclusive) as set out in the report submitted.
P14/0870	39 Manor Abbey Road, Halesowen – Proposed modifications and alterations to existing dormer window and roof	Approved, subject to conditions, numbered 1 to 3 (inclusive), as set out in the report submitted.
P14/0955	56 Guys Lane, Lower Gornal, Dudley – Two Storey Side Extension. New retaining wall and parking area	Approved, subject to conditions, numbered 1 to 6 (inclusive), as set out in the report submitted.
P14/0981	Amenity Space Adjacent to Sedgley Road/Parkes Hall Road, Dudley – Relocation of existing war memorial from Mount Tabor Methodist Church to Land Corner of Parkes Hall Road/Sedgley Road	Approved, subject to conditions, numbered 1 to 3 (inclusive), as set out in the report submitted.
P14/1018	16 Bowling Green Road, Stourbridge – Two Storey Side Extension	Approved, subject to conditions, numbered 1 to 4 (inclusive), as set out in the report submitted.



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16 **Confirmation of Tree Preservation Orders**

A report of the Director of the Urban Environment was submitted requesting consideration on whether Tree Preservation Orders TPO/0075/NOR (Greyhound Lane, Norton), TPO/0084/NOR (Mere Road, Norton), TPO/0078/PED (Red Hill/Red Hill Close, Oldswinford), TPO/0079/AMB (Marylebone Close, Stourbridge) should be confirmed with or without modification in light of the objections that had been received.

**Resolved**

- (a) That Tree Preservation Order TPO/0075/NOR, (Greyhound Lane, Norton), be confirmed subject to the following modifications:
  - Tree 2 and Tree 4 to Tree 7 to be deleted from the order
- (b) That the Tree Preservation Order TPO/0084/NOR (Mere Road, Norton), be confirmed subject to the following modification:
  - The plan and schedule to be corrected to reflect the accurate species of T3 and T4.
- (c) That the Tree Preservation Order TPO/0078/PED (Red Hill/Red Hill Close, Oldswinford), be confirmed without modification.
- (d) That the Tree Preservation Order TPO/0079/AMB (Marylebone Close, Amblecote, Stourbridge), be confirmed without modification.

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17 **Consultation on the Community Infrastructure Levy (CIL) Revised Draft Charging Schedule and Recommendation to Council for Subsequent Submission**

A report of the Director of the Urban Environment was submitted on progress regarding the development of a Community Infrastructure Levy (CIL) and seeking approval for the revised Draft Charging Schedule (DCS) and revised Draft Regulation 123 List to be published for a six week period of consultation and recommendation to Council that the Draft CIL Charging Schedule subsequently be submitted to the Secretary of State for independent examination.

**Resolved**

That Cabinet's approval of the publication of the revised Draft CIL Charging Schedule for a six week period of public consultation between 11<sup>th</sup> July to 22<sup>nd</sup> August, 2014, be noted.

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18 **Public Consultation on the Dudley Borough Development Strategy 'Preferred Options' Document**

A report of the Director of the Urban Environment was submitted on Cabinet's approval for the Preferred Options stage of the Dudley Borough Development Strategy document to be used as a basis for public consultation commencing in July 2014 for a period of nine weeks.

**Resolved**

That Cabinet's decision to approve the Dudley Borough Development Strategy Preferred Options document to be used as a basis for public consultation commencing on Friday 11<sup>th</sup> July, 2014 for a period of nine weeks, be noted.

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19 **Updating the Database of Locally Important Buildings and Structures: The Local List**

A report of the Director of the Urban Environment was submitted seeking approval for publication and consultation of a revised set of criteria by which buildings and structures are deemed suitable to be included on a database of Locally Important Buildings and Structures, otherwise known as the Local List.

**Resolved**

That the publication and consultation of a revised set of criteria by which buildings and structures are deemed suitable to be included on a database of Locally Important Buildings and Structures (the Local List) ready for public consultation, be approved.

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20 **Enforcement Action**

A report of the Director of the Urban Environment was submitted on whether enforcement action should be authorised in respect of Land to the rear of No 3 Mons Hill, Woodsetton, Dudley.

**Resolved**

- (1) That enforcement action against the breach of planning control at land to the rear of No 3 Mons Hill, Woodsetton, Dudley be deferred to the next meeting of the Committee pending a Site Visit to be held prior to the next meeting.
- (2) That Application No P14/1113 to be submitted to the next meeting of the Committee be considered in conjunction with the enforcement report.

The meeting ended at 8.10 pm.

CHAIR

**Minutes of the Development Control Committee**

**Monday 8<sup>th</sup> September, 2014 at 6.00 pm**  
**In Committee Room 2, The Council House, Dudley**

**Present:-**

Councillor Q Zada (Chair)  
Councillor K Casey (Vice-Chair)  
Councillors A Ahmed, D Caunt, N Gregory, H Turner, J Martin and C Perks

**Officers:-**

G Breakwell (Senior Solicitor), J Butler (Group Engineer), T Glews (Environmental Protection Manager), M Johal (Democratic Services Officer), H Martin (Head of Planning), P Reed (Principal Development Control Officer) and S Willetts (Planning Control Manager)

21 **Apology for Absence**

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

22 **Declarations of Interest**

In accordance with the Members' Code of Conduct the following Members declared non-pecuniary interests:-

Councillor K Casey in Planning Application No P14/1051 (Land Between 361 and 367 Himley Road, Gornal Wood, Dudley in view of reference made to the local Member of Parliament (MP) as he works for the MP.

Councillor C Perks in Planning Application No P14/0743 (Former War Memorial Club, High Street, Amblecote) as she was a Ward Member and she had made her views known about the application. Councillor Perks withdrew from the meeting during consideration of the item.

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23 **Minutes**

Reference was made to Planning Application No P14/0371 in relation to the amended condition, numbered 6 and it was stated that the Committee had agreed that there would be no artificial sett for badgers, however the condition did not reflect this.

Resolved

That the minutes of the meeting of the Committee held on 11<sup>th</sup> August, 2014, be approved as a correct record and signed.

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24 **Change in Order of Business**

**Resolved**

That Planning Application No P14/1113 be considered as the next item of business followed by Agenda Item No 6.

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25 **Plan and Application to Develop**

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

The following person had indicated that he wished to speak at the meeting:-

<b><u>Application No</u></b>	<b><u>Objectors/supporters who wishes to speak</u></b>	<b><u>Agent/Applicant who wishes to speak</u></b>
P14/1113		Mr K Clair

<b><u>Application No</u></b>	<b><u>Location/Proposal</u></b>	<b><u>Decision</u></b>
P14/1113	Land at Rear of 1 and 3 Mons Hill, (Off Dawlish Road), Dudley – Erection of 3 No Dwellings (Retrospective) with New Parking and Retaining Wall	Refused, for the following reasons: <ol style="list-style-type: none"><li>1. The combination of the artificial increase of height of the land and the increase of height of the dwellings by up to 3.3m over dominates both the site, neighbouring land and properties. The development fails to preserve the distinctive character of Mons Hill, contrary to the Council's New Housing SPD and Black Country Core Strategy policy ENV2 &amp; SO2 and DD4 of the saved UDP.</li></ol>

2. The revised scheme with the omission of the garages will result in an inoperable, parking dominated frontage, with a lack of front garden landscaping or suitable enclosure, hedgerows, or front boundary treatments, to the detriment of the visual amenity of the locality which would fail to preserve the distinctive character of Mons Hill, contrary to the Council's New Housing SPD and Black Country Core Strategy policy ENV2 & SO2 of the saved UDP.
3. The proposed site layout, design and levels would not provide sufficient distance between the rear facing habitable room windows of Plot 7 and 9 Mons Hill and the private rear amenity space and windows of the adjacent dwelling, which would be detrimental to any potential occupier's privacy and residential amenity, by reason of overlooking, unduly constrained outlook and overbearing impact, contrary to PGN 3, New Housing SPD and DD4 of the saved UDP.

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26 **Enforcement Action**

A report of the Director of the Urban Environment was submitted on whether enforcement action should be authorised in respect of Land to the rear of No 3 Mons Hill, Woodsetton, Dudley.

**Resolved**

- (1) That enforcement action against the breach of planning control at land to the rear of No 3 Mons Hill, Woodsetton, Dudley be authorised and that such action be taken to require the applicant to:-
  - (i) ensure that further development, in particular the laying of the roof relating to dwelling No 7, is in accordance with the planning permission P13/1233;
  - (ii) modify the unauthorised dwelling No 9 in accordance with the planning permission P13/1233;
  - (iii) remove all debris from the land arising from the compliance from (i) and (ii)

- (2) That the serving of a Breach of Condition Notice, to be issued in relation to the contravention of the planning condition 8 of planning approval P13/1233, which is the extant planning permission for the application site, be supported.

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27 **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 had indicated that they wished to speak at the meeting and spoke on the planning applications indicated:-

<b><u>Application No</u></b>	<b><u>Objectors/supporters who wishes to speak</u></b>	<b><u>Agent/Applicant who wishes to speak</u></b>
P14/0743	Councillor Pat Martin (Ward Councillor)	Mr Tommy Wong
P14/1055		Mr Steve Simms

The Committee noted concerns and comments made by the Ward Councillor relating to the following application in that the Council had been alerted to the fact that the development did not accord to the granting of the previous planning permission, the High Street was one of the busiest roads in Stourbridge and was dangerous for children, the site was surrounded by the football club which as well as football and cricket had thirty other users of the club during the month, the transfer of children by taxi to school would add to the existing congestion problem and there was noise disturbance and regular incidents of fighting. It was considered that this was not a suitable environment for children.

The Committee also noted representations made by the Agent in that the development would be built to adequate standards, the children had learning difficulties and would not cause disruption to the community, extensive consultation had been carried out in relation to traffic and it was pointed out that the development had only equated to an additional five trips per day. The proposals accorded to national standards, there would be no impact on highway safety, football matches did not take place on a daily basis and children would be taken to and collected from school by a care worker.

Arising from representations made Members were concerned that the junction would not be able to cope with the additional traffic flow, West Midlands Police had raised various concerns, there was a sporting event or activity at the Club on a daily basis, there were floodlights near to the residential properties, there were concerns about the safety of the children and it was considered that this was not a suitable environment for children with learning difficulties.

<b><u>Application No</u></b>	<b><u>Location/Proposal</u></b>	<b><u>Decision</u></b>
P14/0743	Former War Memorial Club, High Street, Amblecote, Stourbridge – Erection of 2 No Detached 8 Bed Residential Care Home for Young Children	<p>Refused, for the following reasons:-</p> <ol style="list-style-type: none"> <li>1. This proposed care development would not be perceived as to providing a suitable environment for children and associated occupiers of the site as the proposed development is located on a major strategic highway network which is accessed from a busy box junction with an uncontrolled but restricted access which has inherent dangers to all road users alike. The development as proposed is considered contrary to Policies HOU5 (Education and Health Care Facilities) and TRAN2 (Managing Transport Impacts of New Development) of the Black Country Core Strategy, and Saved Policies DD4 (Development in Residential Areas) and CS1 (Special Needs Accommodation) of the Dudley Unitary Development Plan and the Parking Standards Supplementary Planning Document.</li> <li>2. The location of the development suffers from localised heavy traffic conditions, activities from the existing neighbouring football ground and its associated floodlighting which would create an unacceptable impact on the amenities of the future occupiers of the site and would be considered contrary to Policies HOU5 (Education and Health Care Facilities) and TRAN2 (Managing Transport Impacts of New Development) of the Black Country Core Strategy and to Saved Policies DD4 (Development in Residential Areas), EP6 (Light Pollution), EP7 (Noise Pollution) and CS1 (Special Needs Accommodation) of the</li> </ol>



Dudley Unitary Development Plan, as well as Planning Guidance Note 10 (Residential Care/Nursing Homes and Community Care Homes).

3. The submitted plans fail to accord with the development as constructed on the site. There are apparent discrepancies between the previously submitted plans. Therefore the proposed development is contrary to Policy ENV2 (Historic Character and Local Distinctiveness) of the Black Country Core Strategy and Saved Policy DD4 (Development in Residential Areas) of the Dudley Unitary Development Plan.

P14/1055

The King Arthur, Priory Road, Dudley – Demolition of Former Public House

Refused, for the following reason:-

The King Arthur Public House is a local landmark occupying a gateway position into Dudley. The proposal to demolish it would result in the total loss of the significance of the heritage asset and of part of the Borough's townscape, leading to a loss of local character and distinctiveness. The proposal is therefore considered not to be sustainable development. Paragraph 7 of the NPPF advises that to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously. Whilst the applicant has attempted to demonstrate the economic gains there has been no clear demonstration of the social and environmental gains particularly in the absence of any details of what is proposed to replace the heritage asset. Furthermore, the policy test which requires the applicant to demonstrate that the viability of continued beneficial use, restoration or conversion of the heritage asset has been fully investigated and that there

are no reasonable alternatives has not been met as there is no information submitted of the proposed replacement scheme as way of comparison in terms of viability and no marketing of the site to demonstrate redundancy. It is concluded therefore that the economic benefits do not outweigh the loss of a landmark locally listed building and as such the proposal is contrary to paragraphs 7, 17, 131, 135, 136 of the NPPF, BCCS Policies CSP3 and ENV2 and Saved UDP Policy HE5.

P14/0372	Land Rear of 1-13, The Walk, Sedgley, Dudley – Demolition of Existing Building to Erect 6 No Supported Living Residential Units and 1 No Carers Unit Over Two Storeys, 3 No General Needs Houses, Re-use of Existing Access Road with Associated Car Parking and Landscaping	Approved, subject to conditions, numbered 1 and 3 to 11 (inclusive), as set out in the report submitted, together with a reworded condition, numbered 2, as follows:-
P14/1033	Foxglove House, Quarry Park Road, Stourbridge – Fell 1 Acacia: Fell 1 Walnut Tree: Fell 3 Fir Trees: Pollard 1 Sycamore Tree: Crown Thin 1 Beech Tree by 20% and Crown Reduce by 10%	Approved, subject to the condition, numbered 1, as set out in the report submitted.
P14/1039	Dudley Market, Market Place, Dudley – Installation of 2 No Bespoke Decorative Seats in Market Place	Approved, subject to conditions, numbered 1 to 5 (inclusive), as set out in the report submitted.

P14/1051	Land Between 361 and 367 Himley Road, Gornal Wood, Dudley – Erection of 4 No Dwellings (Outline) (Siting and Access to be Considered)	Approved, subject to conditions, numbered 1 to 15 (inclusive), as set out in the report submitted.
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The meeting ended at 8.05 pm.

CHAIR

**Minutes of the Licensing Sub-Committee 1**

**Tuesday 8<sup>th</sup> July, 2014 at 10.00 am**  
**in the Council Chamber, The Council House, Dudley**

**Present:-**

Councillor D Russell (Chair)  
Councillors D Blood and C Perks

**Officers:-**

R Clark (Legal Advisor), L Rouse (Licensing Clerk) and K Griffiths (Democratic Services Officer) – All Directorate of Corporate Resources.

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1      **Declarations of Interest**

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

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2      **Minutes**

Resolved

That the minutes of the meeting of the Sub-Committee held on 28<sup>th</sup> May, 2014, be approved as a correct record and signed.

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3      **Exclusion of the Public**

Resolved

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

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4 **Variation of Designated Premises Supervisor – The Dock and Iron, 104 Delph Road, Brierley Hill**

A report of the Director of Corporate Resources was submitted on an application for the variation of Designated Premises Supervisor in respect of the Dock and Iron, 104 Delph Road, Brierley Hill.

Ms K Turley, Planning and Licensing Officer, West Midlands Police, was in attendance at the meeting.

Following introductions, it was noted that the applicant was not in attendance at the meeting and reasons for his non-attendance had not been received.

Following consideration of the information submitted, it was

Resolved

That consideration of the application made for the variation of Designated Premises Supervisor in respect of the Dock and Iron, 104 Delph Road, Brierley Hill, be deferred to a future meeting.

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The meeting ended at 10.40am.

CHAIR

**Minutes of Licensing Sub-Committee 2**

**Tuesday 19<sup>th</sup> August, 2014 at 10.00 am**  
**in Committee Room 2, The Council House, Dudley**

**Present:-**

Councillor K Finch (Chair)  
Councillors S Etheridge and E Taylor

**Officers: -**

T Holder (Legal Advisor), L Rouse (Licensing Clerk) and K Buckle  
– All Directorate of Corporate Resources.

1      **Apology for Absence**

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

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2      **Declarations of Interest**

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

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3      **Appointment of Substitute Member**

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

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4      **Minutes**

Resolved

That the minutes of the meeting of the Sub-Committee held on 3rd June, 2014, be approved as a correct record and signed.

5

**Review of Street Trading Consent/Prohibited Streets – Dudley Town Centre**

A report of the Director of Corporate Resources was submitted on an application for the revision of the consent/prohibited streets in Dudley Borough to include Castle Street, New Street, Union Street and the Junction of Stone Street/High Street, Dudley as consent streets in respect of Street Trading.

During the consideration of this matter there was a brief adjournment so as to obtain a hard copy of the Street Trading Notice published in the Express and Star on 24<sup>th</sup> June, 2014 and referred to as Appendix 2 to the report.

The meeting was reconvened and following consideration of the notice it was

Resolved

That, in the light of the information contained in the report submitted, the application on behalf of Mr P Coyne for the revision of the consent/prohibited streets in the Dudley Borough to include Castle Street, New Street, Union Street and the junction of Stone Street/High Street, Dudley as consent streets in respect of Street Trading, be approved.

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6

**Review of Street Trading Consent/Prohibited Streets – Market Street, Stourbridge**

A report of the Director of Corporate Resources was submitted on an application for the revision of the consent/prohibited streets in the Dudley Borough to include Market Street, Stourbridge as a consent street in respect of Street Trading.

Following consideration of the Notice setting out the proposals and noting that no objections had been received, it was

Resolved

That, in the light of the information contained in the report submitted, the application on behalf of Ms Newell for the revision of the consent/prohibited streets in the Dudley Borough to include Market Street, Stourbridge as a consent street in respect of Street Trading, be approved.

**Application for a Premises Licence – Lovi’s, 164 High Street, Quarry Bank.**

A report of the Director of Corporate Resources was submitted on an application for a premises licence in respect of Lovi’s, 164 High Street, Quarry Bank.

The Applicant Mr Singh Lakra was in attendance at the meeting.

Also in attendance and objecting to the application was Councillor Cotterill, Ward Member, on behalf of his constituents.

Following introductions by the Chair, the Licensing Clerk presented the report on behalf of the Council.

Councillor Cotterill then presented representations on behalf of residents making particular reference to the number of licensed premises already in the local vicinity, expressing concerns relating to possible competition as far as prices were concerned, and the likely increase in alcohol consumption resulting in possible anti social behaviour.

Councillor Cotterill referred to the adjacent primary school to the premises and raised concerns for the safety of those accessing the school due to parking problems that would result when loading and unloading occurred.

Mr Singh Lakra then presented his case and provided reassurances that in view of a change in legislation a price war in relation to alcohol would no longer be possible. He referred to previous trading at the premises and outlined his good relationship with the police.

Mr Singh Lakra referred to specific space to the rear of the premises for parking which could be accessed via a right of way over the premises next door with the owner’s permission.

In responding to a question from the Legal Advisor the Applicant confirmed that he had received and considered the five letters objecting to the applications, together with a Petition from residents of the wider area and a letter from the Reverend D Hoskin also objecting to the Application

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



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

Resolved

That the grant of a premises licence in respect of Lovi's, 164 High Street, Quarry Bank, be refused.

Reasons for Decision

The Sub-Committee has heard the application brought by Mr Singh Lakra. We have also heard the representations made by Councillor Bryan Cotterill. We have read five letters of complaint provided by residents of adjacent and adjoining properties. We have considered the Petition provided by Councillor Cotterill and read a further letter from the Reverend Hoskin. We are minded to refuse this application on the grounds of the Protection of Children from harm. This is because the premises are located opposite to a school. The Sub-Committee is further concerned that the premises are on a very busy road and that the increase in traffic and loading and unloading vehicles outside the premises will increase the danger posed to children and parents using the school premises.

Mr Singh Lakra was informed of his right to appeal the decision of the Sub-Committee.

The meeting ended at 11.10 am

CHAIR

**Minutes of the Licensing Sub-Committee 3**

**Tuesday 22<sup>nd</sup> July, 2014 at 10.00 am**  
**In the Council Chamber, The Council House, Dudley**

**Present:-**

Councillors C Perks, A Taylor and E Taylor

**Officers:-**

R Clark (Legal Advisor), L Rouze (Licensing Clerk) and K Griffiths (Democratic Services Officer) – All Directorate of Corporate Resources.

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6      **Election of Chair**

In the absence of the Chair (Councillor J Cowell) it was

Resolved

That Councillor A Taylor be elected Chair for this meeting of the Sub-Committee only.

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7      **Apology for Absence**

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

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8      **Appointment of Substitute Member**

It was reported that Councillor C Perks had been appointed as a substitute Member for Councillor Cowell for this meeting of the Sub-Committee only.

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9      **Declarations of Interest**

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

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10      **Minutes**

Resolved

That the minutes of the meeting of the Sub-Committee held on 17<sup>th</sup> June, 2014, be referred to the next meeting of the Sub-Committee for approval.

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11      **Application for a Licensed Premises Gaming Machine Permit – The Grange, Grange Road, Dudley**

A report of the Director of Corporate Resources was submitted on an application for the grant of a Licensed Premise Gaming Machine Permit for three, Category C machines, in respect of The Grange, Grange Road, Dudley.

The applicant was not in attendance at the meeting and reasons for the non-attendance had not been received.

Following consideration of the information submitted, the Sub-Committee agreed to proceed with the meeting, in the absence of the applicant.

Resolved

That the application for a Licensed Premise Gaming Machine Permit for three Category C machines in respect of The Grange, Grange Road, Dudley, be approved providing that the existing Category C machine, positioned to the left hand side of the bar, as shown on the location map, was visible at all times by a member of staff.

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12      **Application for a Premises Licence – Lovi's, 164 High Street, Quarry Bank**

A report of the Director of Corporate Resources was submitted on an application for the grant of a premises licence in respect of Lovi's, 164 High Street, Quarry Bank.

Mr Bhupinder Jit Singh Lakra, applicant, was not in attendance at the meeting and reasons for his non-attendance had not been received.

Resolved

That consideration of the application made for the grant of a premises licence in respect of Lovi's, 164 High Street, Quarry Bank, be deferred to a future meeting.

The Sub-Committee requested that Mr Bhupinder Jit Singh Lakra attend the next meeting of the Sub-Committee.

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The meeting ended at 10.35am.

CHAIR

**Minutes of the Licensing Sub-Committee 3**

**Tuesday 26<sup>th</sup> August, 2014 at 10.00 am**  
**in the Council Chamber, The Council House, Dudley**

**Present:-**

Councillor J Cowell (Chair)  
Councillors Blood and K Finch

**Officers:-**

R Clark (Legal Advisor), L Rouse (Licensing Clerk) and K Griffiths (Democratic Services Officer) – All Directorate of Corporate Resources.

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13      **Apologies for Absence**

Apologies for absence from the meeting were received on behalf of Councillors A Taylor and E Taylor.

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14      **Appointment of Substitute Members**

It was reported that Councillors Blood and K Finch had been appointed as substitute Members for Councillors A Taylor and E Taylor respectively for this meeting of the Sub-Committee only.

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15      **Declarations of Interest**

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

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16      **Minutes**

Resolved

That the minutes of the meetings of the Sub-Committee held on 17<sup>th</sup> June and 22<sup>nd</sup> July, 2014, be approved as correct records and signed.

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**Application for Review of Premises Licence – Cross Walks Stores, Cross Walks Road, Stourbridge**

A report of the Director of Corporate Resources was submitted on an application for the review of the premises licence in respect of Cross Walks Stores, Cross Walks Road, Dudley.

Mrs N Kaur, Premises Licence Holder and Designated Premises Supervisor was in attendance at the meeting.

Also in attendance were Mr C King, Principal Trading Standards Officer, Directorate of the Urban Environment, Mr J Annakin, Office of Public Health and Ms A Baldwin, West Midlands Police.

Following introductions by the Chair, the Licensing Officer presented the report on behalf of the Council. It was noted that three letters from residents in the vicinity of the premises had been received in support of Mrs Kaur.

Mr King then presented the representations of Trading Standards and in doing so highlighted that the grounds for the review had been based on the serious undermining of the two licensing objectives, namely, the prevention of crime and disorder and the protection of children from harm due to the poor management of the premises following the sale of alcohol to a person under the age of eighteen.

Mr King informed the Sub-Committee that on 13<sup>th</sup> June, 2014, a fifteen year old male child test purchaser was sold alcohol, namely 4 cans of Fosters lager with 4% alcohol, from the premises contrary to section 146(1) of the Licensing Act 2003 and in direct contravention of the licensing objectives.

It was reported that the current premises licence was granted to Mrs N Kaur on 11<sup>th</sup> December, 2006. It was also reported that Mrs Kaur was also the Designated Premises Supervisor and held a personal licence issued by Sandwell Metropolitan Borough Council.

It was noted that on 18<sup>th</sup> July, 2012, a test purchase for alcohol was conducted at the premises with no sale being made.

Mr King stated that on 31<sup>st</sup> October 2012, an officer from Trading Standards had carried out a visit to the premises and spoke to Mr Ravinder Singh Randhawa, the husband of Mrs Kaur. It was reported that the purpose of the visit had been to provide advice to help prevent the underage sale of restricted products. Mr Randhawa was given detailed advice, including information in respect of acceptable proof of age and the importance of keeping a refusals register. Mr Randhawa was also provided with an advice pack relating to the sale of restricted products, an advice booklet, a challenge 25 poster, a refusals register, a poster regarding proof of age and a sample Proof of Age Standards Scheme card and was asked to ensure that it was brought to the attention of all staff to ensure that they were aware of their obligations under the Licensing Act 2003. During the course of the visit, Mr Randhawa signed a form to acknowledge receipt of the information pack.

On Friday 13<sup>th</sup> June, 2014, Officers from Trading Standards together with officers from West Midlands Police, carried out a test purchase at the premises to determine compliance with the law on the sale of alcohol to persons under the age of eighteen. It was reported that a fifteen year old male child test purchase volunteer had purchased 4 cans of Fosters lager with a 4% alcohol by volume. The seller made no attempt to ask the age of the volunteer and did not request any identification. It was also reported that Mr Randhawa, who was also present behind the counter, had told the volunteer that chilled beers could be located at the back of the shop when he entered the premises.

On returning to the premises, the individual who had sold the alcohol to the test purchase volunteer had been identified and reported that he was only fourteen years of age.

Both Mr Randhawa and the individual who had made the sale had been cautioned and informed that they had sold alcohol to a fifteen year old child. Mr Randhawa was asked on two occasions whether member of staff had been authorised to sell alcohol to which he replied "no". It was reported that whilst police officers sought advice, Mr Randhawa was asked once again whether the member of staff had been authorised to sell alcohol, on that occasion, he said that he was authorised to sell alcohol.

It was reported that on inspection of the premises various age restricted posters had been seen on display, however, Mr Randhawa had been unable to produce a Refusals Register when asked to do so.

It was noted that due to the member of staff's age, police officers had been unable to issue a fixed penalty notice and had arranged to speak to him in the presence of his mother at a later date.

In concluding, Mr King stated that should the Sub-Committee be minded not to revoke or suspend the premises licence, they could consider including additional conditions to the licence. A full list of proposed additional conditions had been circulated to all parties prior to the meeting.

Mr Annakin then presented the representations of Public Health, which had been circulated to all parties in accordance with the Licensing Act 2003. He made particular reference to the number of well-documented impacts on the health of adolescents as a consequence of alcohol consumption.

It was noted that in the opinion of Mr Annakin, the sale of alcohol to underage young people was considered to be very serious and supported the recommendations made by Trading Standards.

Ms Baldwin then presented the representations of West Midlands Police and in doing so informed the Sub-Committee that the Police had made enquiries on relevant police systems and had also liaised with the local neighbourhood team. She reported that the police had not received any intelligence in relation to counterfeit goods at the location and that there had been no recent reports of crime and disorder at the premises. She further reported that local officers regularly patrolled the area and there had been no other issues in relation to the establishment. She indicated that the West Midlands Police also fully supported the recommendations made by Trading Standards.

Mrs Kaur then presented her case and in doing so accepted full responsibility of the actions of her staff. She indicated that she had managed the premises successfully for a long period of time and assured the Sub-Committee that it was an isolated incident and would not occur again. She stated that at the time the incident had happened, her husband had been under a lot of pressure. She reported that her husband had been on his mobile phone to the hospital where his father was in intensive care, which had distracted him.

In concluding, she informed the Sub-Committee that she would accept the additional conditions to be included on her licence.

In responding to a question from a Member in relation to the letters of support received from residents and how her husband would allow the sale of alcohol to a person under the age of eighteen, Mrs Kaur indicated that the incident had been a "one off" and that the Refusals Register could prove that refusals for the sale of restricted products were made.



The Sub-Committee expressed concern that a fourteen year old boy had been authorised to make the sale by Mr Randhawa, who was not a personal licence holder. In responding, Mrs Kaur assured the Sub-Committee that it would not happen again. In response to a question asked by a Member in relation to Mr Randhawa's responses when asked several times if the member of staff who had made the sale was authorised to sell alcohol, Mrs Kaur replied "on two occasions he had said no and then he said yes, I think he may have panicked".

At the request of Mr King, Mrs Kaur circulated the Refusal Register to the Sub-Committee for perusal.

Concerns were raised by Members that since the Refusals Register had been in operation it had rarely been used and questioned why there had been no entries made in roughly twelve months. Mrs Kaur responded by stating "no incidents to report, I assume". In responding to a further question by a Member, Mrs Kaur indicated that four staff, including herself, were employed at the premises and assured the Sub-Committee that all members of staff had received appropriate training on age restricted products and the use of the Refusals Register. She stated that since the incident, she conducted weekly review to check the Refusals Register was completed and up-to-date as recommended by Trading Standards. She also reported that there was a member of staff present at the premises who was authorised to see alcohol at all times.

In responding to a question asked by a Member in relation to whether the member of staff accepted responsibility for the incident, Mrs Kaur indicated that he understood the severity of the situation and had assured her that it would not occur again. In responding to a further question, Mrs Kaur stated that appropriate training had been given and although that member of staff did access the till occasionally, he understood that he was not authorised to sell any age restricted products.

In responding to a question asked by a Member, Mrs Kaur stated that she did not have a facility in place which provided the till operator with a instant message reminding them to ask for identification each time any age restricted product was scanned.

In summing up, Mr King re-iterated comments previously made and acknowledged that Mrs Kaur had accepted responsibility of the incident, however, he stated that the sale of alcohol to persons under the age of eighteen was a very serious offence.

In summing up, Mrs Kaur indicated that she accepted full responsibility of the incident and assured the Sub-Committee that she would ensure that a similar incident did not occur again.

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

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

Resolved

That following careful consideration, the premises licence in respect of Cross Walks Stores, Cross Walks Road, Stourbridge, be suspended for a period of 28 days and that the following conditions be applied to the premises licence:-

Conditions

- (1) A written Proof of Age Policy (Challenge 25) is to be put in force, which all staff authorised to sell alcohol will be trained in and adhered to. Valid proof of identification will only include passport, photographic driving licence or an Proof of Age Standard Scheme (PASS) proof of age card such as Citizen Card. No other form of identification shall be accepted.
- (2) A4 notices to be displayed on the door of the premises and near the point of sale stating that it is an offence to buy alcohol for persons under the age of 18.
- (3) A Register of Refusals of Sale of Alcohol which indicates the date, time and reason for refusal will be operated and maintained at the premises. The Premises Licence Holder shall review the book once a week ensuring it is completed and up-to-date. The Premises Licence Holder will sign the book each time it is checked. This book shall be made available for inspection by an officer of any responsible authority.
- (4) CCTV to be in place at the premises and to be recording at all times when the premises are open for licensable activity, to the specifications of the West Midlands Police Crime Reduction Officer so that the alcohol display area and the point of sale area can be viewed. All images are to be recorded and kept for a minimum of 28 days and made available to any responsible authority upon request immediately, and all staff are to be trained and able to operate and download CCTV. The hard drive is to be locked but readily accessible to staff.

- (5) The Premises Licence Holder will take proportionate steps to review the premises CCTV on a weekly basis in order to identify persons under the age of 18 who are attempting to buy alcohol or persons over the age of 18 buying on their behalf. A record of these checks shall be maintained and be available for inspection upon request by an officer of any responsible authority.
- (6) All persons engaged to sell alcohol must complete a training programme, which includes a written test to verify the competency of that person prior to them being authorised to sell alcohol.
- (7) The Premises Licence Holder shall ensure that monthly reviews are conducted with any persons authorised to sell alcohol in order to reinforce training, promote best practice and policy. The monthly reviews will be recorded in writing.
- (8) A file shall be maintained at the premises for each person authorised to sell alcohol (with proof of identity which will be a copy of a passport and/or driving licence). This file shall contain all training records for each person along with copies of monthly reviews as stated in point (7). This file shall be made available for inspection by any officer from a responsible authority upon request.
- (9) Any person who is suspected of purchasing alcohol for any person underage, shall be refused service.
- (10) No person under the age of 18 years is to be authorised to sell alcohol.

#### Reasons for decision

This is an application for the review of the premises licence of Cross Walks Stores, Stourbidge. Mrs Narrinder Kaur is the Premises Licence Holder and the Designated Premises Supervisor and attended today.

The review has been brought by Trading Standards as a result of a fifteen year old male test purchaser being sold 4 cans of lager on 13<sup>th</sup> June, 2014. The person making the sale was a fourteen year old boy. A Mr Randhawa was behind the counter at the time the test purchaser asked for alcohol, and Mr Randhawa pointed the test purchaser towards the chiller unit to the rear of the premises. He is the husband of the Premises Licence Holder. Both the fourteen year old boy and Mr Randhawa were cautioned. The fourteen year old was not authorised to make the sale of alcohol as Mr Randhawa does not hold a personal licence and therefore could not authorise the sale.

The refusals register was not available to Trading Standards officers, but Ms Kaur produced it today and there were no entries for roughly one year until June 2014. Mrs Kaur was not really able to explain why this was.

The Sub-Committee finds that there is clear evidence that the premises has not been managed appropriately to protect young persons, and therefore takes the step of imposing the conditions proposed by Trading Standards, on to the premises licence. Mrs Kaur has stated that she is prepared to implement these conditions.

The Sub-Committee finds that the circumstances of this sale, and the poor management of the premises are so serious that it also suspends the licence for 28 days.

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The meeting ended at 11.05 am.

CHAIR

## **Minutes of the Licensing Sub-Committee 4**

**Tuesday 29<sup>th</sup> July, 2014 at 10.25 am**  
**in the Council Chamber, The Council House, Dudley**

### **Present:-**

Councillor M Roberts (Chair)  
Councillors K Finch and H Turner

### **Officers:-**

R Clark (Legal Advisor), L Rouse (Licensing Clerk) and K Taylor (Democratic Services Officer) – All Directorate of Corporate Resources.

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5      **Apology for Absence**

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

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6      **Appointment of Substitute Member**

It was reported that Councillor K Finch had been appointed as a substitute Member for Councillor D Hemingsley for this meeting of the Sub-Committee only.

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7      **Declarations of Interest**

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

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8      **Minutes**

Resolved

That the minutes of the meeting of the Sub-Committee held on 24<sup>th</sup> June, 2014, be approved as a correct record and signed.

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9      **Application for Review of Premises Licence – The Lake Discount Stores, 18 Lake Street, Lower Gornal, Dudley**

A report of the Director of Corporate Resources was submitted on a review of the premises licence in respect of The Lake Discount Stores, 18 Lake Street, Lower Gornal, Dudley.

Mr S Bahia, Premises Licence Holder, was in attendance at the meeting.

Also in attendance were C King, Principal Trading Standards Officer and G Wintrip, Age Restricted Products Officer, both from the Directorate of the Urban Environment; D McNulty, Office of Public Health; and WPC A Baldwin, PC K Turley, and Sergeant Crookshank from West Midlands Police.

Following introductions, Mr Bahia reported that Mrs K Bahia, joint Premises Licence Holder, was not in attendance at the meeting due to a recent bereavement, and confirmed that he had spoken to Trading Standards requesting an adjournment as a legal representative would not be present at the hearing.

Mr Bahia informed the Sub-Committee that he had contacted the Federation of Small Businesses, however, due to delays in the processing of the application, there was insufficient time for a Solicitor to be appointed and represent him.

The parties then withdrew from the meeting in order to enable the Sub-Committee to consider the question of an adjournment.

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

Resolved

That consideration of the application made for the review of the premises licence in respect of Lake Discount Stores, 18 Lake Street, Lower Gornal, Dudley be adjourned to a re-convened meeting to be held on Tuesday 2<sup>nd</sup> September, 2014 with no further deferrals allowed.

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The meeting ended at 11.00am.

CHAIR

LSBC4/6

**Minutes of Licensing Sub-Committee 4**

**Tuesday 2<sup>nd</sup> September, 2014 at 10.15 am**  
**in the Council Chamber, The Council House, Dudley**

**Present:-**

Councillor M Roberts (Chair)  
Councillors D Hemingsley and H Turner

**Officers:-**

R Clark (Legal Advisor), T Parkes (Licensing Enforcement Officer)  
and K Taylor (Democratic Services Officer) – All Directorate of  
Corporate Resources.

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10      **Declarations of Interest**

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

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11      **Minutes**

Resolved

That the minutes of the meeting of the Sub-Committee held on  
29<sup>th</sup> July, 2014, be approved as a correct record and signed.

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12      **Application for Review of Premises Licence – The Lake  
Discount Stores, 18 Lake Street, Lower Gornal, Dudley**

A report of the Director of Corporate Resources was submitted on  
an application for the review of the premises licence in respect of  
Lake Discount Stores, 18 Lake Street, Lower Gornal, Dudley.

Mr S Bahia and Mrs K Bahia (Joint Premises Licence Holders) were  
in attendance, together with Mr Bretts (Barrister).

Also in attendance were C King, Principal Trading Standards Officer,  
Directorate of the Urban Environment; J Annakin, Programme  
Manager Substance Misuse, Office of Public Health; Mr R Fryer and  
Mrs E Fryer, Complainants; PC A Baldwin, Sergeant Cruickshank,  
Sergeant Simpson and PCSO Plumb, all from West Midlands Police;  
and B Hughes, Licensing Enforcement Officer, Directorate of  
Corporate Resources.

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

Mr C King then presented the representations of Trading Standards and in doing so highlighted that the grounds of the review had been based on the serious undermining of the two licensing objectives, namely, the prevention of crime and disorder and the protection of children from harm due to the poor management of the premises following alleged sales of cigarettes to persons under the age of eighteen in December, 2013 and February, 2014, and the sale of vodka to a thirteen year old girl in February, 2014.

It was noted that the Designated Premises Supervisor was a Mr N Hussain, however Trading Standards had been notified that the licence had since been transferred to a Mr Khan.

It was further noted that Mr and Mrs Bahia had appealed a decision of a Sub-Committee taken on 5<sup>th</sup> November, 2013, following the sale of alcohol to a sixteen year old test purchase volunteer on 14<sup>th</sup> August, 2013, where it was resolved that the premises licence be suspended and additional conditions attached to the licence. The hearing date had been scheduled to take place on 10<sup>th</sup> April, 2014.

On 9<sup>th</sup> December, 2013, a complaint was received that a sixteen year old girl had been sold cigarettes by Mr Bahia on a Friday evening at the beginning of December, 2013. It was alleged by the complainant, that Mr Bahia had sold the cigarettes, despite having been warned not to by the complainant a week previous. It was noted that the complainant, Mr Fryer, who was in attendance at the hearing, was taking his daughter to a cadet camp on the Friday evening when they stopped at the premises to purchase sweets. When his daughter returned, it was discovered that she had purchased sweets together with a packet of 10 Benson and Hedges cigarettes, which had been sold by Mr Bahia.

Mr King further stated that on 12<sup>th</sup> February, 2014, a complaint had been received by a local resident that cigarettes had been sold to a fourteen year old boy who had visited the premises. The resident requested the allegation be recorded but declined to make a statement in fear of reprisals.

It was noted that on 26<sup>th</sup> February, 2014, a further complaint had been received from another local resident that a half bottle of vodka had been sold to a thirteen year old girl from the premises. The resident also declined to make a statement as they lived locally and feared reprisals.



Mr King then referred to a statement submitted by a Ms T Kaur, stating that she had been in a business arrangement with Mr Bahia, that caused her to visit the premises on a number of occasions, and alleged that she had witnessed on at least six occasions Mr Bahia selling cigarettes, and alcohol on one occasion, to children that appeared to be between thirteen and fourteen years old.

Mr J Annakin then presented the representations of Public Health, which had been circulated to all parties in accordance with the Licensing Act 2003. He made particular reference to the number of well-documented impacts on the health of adolescents as a consequence of alcohol consumption.

Mr Annakin stated that the sale of alcohol to underage young people was considered to be very serious and supported the recommendation to revoke or suspend the premises licence on the grounds of protecting children from harm.

Mrs E Fryer, complainant, then presented her representations based on a statement submitted by the Police, which had been circulated to all parties in accordance with the Licensing Act 2003. She confirmed that she had visited the premises and spoke to Mr Bahia requesting him not to sell tobacco to her daughter, who would be wearing either her school or cadets uniform. It was noted that on the night her daughter had purchased cigarettes from Mr Bahia in December, 2013, she was wearing her cadet's uniform.

In responding to a question by Mr Bretts, Mrs Fryer confirmed that she was confident that it was Mr Bahia who had sold the cigarettes as she had known him for twenty years, and that it would have been impossible for her daughter to have stolen the cigarettes as they were positioned behind the counter.

Following a description of the evening when his daughter purchased the cigarettes, Mr and Mrs Fryer withdrew from the meeting.

PC Baldwin then presented the representations of West Midlands Police, which had been circulated to all parties in accordance with the Licensing Act 2003, and in doing so informed the Sub-Committee that a number of statements had been provided in regard to the allegations highlighted in the report submitted, and from the local Neighbourhood Team regarding the premises failure to provide police officers with CCTV evidence following an alleged sale of alcohol to a fourteen year old child. It was also noted that a number of police logs to the premises had been circulated to all parties.

In responding to a question by Mr Bretts, PC Baldwin confirmed that the grounds for their representations had been based on the protection of children from harm.

Mr B Hughes then presented the representations on behalf of the Assistant Director of Law and Governance, which had been circulated to all parties in accordance with the Licensing Act 2003. Following a discussion, Mr Bretts suggested that previous offences and matters that did not specifically relate to the licensing objectives should be omitted from the hearing, however it was confirmed that the majority of the representation submitted made particular reference to the poor management of the premises.

Mr Hughes continued with his representations, and in doing so stated that a number of enforcement officers had been involved with the premises, and that the mitigation given in previous prosecutions, in particular the unlicensed sale of alcohol and exposing alcohol for sale without a licence, which related to Mr Bahia not paying the licence fee and making a sale of alcohol whilst his licence was suspended, was due to the poor communication between himself and his wife as co-holder of the premises licence.

It was noted that the appeal lodged by Mr and Mrs Bahia, following the decision of the Sub-Committee on 5<sup>th</sup> November, 2013, had been withdrawn on 10<sup>th</sup> April, 2014, therefore the suspension of the premises licence commenced on 10<sup>th</sup> April, 2014 and was re-instated on 24<sup>th</sup> April, 2014.

Following the suspension, Mr Hughes visited the premises on a number of occasions and discovered that a number of conditions applied to the premises licence had not been complied with. Particular reference was made to the CCTV system, and Mr Hughes reported that in May, 2014, officers of West Midlands Police alleged that they had witnessed a fourteen year old leaving the premises hiding alcohol under their jacket. When questioned, Mr Bahia claimed that the alcohol had been stolen and that he was unable to provide CCTV evidence to assist the officer with the investigation.

Mr Hughes further reported that there were no training records at the premises; the refusals register was not correct, and although the CCTV was now working, a till prompt had not been installed in the register, despite it being a condition of licence. He stated that he had spoken to Mr R Bahia on more occasions than Mr S Bahia, as it was difficult communicating with Mr S Bahia over the phone.

Police Sergeant Cruickshank then presented his representations as the Neighbourhood Police Sergeant with responsibility for Neighbourhood Policing in the Sedgley and Gornal area, which had been circulated to all parties in accordance with the Licensing Act 2003. He stated that since November, 2013 there continued to be a high demand of work, including thirteen police logs, in respect of anti-social behaviour connected to the premises.

He further stated that although the number of calls to the service had decreased, there were various avenues where incidents and complaints could be submitted and therefore not all calls were logged. It was reported that local officers regularly attended the location and patrolled the area responding to calls, and requests had been received for Police officers to attend the premises with other officers for support due to the way they had previously been treated by Mr S Bahia.

It was also noted that Sergeant Simpson was in attendance at the hearing, as Mr Bahia had commented on his working relationship with Sergeant Simpson at a previous Sub-Committee hearing held on 5<sup>th</sup> November, 2013.

Following comments made in respect of officers of West Midlands Police alleged to have witnessed a fourteen year old leaving the premises hiding alcohol under their jacket, the Legal Advisor informed the Sub-Committee that they should not put any weight on ongoing investigations as the matter could be disputed.

Sergeant Cruickshank stated that the majority of work in the area was connected to the premises and that Mr Bahia was not supportive of West Midlands Police and regularly complained of the daily visits by officers to the premises. Sergeant Cruickshank confirmed that the patrols were preventative and the result of demands to the service. He also referred to the statement submitted by a Ms Y Botfield that confirmed she no longer wished to remain as Designated Premises Supervisor, and had not been for a number of years due to ill-health.

In responding to a question by Mr Bretts, Sergeant Cruickshank confirmed that he had been a Sergeant for West Midlands Police for five years and that Police officers attended the premises with Enforcement officers when requested. Mr Bretts made reference to the number of calls to the Police by Mr Bahia and suggested that they could have been attributed to their complaint; Sergeant Cruickshank confirmed that when officers attended the premises following the calls, Mr Bahia was not co-operative.

In responding to a question by Mr Bretts as to whether the Police logs was directly associated to the premises in relation to crime and disorder; Sergeant Cruikshank reported that the disorder related predominately to streets in the surrounding area following consumption of alcohol.

Following comments made by Mr Bretts, in particular, that there was no evidence to suggest that alcohol had been purchased at the premises; Sergeant Cruikshank stated that the issue was that thirteen and fourteen year olds would not be prepared to come forward in fear of reprisals.

Sergeant Simpson then reported that he was the Neighbourhood Police Sergeant in the Sedgley and Gornal area prior to Sergeant Cruikshank, and that he had undertaken regular visits to the premises. It was noted that Mr Bahia would contact Police on a number of occasions, but would not be cooperative with officers.

Reference was made to the large number of calls received in the area, and Sergeant Cruikshank confirmed that there were no problems with other premises in the area.

In responding to a question by Mr Bretts; Sergeant Simpson confirmed that he had suggested to Mr Bahia to contact West Midlands Police if there were any problems, and that information received assisted with some investigations.

Mr Bretts then presented the case on behalf of Mr and Mrs Bahia, and in doing so stated that the Sub-Committee was considering a second review of the premises licence, which Mr and Mrs Bahia was aware of the serious actions that could be taken, and that they had been at the premises for over twenty years.

He stated that it was important to be clear on what should be considered and any determination should not involve any punishment of the Premises Licence Holders for any previous offences or breaches of conditions, but should be related to the Licensing Objectives. He stated that there should be a proportionate and appropriate response and made particular reference to the potential action taken as highlighted in the Licensing Act 2003.

It was noted that Mr Bahia understood the seriousness of the allegations made, but suggested that the cigarettes and alcohol were stolen.

Mr Bretts reported that the evidence in relation to disorder related to the surrounding areas and not the premises directly, and made reference to a Dudley MBC policy that stated that any anti-social behaviour outside premises' was not a matter for the Sub-Committee.

Following comments made by Mr Hughes that Mr Bahia had failed to comply with the conditions attached to the premises licence; Mr Bretts stated that Mr Bahia understood that his actions were not appropriate and that he had failed to adhere to the conditions, however he wished to move forward and suggested that the Sub-Committee may be minded to suspend the premises licence for a period of time to allow Mr and Mrs Bahia to implement the conditions and any additional conditions that may be necessary. It was reported that it was Mr Bahia's failure to understand the consequences that had led to his current situation and that he would be willing to undertake steps such as re-locating the alcohol to behind the counter to prevent thefts, and joining the cost-cutter franchise.

It was further reported that Mr Bahia recently implemented a policy in which children were no longer able to enter the premises after 7.30pm unless accompanied with an adult, which he was willing to attach as a condition to his licence. Mr Bretts stated that following this move, there had been a significant decrease in calls to the Police.

Reference was made to the statement submitted by Ms T Kaur, and Mr Bretts confirmed that Mr Bahia was involved in a business relationship with Ms Kaur, however there was currently a dispute between the parties, and Mr Bahia suggested that Ms Kaur wanted to 'tarnish' his reputation.

In concluding, Mr Bretts stated that Mr and Mrs Bahia was committed to the business, and suggested that it would not be proportionate to revoke the premises licence.

At this juncture, Mr Annakin withdrew from the meeting.

It was noted that Mr Bretts had requested the submission of further information, specifically four character references for Mr Bahia. All parties agreed to the request made.

Following a request by Mr King, Mr Bahia circulated the refusals register to the Sub-Committee. It was noted that the entries on the register were dated from 17<sup>th</sup> June 2014 to the end of July 2014, and Mr Bahia informed the Sub-Committee that previous records, together with other records, had been destroyed by a van fire.

In responding to a question by Mr King, Mr Bahia reported that the duties of a Designated Premises Supervisor was to be on site, monitor the premises and ensure that alcohol was sold correctly.

Following comments made in relation to the statement submitted by Ms Botfield, the previous Designated Premises Supervisor, Mr Bahia reported that she had been paid as Designated Premises Supervisor until May 2013 and had continued as unpaid Designated Premises Supervisor since that point. It was noted that Mr Khan was now in place and it was intended to appoint Mr R Bahia as Designated Premises Supervisor soon in the near future.

Further to comments made in respect of the number of calls to the Police, Mr Bahia stated that he had been instructed to contact the Police if there was any difficulty removing youths from the front of the premises that would generally congregate, as there were no other recreational spaces in the Lower Gornal area.

Mr Bahia stated that he had a good relationship with the local community, having started a local Football team and purchased the kits, and that the youths congregating outside the premises occurred regularly during weekends.

Reference was made to the conditions attached to Mr and Mrs Bahia's Premises Licence in November, 2013; Mr Bahia stated that the majority of the conditions had been complied with, however he had been unable to implement a till prompt due to the expense and loss of profits. He agreed that this was not appropriate and that he would be prepared to arrange a loan to purchase a till prompt if necessary, and stated that he did not fully understand the conditions following the hearing on 5<sup>th</sup> November, 2013, and that he had since employed an independent licensing consultant Mike Pearce for assistance.

Following comments made by Mr Hughes, Mr Bahia responded that that he had been trained recently, but could not produce a training record today.

In responding to a question by PC Baldwin, Mr Bahia stated that he would be willing to attach an additional condition to the premises licence that would refuse children from entering the premises after 7.30pm unless they were accompanied by an adult.

At this juncture, Mr Bretts circulated a training folder; however it was a blank record and more of a statement of intent as to future management. In responding to a question by a member in relation to the records that had been stored in Mr Bahia's vehicle which was then stolen; Mr Bahia confirmed that he had requested copies of the records, however there were none taken.

Mr Bretts stated that there was insufficient evidence to confirm that the disorder in the area was associated to the premises, and that disorder outside of the premises was not in the jurisdiction of the Sub-Committee.

In responding to a question by the Legal Advisor in relation to CCTV; Mr Bahia responded that the hard-drive to the CCTV was locked inside a cabinet underneath the monitor.

Following comments made in relation to Mr Bahia's misinterpretation of the conditions attached to the premises licence; Mr Bahia stated that he had decided to take guidance from his Barrister, and therefore did not realise the seriousness of the consequences.

In summing up, Mr King, on behalf of Trading Standards, stated that the review of the premises licence was based on the grounds of protecting children from harm and the referrals received in relation to crime and disorder, in particular the supply of cigarettes and alcohol to under aged persons, was a criminal offence. He stated that there was sufficient evidence that the Licensing Objectives had not been adopted and of the poor management of the premises, and asked that any measures taken by the Sub-Committee should address the concerns raised.

In summing up, Mr Bretts, on behalf of Mr and Mrs Bahia, suggested that the prevention of crime and disorder should not be considered by the Sub-Committee as it would be inappropriate to be taken into account when there was no evidence to suggest that the disorder was directly linked to the premises. He stated that there was not enough evidence to justify the revocation of the premises licence, as it would affect the business significantly.

In responding to a question by Mr Hughes; Mr Bahia confirmed that he had sold his other premises' in order to concentrate fully on the Lake Discount Stores.

Following all comments made, the Legal Advisor referred to the number of steps the Sub-Committee could take, however these must be directed to remedy the failings of the two Licensing Objectives, namely, the Protection of Children from Harm and the Prevention of Crime and Disorder. He further stated that the response should be proportionate and reasonable, and that it was not a court of law and the actions should not be to punish the premises licence holders.

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

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

Resolved

That, following careful consideration of the information contained in the report submitted, the premises licence in respect of Lake Discount Stores, 18 Lake Street, Lower Gornal, Dudley be revoked

### Reasons for Decision

This is a review of a premises licence brought by Trading Regulation and Enforcement in relation to alleged sales of age restricted products.

The joint premises licence holders are Mr Santok Singh Bahia and Mrs Kulwint Kaur Bahia and they have held the licence since 26<sup>th</sup> September, 2005. Today, Mr and Mrs Bahia attended represented by Mr Bretts, Barrister.

On 5<sup>th</sup> November, 2013, the premises licence had comprehensive additional conditions placed on it and was suspended for 14 days, following a review relating to a sale of alcohol (one can of Becks lager) to a 16 year old test purchaser on 14<sup>th</sup> August, 2013. At that review, evidence was put before the Sub-Committee that on 2<sup>nd</sup> November, 2012, 29 bottles of vodka had been seized at the premises that had counterfeit duty labels. These had therefore not been bought from a reputable trade supplier. The conditions and short suspension were to achieve an improvement in the management of the premises in order particularly to protect the safety of children.

Mr Bahia was prosecuted in Dudley Magistrates Court and on 20<sup>th</sup> March, 2014, Mr Bahia pleaded guilty to the unlicensed sale of alcohol and exposing alcohol for sale without a licence. This related to him not paying the licence fee and making a sale of alcohol whilst his licence was suspended. He was given a 12 month conditional discharge. In mitigation, Mr Bahia cited poor communication between himself and his wife as co-holder of the premises licence.



On 9<sup>th</sup> December, 2013, a complaint was received from the parents of a 16 year old girl (Mr and Mrs Fryer) that their daughter had been sold cigarettes (ten Benson and Hedges) by Mr Bahia at Lake Discount Stores on a Friday evening in early December. Mrs Fryer stated that she had complained previously directly to Mr Bahia and asked Mr Bahia not to sell tobacco to their daughter. However, on the night in question, Mr Fryer gave his daughter two £10 notes and she bought a pack of ten cigarettes with this for about £5. Initially his daughter denied buying them, but did then admit the purchase. Mr Bahia today stated that she stole the cigarettes. Mr Fryer stated that she did not as the money was gone from her possession. Mr Bahia also stated that another 13 year old girl who allegedly hid a bottle of alcohol under her jacket as she left the shop, stole it and had not bought it.

On 12<sup>th</sup> February 2014, a further complaint was received by Trading Standards from a local resident that cigarettes had been sold to a 14 year old boy but the complainant was not prepared to make a statement. However, a different resident made a complaint on 26<sup>th</sup> February 2014 that a 13 year old girl had been sold a half bottle of vodka. Again, the resident did not make a written statement; it is said, for fear of reprisals.

The Designated Premises Supervisor Mrs. Botfield is alleged to have removed herself as the Designated Premises Supervisor for Lake Discount Stores in February 2014, but enquiries made by the Licensing Authority revealed that her ill-health had meant that she had not been able to fulfil the role of Designated Premises Supervisor for some years. Mr. Bahia stated that she had been paid as Designated Premises Supervisor until May/June 2013 and had continued as unpaid Designated Premises Supervisor since that point. Therefore he submitted that the store has had a Designated Premises Supervisor, that a new Designated Premises Supervisor Mr. Khan is now in place and Mr. Bahia's intention is to appoint his brother as Designated Premises Supervisor soon.

Mr. Bahia accepted today that he understood that the ten previous conditions imposed were to assist him to avoid underage sales in the future. He also stated that he did not really appreciate the significance of all of them when imposed.

Mr. Bahia stated that the till prompt (condition 10) was too expensive to provide upon investigation.

The refusals registers provided today ran from 17<sup>th</sup> June 2014 to the end of July 2014.

With regard to training, and specifically the training of Ranjit Bahia (conditions 6-8) Mr. Bahia stated that he had been trained recently, but he could not produce a training record today. A training folder was handed up but was blank at this point and more of a statement of intent as to future management, along with a new training regime by an independent licensing consultant Mike Pearce. Previous records had allegedly been destroyed in a van fire in April/May 2014.

In terms of additional conditions, Mr. Bahia stated that he had already imposed a ban on children after 7.30pm unless accompanied. He would be prepared to accept this as an additional condition.

The Sub-Committee accepts that the critical licensing objective today is the protection of young persons rather than the prevention of crime and disorder. The Sub-Committee is concerned that good management of the premises could ensure that children and young persons are protected and considers the ten conditions imposed in November 2013 particularly.

Mr. Bahia has not implemented a till prompt (condition 10) because of the cost of this. Despite the Sub-Committee emphasising the serious nature of the conditions when imposed, Mr. Bahia stated today that he relied upon his barrister at the time to advise him, and that initial investigations had lead him to believe that a till prompt system would not be too expensive. The Sub-Committee finds that Mr. Bahia did not act responsibly in considering and accepting this condition, and that he has not implemented it over 10 months.

Mr. Bahia was not able to produce a refusals registers today except since 17<sup>th</sup> June 2014. The June register has not been countersigned by a manager and there is no evidence of a weekly review. The July register has entries countersigned only and there is still no evidence of a weekly review. Other registers were allegedly burned in a van fire in April/May 2014. Therefore there are no other examples of refusal registers available. The Sub-Committee is therefore not satisfied with the compliance of condition 3 even after training by Michael Pearce.

Conditions 6-8 also give cause for concern. No training records are available to the Sub-Committee from November 2013 onwards. A blank training folder has been created, and Mr. Bahia has stated that he and his wife and brother have all undergone training in the last few weeks. The past records were also apparently lost in the van fire.

The Sub-Committee finds evidence that Mr. and Mrs Bahia were not communicating appropriately in early 2014 when they failed to respond to the potential revocation of their licence due to non-payment of fees. The failure to manage the premises was a feature in November 2013 and continues today. The Sub-Committee finds that Mr and Mrs Bahia have not treated the previous license conditions seriously, and that as a result, the premises have not been managed in a way that protects children and young persons from harm. The failure to comply with conditions has been ongoing. In the light of this ongoing mismanagement, the Sub-Committee is not convinced that the refusals registers and training records were destroyed in a fire, but finds that it is more likely that the relevant conditions were never complied with.

In the light of this ongoing mismanagement, the Sub-Committee has no confidence that further conditions will be complied with, or the premises managed more effectively.

The Sub-Committee therefore takes the step of revoking the premises licence in the names of both Mr and Mrs Bahia.

Mr and Mrs Bahia were informed of their right to appeal the decision of the Sub-Committee.

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The meeting ended at 1.35pm.

## **Minutes of the Meeting of the Taxis Committee**

Tuesday 15<sup>th</sup> July, 2014 at 5.30 p.m.  
in Committee Room 2 at the Council House, Dudley

### **Present:-**

Councillor R Body (Chair)  
Councillor A Ahmed (Vice-Chair)  
Councillors A Aston (for part of the meeting only), C Billingham, P Bradley, J Cowell, C Elcock, J Martin and G Simms

### **Officers:-**

M Farooq, Assistant Director (Law and Governance), T Holder, Solicitor, and K Taylor, Democratic Services Officer (all Directorate of Corporate Resources)

### **Also in attendance:-**

B Hughes, (Licensing Enforcement Officer) in respect of Agenda Item 7 – Review of Private Hire and Hackney Carriage Drivers’ Licences – Mr SH and M Hanson, (Licensing Clerk) and Detective Superintendent Chance (West Midlands Police) in respect of Agenda Item 8 – Review of Private Hire and Hackney Carriage Drivers’ Licences – Mr NH.

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12. **Declarations of Interest**

There were no declarations of interest from Members in accordance with Members’ Code of Conduct.

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13. **Minutes**

Resolved

That the minutes of the meeting of the Committee held on 17<sup>th</sup> June, 2014 be approved as a correct record and signed.

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14. **Exclusion of the Public**

Resolved

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

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15. **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 Nos 8 and 7

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16. **Review of Private Hire and Hackney Carriage Drivers' Licences – Mr NH**

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 NH in the light of the information contained in the report submitted.

Mr NH, together with his wife, Mrs Akhtar and Solicitor, Miss Harris, were in attendance at the meeting.

Also in attendance was M Hanson, Licensing Clerk; Detective Superintendent Chance, West Midlands Police and Miss CP, complainant.

In responding to a question from M Farooq, all parties confirmed that the content of the report presented by T Holder was correct.

Miss Harris made representations on behalf of her client, and referred in particular to the incident on 14<sup>th</sup> April, 2013, Mr NH's good character, which was also supported by his wife, and that the Magistrates had found Mr NH not guilty.

All parties responded to questions asked by the Committee, and arising from questions asked, Mr NH informed the Committee that there were no matters pending that they needed to be made aware of.

Resolved

That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, the private hire and hackney carriage drivers' licences issued to Mr NH be revoked with immediate effect in the interest of public safety on the grounds that Mr NH was not a fit and proper person in the light of the incident referred to in the report submitted.

At this juncture, Councillor A Aston withdrew from the meeting.

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17. **Review of Private Hire and Hackney Carriage Drivers' Licences – Mr SH**

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 SH in the light of the information contained in the report submitted.

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

Also in attendance was B Hughes, Licensing Enforcement Officer; Miss SS, complainant and a supporter.

It was noted that Mr SH had previously attended the Committee on 12<sup>th</sup> September, 2013 following a complaint received in respect of Mr SH's conduct whilst undertaking a school contract. It was resolved that Mr SH's licence be suspended for a period of one month.

In responding to a question from M Farooq, all parties confirmed that the content of the report presented by T Holder was correct.

Miss Harris made representations on behalf of her client, and referred in particular to the incident on 14<sup>th</sup> March, 2014.

All parties responded to questions asked by the Committee, and arising from questions asked, it was confirmed by Mr SH that he was not disputing the issue of non-payment of the fare, but of the allegation of his conduct.

Miss SS also made representations in relation to the incident.

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

Resolved

That, following careful consideration of the information contained in the report submitted and as reported at the meeting, the private hire and hackney carriage drivers' licences issued to Mr SH be suspended for a period of three months in the light of the incident referred to in the report submitted.

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

The meeting ended at 8.00 pm.

CHAIR

## **Minutes of the Meeting of the Taxis Committee**

Tuesday 12<sup>th</sup> August, 2014 at 5.30 p.m.  
in Committee Room 3 at the Council House, Dudley

### **Present:-**

Councillor R Body (Chair)  
Councillor A Ahmed (Vice-Chair)  
Councillors A Aston, D Perks, J Martin, G Simms, A Taylor, E Taylor and D Vickers

### **Officers:-**

M Farooq, Assistant Director (Law and Governance), T Holder, Solicitor, and K Taylor, Democratic Services Officer (all Directorate of Corporate Resources)

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18. **Apologies for Absence**

Apologies for absence from the meeting were submitted on behalf of Councillors C Billingham, P Bradley, J Cowell and C Elcock.

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19. **Appointment of Substitute Members**

It was reported that Councillors D Perks ,E Taylor, A Taylor and D Vickers had been appointed as substitute Members for Councillors P Bradley, J Cowell, C Billingham and C Elcock, respectively for this meeting of the Committee only.

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20. **Minutes**

Resolved

That the minutes of the meeting of the Committee held on 15<sup>th</sup> July, 2014 be approved as a correct record and signed.

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21. **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:-

22. **Exclusion of the Public**

Resolved

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

<u>Description of Item</u>	<u>Relevant Paragraph of Part I of the Schedule 12A</u>
Review of Private Hire and Hackney Carriage Drivers' Licences – Mr KY	1

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23. **Review of Private Hire and Hackney Carriage Drivers' Licences – Mr KY**

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 KY in the light of the information contained in the report submitted.

The Assistant Director (Law and Governance) informed the Committee that he had received notification from Mr KY, that he would be unable to attend the Committee, as he was out of the country, and requesting an adjournment.

In light of the request it was

Resolved

That consideration of the review of the private hire and hackney carriage drivers' licences issued to Mr KY be adjourned to the next meeting of the Committee.

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24. **Policy in relation to the issue of Private Hire and Hackney Carriage Drivers' Licences / Fees Charged**

A report of the Director of Corporate Resources was submitted on the consideration of an alternative policy in relation to the issue of hackney carriage and private hire drivers' licences for less than twelve months.

Arising from consideration of the background to the matter, the Assistant Director (Law and Governance) advised the Committee of the current policy and the proposal to reduce the renewal fee from £119 to £76, as indicated in paragraph 13 of the report submitted.



Mr. I. Shafiq, and Mr Saleem, representatives of the Taxi Driver's Focus Group were in attendance and made representations, in particular that the process in allocating drivers' licence was delayed, which resulted in a number of driver's not receiving any income, having already paid £300 to apply for the licences.

Mr Saleem praised Dudley's policy in providing three month probationary licences, however he indicated that it was unreasonable for driver's to pay a full annual fee for a three month licence, followed by two annual renewal fees for both the six month and twelve month licences, whereby new applicants could apply for a three year licence for a smaller amount.

Mr Shafiq suggested that it would be more practical if drivers and licence holders were given full annual licences on the basis that they attend Committee after three months, then six months and again at twelve months of holding a licence, to review their conduct as a driver or licence operator.

Following the proposals made by Mr Shafiq, it was also suggested that all new taxi drivers that received a licence through the Taxis Committee, attend the Committee on request by the Licensing Office and that failure to do so would result in licences being revoked. In responding, T Holder informed the Committee that there was no provision in the Local Government (Miscellaneous Provisions) Act 1976 to automatically revoke licences.

In responding to a question by a Member in relation to the process involved when driver's visited the Assistant Director (Law and Governance) following their three month driver's licence , the Assistant Director (Law and Governance) informed the Committee that the meeting was formal and he would question driver's as to whether there were any changes to their circumstances, if they had received any points to their licence or convictions. Following the meeting, a decision would be made to either issue a six month licence or for the matter to be brought back to the Committee. It was also indicated that the proposals put forward would not reduce paperwork or administration functions, as appropriate checks and reports would still need to be prepared at the three, six and twelve months appearance at the Committee.

Following further discussion it was

Resolved

That consideration of an alternative policy in relation to the issue of hackney carriage and private hire drivers' licences for less than twelve months be deferred to a future meeting of the Committee pending further information in relation to the proposals discussed at the meeting.

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Resolved

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

<u>Description of Item</u>	<u>Relevant Paragraph of Part I of the Schedule 12A</u>
Grant of Hackney Carriage and Private Hire Drivers' Licences – Mr MH	1
Review of Private Hire and Hackney Carriage Drivers' Licences – Mr QB	1
Grant of Private Hire and Hackney Carriage Drivers' Licences – Mr IS	1
Grant of Private Hire and Hackney Carriage Drivers' Licences – Mr IS	1
Grant of Private Hire Driver's Licence – Mr WA	1
Grant of Private Hire Driver's Licence – Mr SH	1

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26. **Grant of Hackney Carriage and Private Hire Drivers' Licences – Mr MH**

A report of the Director of Corporate Resources was submitted on an application for the grant of hackney carriage and private hire drivers' licences in respect of Mr MH. Particular reference was made to information in Appendix three that stated that the medical practitioner involved considered that Mr MH was not medically fit to be licensed as a private hire and hackney carriage driver.

Mr MH was in attendance at the meeting and responded to questions asked by the Committee in relation to his health, and in doing so reported that he had undertaken a further medical examination at Sandwell Hospital since his previous examination in January, 2014, however he was awaiting receipt of the report.

In light of this information it was

Resolved

That consideration of the application for the grant of hackney carriage and private hire drivers' licences in respect of Mr MH be deferred to a future meeting of the Committee pending receipt of the recent medical report referred to to the Licensing Office.

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27. **Review of Private Hire and Hackney Carriage Drivers' Licences – Mr QB**

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 QB in the light of the offence committed as indicated in paragraph 3 of the report submitted. It was also noted that Mr QB currently had nine points endorsed on his DVLA driver's licence.

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

Mr Schiller made representations on behalf of his client in particular commenting on the circumstances surrounding the conviction in March, 2014, and of Mr QB's excellent record.

Mr QB informed the Committee that there were no matters pending that they 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 QB receive a strong warning as to his future conduct.

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28. **Grant of Private Hire and Hackney Carriage Drivers' Licences – Mr IS**

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

Mr IS was in attendance at the meeting, together with his representative, Mr Saleem.

Mr Saleem made representations on behalf of Mr IS, and referred in particular to the circumstances surrounding the incident in March, 2013. Mr IS informed the Committee that there were no matters pending that they needed to be made aware of.

Resolved

That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, the application for the grant of private hire and hackney carriage drivers' licences in respect of Mr IS be refused in view of the offence for which he had been convicted.

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29. **Grant of Private Hire and Hackney Carriage Drivers' Licences – Mr IS**

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

Mr IS was in attendance at the meeting, together with his supporter, Mr Shafiq.

Mr IS referred to the circumstances surrounding an offence in July, 2011 and 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, approval be given to the grant of private hire and hackney carriage drivers' licences to Mr IS for a period of twelve months.

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30. **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 in respect of Mr WA.

Mr WA was in attendance at the meeting, together with his representative, Mr Saleem.

Mr Saleem made representations on behalf of Mr WA, and referred in particular to the circumstances surrounding the cautions he had received in 2009, and that Mr WA was now a changed man.

In responding to a question by the Assistant Director (Law and Governance), Mr WA confirmed that he would be willing to undertake a drugs test.

Resolved

That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, Mr WA be requested to undertake a drugs test by the Council's Doctor and that, if satisfactory, the grant of a private hire driver's licence to Mr WA for a period of twelve months be approved by officers under delegated powers.

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31.

**Grant of Private Hire Driver's Licence – Mr SH**

A report of the Director of Corporate Resources was submitted on an application for the grant of a private hire driver's licence in respect of Mr SH.

Mr SH was in attendance at the meeting, together with his representative, Mr Saleem.

Mr Saleem made representations on behalf of Mr SH, and referred in particular to the circumstances surrounding his disqualification from driving in 2010, and a conviction in July, 2011.

In responding to a question from the Assistant Director (Law and Governance), Mr SH confirmed that he would be willing to undertake a drugs and alcohol test.

Resolved

That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, Mr SH be requested to undertake a drugs and alcohol test by the Council's Doctor and that, if satisfactory, the grant of a private hire driver's licence to Mr SH for a period of twelve months be approved by officers under delegated powers.

The meeting ended at 7.00 pm.

CHAIR

## Minutes of Ernest Stevens Trusts Management Committee

Monday, 21<sup>st</sup> July, 2014 at 6.00 p.m.  
In Committee Room 2, the Council House, Dudley

### Present

Councillor J.Cowell (Chair)  
Councillor M.Hanif (Vice-Chair)  
Councillors I Kettle, I Marrey and H. Rogers

### Officers

Ms M Wilcox, Interim Principal Lawyer, Ms R.Cooper, Group Accountant and Mr J.Jablonski (Assistant Principal Officer (Democratic Services) (All Directorate of Corporate Resources).

#### 1 Apology for absence

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

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#### 2 Declarations of Interest

Declarations of interests, in accordance with the Members' Code of Conduct, were made by the following Members:

Councillors J.Cowell and M.Hanif – Non-pecuniary interests as Trustees of Mary Stevens Hospice.

Councillor H. Rogers – Non-pecuniary interest as Chair of the Friends Group for Mary Stevens Park and Swinford Common. Also in relation to her involvement with the Project Implementation Team - Heritage Lottery Bid for Mary Stevens Park and attendance at stakeholder meetings.

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#### 3 Minutes

Resolved

That the minutes of the meeting held on 28<sup>th</sup> April, 2014 be approved as a correct record and signed.

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#### 4 Terms of Reference of the Committee

A report of the Director of Corporate Resources was submitted on the revised terms of reference of the Committee, as approved by Council on 2<sup>nd</sup> December, 2013. The Council had extended the terms of reference to include all trust land within the Borough.

Arising from consideration of the report, Members commented on the content of paragraph 12 of the report and on the car parking position at Mary Stevens Park and adjoining areas.

In respect of paragraph 12 it was considered that the content of the paragraph should be deleted and replaced with alternative wording in effect replacing the substitution suggested with the invitation of Members, as appropriate.

Regarding car parking at Mary Stevens Park, Councillor Rogers made the following principal points –

1. the car park was not a Council owned car park, as it was included in the deed of gift, although it appeared to be treated as if it were, and the public could not be excluded from using the car park. Issues were also being raised about controlling access to car parks and in relation to a public right of way and disabled access route, which again were contrary to the terms of the deed of gift.
2. the increase in numbers of officers being and to be accommodated at Mary Stevens Park had given rise to the parking problems affecting visitors and users of the park
3. no feasibility study or survey had been done of the impact of the increased staffing with regard to parking leading to complaints by the public and users at the lack of parking
4. this committee had not been consulted on the proposals regarding increased staffing in the building and its impact on car parking although these aspects impacted on the terms of reference of the committee and impacted on the role of the committee as trustees. It was considered that the committee needed to uphold the terms of the deed of gift.
5. the car parking situation was having an adverse effect on the use of the park which was particularly serious given the proposals for the making of a Heritage lottery bid. The matter therefore needed to be resolved.

In response to the comments made, the Chair reported that she was aware of the issue raised and acknowledged that the car park was not a council car park. The matter had also not previously been formally reported to committee as there had been no fundamental change of use.

It was also the case that a review of the arrangements at Mary Stevens Park was currently being carried out and it was suggested that Councillor Crumpton, Cabinet Member for Children's Services and Lifelong Learning, be invited to attend a meeting of this committee to report on the outcome of the review so that the committee could consider and make any recommendations it considered appropriate.

The Chair indicated that she would also speak to Councillor Crumpton and relevant Officers on the points raised.

Resolved

1. That, subject to the deletion of the wording of paragraph 12 of the report and the substitution of the following wording there for –

That, in occasional cases, where the Ernest Stevens Trusts Management Committee is dealing with matters not relating to the Ernest Stevens Trusts, individual Ward Members of the Council will be invited to attend and speak on the area concerned, the report submitted on the revised terms of reference of this committee, be noted.

2. That further consideration be given to the issue of car parking and related matters at Mary Stevens Park, as raised at this meeting, at a meeting of this committee to be held prior to the October 13<sup>th</sup> meeting of Council and that Councillor Crumpton, Cabinet Member for Children's Services and Lifelong Learning, also be invited to attend the meeting to report on the outcome of a review into arrangements at Mary Stevens Park so that this committee could consider the issues further and make any recommendations it considered appropriate.

The meeting ended at 7.05pm

CHAIR



**Minutes of a Special Meeting of the Ernest Stevens  
Trusts Management Committee**

Tuesday, 9<sup>th</sup> September, 2014 at 6.00 p.m.  
In Committee Room 2, the Council House, Dudley

Present

Councillor J Cowell (Chair)  
Councillor M Hanif (Vice-Chair)  
Councillors I Kettle, I Marrey, G Partridge and H Rogers

Also in Attendance

Councillor T Crumpton (Cabinet Member for Children's Services and Lifelong Learning)

Officers

M Farooq (Assistant Director, Law and Governance – Lead Officer to the Committee); S Cooper (Head of Strategic Asset Planning); T Webb (Property Surveyor); S Griffiths (Democratic Services Manager) - All Directorate of Corporate Resources

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5      **Declarations of Interest**

Declarations of interests, in accordance with the Members' Code of Conduct, were made by the following Members:

Councillors J Cowell and M Hanif – Non-pecuniary interests as Trustees of Mary Stevens Hospice.

Councillor I Kettle – Non-pecuniary interest as a Director of Mary Stevens Hospice.

Councillor H Rogers – Non-pecuniary interest as Chair of the Friends Group for Mary Stevens Park and Swinford Common. Also in relation to her involvement with the Project Implementation Team - Heritage Lottery Bid for Mary Stevens Park and attendance at stakeholder meetings.

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6      **Minutes**

Resolved

That the minutes of the meeting held on 21<sup>st</sup> July, 2014 be approved as a correct record and signed.

## **Parking Issues at Mary Stevens Park**

Further to Minute No. 4 of the meeting of the Committee held on 21<sup>st</sup> July, 2014, the Committee received a verbal update from Councillor T Crumpton (Cabinet Member for Children's Services and Lifelong Learning) concerning parking issues at Mary Stevens Park.

The Cabinet Member outlined the background to the relocation of Children's Services employees in the office accommodation at Mary Stevens Park. This was an essential element of the Council's corporate 'Transforming Our Workplace' project as approved by the Council. This project made a significant contribution to the Council's overall budget strategy.

The building had been under-utilised and had required significant improvement works prior to the relocation of Children's Services staff. It was acknowledged that the full impact of additional car parking had not been assessed at the outset of the project. However, considerable work was now in progress to deal with any problems being experienced by staff and users of Mary Stevens Park.

The Cabinet Member reported on efforts to maximise the use of other car parks and other options being considered to increase parking capacity and reduce any potential inconvenience. Meetings were being held with staff and a reasonable approach was being adopted. This included staff being requested not to park in certain areas to be kept clear for public use. The Council acknowledged the need to encourage the public to use the park whilst balancing this against the duty of care to its employees.

Following legal advice, it was not possible to impose enforceable car parking restrictions within Mary Stevens Park. The deeds allowed for the use of the buildings as public offices and the Council was taking reasonable steps to achieve a balance between the associated use of the car park by staff alongside members of the general public using the park and its facilities. As the deed of gift restricted the use, it was considered that any proposal to remove staff altogether would create risks if the building became vacant and/or derelict in the future. The Cabinet Member emphasised that it was not an option to move staff out of the building as this had been agreed by the Council as part of the budget strategy and as an integral part of the Transforming Our Workplace project.

A Member raised concerns that the Council's budget strategy had no relevance as the deed of gift referred to the use of the site as a public park and for recreation purposes. The Council was acting as the trustee and did not own the property, land or buildings covered by the deed. As such, it was contended that there was a conflict of interest between Dudley MBC and the role of Members as Trustees of the registered charity. The Member also contended that this matter should be referred to the Charity Commission. The use of the car park by Dudley MBC staff was, in effect, excluding members of the general public from using the park and its facilities for the intended purpose.

Although the building had previously been used by Council staff, the recent office relocations had exacerbated the problems and concerns were expressed about the effect this was having on the general public and groups using the park. In the context of the Heritage Lottery Funding received to improve the park, concern was expressed that the lack of parking would lead to a loss of visitors and major disruption during key events. A view was expressed that the interests of the general public should over-ride those of the Council employees in these circumstances. Alternatives were being considered, however, the key issue was the use of the area covered by the deed of gift. The relocation of a large number of staff was considered to represent a fundamental change and the Council had not fully assessed the implications before taking this course of action.

The Cabinet Member repeated the view that the Council, in its role as a Trustee, was making a reasonable use of the building in accordance with the terms of the trust deed. In this regard there was no conflict of interest to be raised with the Charity Commission. The parking issues had been acknowledged and reasonable steps were being taken to address the situation to balance the needs of park users, employees and visitors. The proposed relocation of the staff under the Transforming Our Workplace project had been under consideration for several years. It was also acknowledged that many employees were now implementing modern mobile and agile working practices and not all staff based at Mary Stevens Park would be present during office hours. Data would be collected as part of the monitoring process to assess the effectiveness of the Transforming Our Workplace project.

A member of the public reiterated concerns that the impact of car parking had not been considered initially. The long-term use of the park and its facilities would therefore suffer as a result. A request was made for consideration to be given to the provision of spaces for people with mobility problems. The Cabinet Member acknowledged these points and suggested that a representative of Children's Services attend a future meeting of the Friends of the Park Group.

The Committee noted the comments of the Cabinet Member and discussed the parking situation. Particular reference was made to the ideas for improvements, potential solutions and ongoing work in progress to mitigate any problems for the benefit of all concerned. Following the debate, a motion was put to the vote and it was

Resolved:

That the comments of the Cabinet Member for Children's Services and Lifelong Learning be noted and that continuing work to monitor the car parking situation be supported.

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8 **Mary Stevens Hospice – Request to Grant Lease to Dudley Group NHS Foundation Trust and Additional Building Works**

A report of the Assistant Director of Corporate Resources (Law and Governance) was submitted asking the Committee to consider:

- (a) A request to grant a 3 year lease to Dudley NHS Foundation Trust of part of Mary Stevens Hospice at a market rent to be negotiated and agreed and excluded from the Landlord and Tenant Act 1954 (the occupiers to be Macmillan and the Community Palliative Care Support Team);
- (b) A request for additional building works to the Hospice;
- (c) The creation of an emergency entrance/gate next to the lottery building, which would also serve as a fire exit route from the grounds for that office block;
- (d) The creation of 12 dedicated additional parking bays on the grassed areas opposite the Hospice.

The Committee noted that Clause 2(21) of the lease to Mary Stevens Hospice contained a covenant against subletting. The Committee questioned the implications of this paragraph in the context of the proposals now reported.

A Member also raised potential conflicts of interests between the role of Dudley MBC, its duty as Trustee and the role of local planning authority. A view was expressed that this required referral to the Charity Commission.

Resolved:

That, subject to clarification of the specific points referred to above by the Assistant Director of Corporate Resources (Law and Governance), the proposals set out in the report be approved.

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9 **Wollescote Park, Wollescote Road, Stourbridge – Grant of a Licence**

A report of the Assistant Director of Corporate Resources (Law and Governance) was submitted on a request for a licence to be granted on the grounds of Wollescote Park, Wollescote Road, Stourbridge in order for the erection of additional changing facilities.

Following a discussion and the need for clarification of specific issues raised by Members, it was

Resolved

That this item be deferred for further information to be provided and that a report be submitted to the next meeting of the Committee.

The meeting ended at 7.55pm

CHAIR

**Minutes of the meeting of the Cabinet**

**Thursday, 3<sup>rd</sup> July, 2014 at 6.00 p.m.**  
**in Committee Room 2 at the Council House, Dudley**

**Present:**

Councillor D. Sparks - Leader of the Council (in the Chair)  
Councillor P. Lowe - Deputy Leader (Vice Chair)  
Councillors K. Ahmed, H. Bills, D. Branwood, T. Crumpton, J. Foster,  
R. Harris, G. Partridge and S. Turner

Opposition Group Members nominated to attend meetings of the Cabinet:-

Councillors P. Harley, R. James, I. Kettle, P. Miller, D. Vickers and M. Wood (Conservative Group); Councillors P. Brothwood and K. Turner (UKIP Group)

**Officers:-**

J. Polychronakis (Chief Executive), J. Millar (Director of the Urban Environment), V. Little (Director of Public Health), A. Pope-Smith (Director of Adult, Community and Housing Services), P. Sharratt (Interim Director of Children's Services), P. Tart (Director of Corporate Resources), I. Newman (Treasurer), T. Reilly (Assistant Director, Human Resources and Organisation), R. Sanders (Assistant Principal Officer, Democratic Services) and other officers.

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1.

**Mr Bob Jones**

The Leader referred to the death of the Police Commissioner, Bob Jones. Members and officers present stood in silent tribute to Mr Jones' memory.

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2.

**Changes in representation of Opposition Group Members**

Councillor Kettle was serving in place of Councillor Simms for this meeting of the Cabinet only.

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3.

**Declarations of Interest**

A pecuniary interest in agenda item no 17 (Corporate Senior Management Restructure) was made by the Chief Executive on behalf of the officers present.

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4. **Minutes**

Resolved

That the minutes of the meeting of the Cabinet held on 12<sup>th</sup> March, 2014, be approved as a correct record and signed.

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5. **Revenue Outturn 2013/14 and Medium Term Financial Strategy**

The Cabinet considered a report of the Chief Executive and the Treasurer indicating the provisional revenue outturn position for the year ended 31<sup>st</sup> March, 2014 and seeking consideration of the latest General Fund Revenue position for 2014/15 and a Medium Term Financial Strategy to 2017/18.

Equality Impact Assessments carried out in the subject areas indicated in paragraph 50 of the report had been circulated to all Members of the Cabinet and the Members of the Opposition Groups appointed to attend Cabinet meetings in advance of the meeting date.

A number of questions were asked by members of the Opposition Groups on the updated position on savings indicated in paragraph 24 of the report and on the details of savings proposed in Appendix 4, to which the Cabinet Member for Finance and the Cabinet Members responsible for the particular issues referred to, responded. The Leader of the Conservative Group agreed to accept a written reply in respect of a question he asked on whether there were areas in the Borough where wheelie bins remained to be supplied.

Resolved

- (1) That the draft General Fund and Housing Revenue Account outturns for 2013/14, be noted.
- (2) That the effect of the General Fund Revenue Outturn on General Balances at 31<sup>st</sup> March 2014 be noted.
- (3) That the position on General Fund earmarked reserves at 31<sup>st</sup> March 2014, be noted.
- (4) That the savings proposals for future years set out in paragraph 25 and Appendix 4 of the report be noted and it be noted also that these will be brought back for further consideration by Cabinet on 29<sup>th</sup> October, 2014, together with any other savings proposals identified prior to that date.

- (5) That the proposal to use Public Health grant to support Sports Development and Park Rangers be noted and that it also be noted that these, together with other proposals for the use of Public Health grant, will be brought back to Cabinet on 29<sup>th</sup> October, 2014.
- (6) That the various issues and risks which may continue to affect the 2014/15 position and will need to be taken into account in finalising budget proposals for 2015/16, and the Medium Term Financial Strategy, be noted.
- (7) That the Council be recommended to approve:
  - (a) That An “Expressions of Interest” process for voluntary redundancy to open from July through to early September 2014 with clear communication relating to priority given to areas of savings and that the process will be for a register to be held for future consideration including budget saving requirements and service restructures.
  - (b) That Directors through Human Resources may continue to offer the opportunity of volunteering for redundancy to any employee whose service is undergoing a restructure involving the saving of posts as it may be that some employees did not express an interest through the corporate process that might wish to consider this option if and when their service is reviewed.
  - (c) the continued delegation for approval of voluntary redundancies to the Cabinet Member for Human Resources, Legal, Property and Health and the Director of Corporate Resources, and of compulsory redundancies to the Cabinet Member for Human Resources, Legal, Property and Health and the Assistant Director for Human Resources and Organisational Development.
- (8) That Council be recommended to amend the 2014/15 General Fund revenue budget to reflect the current year savings set out in paragraph 25 of the report.

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

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6. **Capital Programme Monitoring**

The Cabinet considered a joint report of the Chief Executive and Treasurer on progress with the implementation of the Capital Programme, including the 2013/14 outturn position, and which proposed amendments to the Programme.

Resolved

That the Council be recommended:

- (1) That the outturn position for 2013/14, as set out in paragraphs 3 and 4 and Appendix A of the report, be noted.
- (2) That current progress with the 2014/15 Capital Programme, as set out in Appendix B of the report be noted, and that budgets be amended to reflect the reported variance.
- (3) That the Disabled Facilities Grant funding allocations be noted, and the associated expenditure included in the Capital Programme, as set out in paragraph 7 of the report.
- (4) That a budget of £192,000 for the refurbishment of Holloway Hall Chambers to provide new council homes be included in the Capital Programme as set out in paragraph 8 of the report.
- (5) That the Community Capacity Grant allocation be noted and that the associated spend on relevant Adult Personal Social Services projects be included in the Capital Programme as set out in paragraph 9 of the report.
- (6) That subject to the grant application being successful, the Castle Hill Development Extension project be approved and included in the Capital Programme, as set out in paragraph 10 of the report.
- (7) That the project to extend Dudley Cemetery be approved and included in the Capital Programme, as set out in paragraph 11 of the report.
- (8) That the funding allocation for the Cradley Forge Mushroom Green Embankment be noted, and that the project be included in the Capital Programme as set out in paragraph 12 of the report.

- (9) That the capital expenditure of £100,000 funded by the pothole grant be included in the Capital Programme, as set out in paragraph 13 of the report.
- (10) That the Urgent Amendment to the Capital Programme, as set out in paragraph 14 of the report, be noted.

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

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7. **Public Consultation on the Dudley Borough Development Strategy “Preferred Options” document**

The Cabinet considered a report of the Director of the Urban Environment seeking approval for the Preferred Options stage of the Dudley Borough Development Strategy document which was proposed to be used as a basis for public consultation commencing in July, 2014 for a period of nine weeks.

Resolved

That the Dudley Borough Development Strategy Preferred Options document be approved as a basis for public consultation commencing on Friday, 11<sup>th</sup> July, 2014 for a period of nine weeks.

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

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8. **Adoption of the “Let’s Get Dudley Active” - Dudley Physical Activity and Sports Strategy 2014-19**

The Cabinet considered a joint report of the Director of the Public Health and the Director of the Urban Environment seeking approval for the adoption of the “Let’s Get Dudley Active” - Physical Activity and Sports Strategy for Dudley

Resolved

- (1) That the Council adopts “Let’s Get Dudley Active”, the Dudley Physical Activity and Sport Strategy 2014-2019.
- (2) That the Council signs the Dudley Charter for Physical Activity and Sport.
- (3) That the Council facilitates the Physical Activity and Sport Commission and that the Cabinet Member for Health and Wellbeing represents the Council on the Commission.

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

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9. **Corporate Quarterly Performance Management report**

The Cabinet considered the report of the Chief Executive under cover of which the fourth Corporate Quarterly Performance Management Report for 2013/14, relating to performance for the period 1<sup>st</sup> January to 31<sup>st</sup> March, 2014, was submitted.

Resolved

- (1) That the Corporate Quarterly Performance Management Report be approved.
- (2) That the consideration of the report by the Corporate Performance Management, Efficiency and Effectiveness Scrutiny Committee be noted.

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10. **Consultation on the Community Infrastructure Levy (CIL) Revised Draft Charging Schedule and recommendation to Council for subsequent submission**

The Cabinet considered a report of the Director of the Urban Environment regarding the development of a Community Infrastructure Levy (CIL) and which sought approval for the revised Draft Charging Schedule and revised Draft Regulation 123 List to be published for a six week period for consultation and recommendation to the Council that the draft Charging Schedule subsequently be submitted to the Secretary of State for independent examination.

Resolved

- (1) That the publication of the revised Draft CIL Charging Schedule for a six week period of public consultation between 11<sup>th</sup> July to 22<sup>nd</sup> August, 2014, be approved.
- (2) That the Council be recommended that following public consultation, the CIL Draft Charging Schedule be submitted to the Secretary of State for Independent Examination in accordance with Regulation 19 of the CIL Regulations 2010.
- (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 changes to the document prior to submission to the Secretary of State.

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

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11. **Food Service Plan 2014/15**

The Cabinet considered the report of the Director of the Urban Environment seeking approval to the contents of the Food Service Plan for 2014/15.

Resolved

That the Council be recommended that the Food Service Plan for 2014/15 be approved.

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

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12. **Health Scrutiny Committee Review of Tobacco Control**

The Cabinet considered the recommendations of the Health Scrutiny Committee regarding their review of Tobacco Control.

Resolved

That the recommendations of the Health Scrutiny Committee and corresponding Action Plan set out in Appendix 1 of the report be endorsed for referral to external agents and partner organisations.

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13. **Appointment of Council Representatives to outside organisations**

The Cabinet considered a report of the Director of Corporate Resources on the appointment of Council representatives to outside organisations for the 2014/15 municipal year.

Resolved

(1) That the Director of Corporate Resources, in consultation with the Leader of the Council and the Opposition Group Leaders, as appropriate, be given delegated authority to determine the appointment of representatives to serve on the outside organisations.

(2) That the Director of Corporate Resources, in consultation with the Leader, be authorised to make an appointment of a Member to serve on the Board of the West Midlands Strategic Migration Partnership.

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14. **Exclusion of the public and press**

Resolved

That the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information relating to any individuals as defined under Part I of Schedule 12A of the Local Government Act, 1972 (as amended).

(With the exception of the Chief Executive, the officers at the meeting left the room at this juncture)

15. **Corporate Senior Management Restructure**

A report of the Chief Executive on this matter was submitted.

Resolved

- (1) That the Cabinet endorse the proposed new structure at Appendix 3 of the report submitted to the meeting for formal consultation in accordance with the Procedure and Timetable set out at Appendix 4, and authorise the Chief Executive to take all necessary steps with regard to the consultation
- (2) That the Equality Impact Assessment set out in Appendix 5 to the report submitted to the meeting be endorsed.
- (3) That the use of the JNC scheme for job evaluation for second, third and fourth tier posts, with the evaluations being independently undertaken by West Midlands Employers, be approved
- (4) That the arrangements for the recruitment and appointment of a new Chief Executive be noted.

The meeting ended at 7 p.m.

LEADER OF THE COUNCIL

**Minutes of the meeting of the Cabinet**

**Wednesday, 17<sup>th</sup> September, 2014 at 6 p.m.**  
**in Committee Room 2 at the Council House, Dudley**

Present:

Councillor D. Sparks - Leader of the Council (in the Chair)  
Councillor P. Lowe - Deputy Leader (Vice Chair)  
Councillors K. Ahmed, H. Bills, D. Branwood, T. Crumpton, J. Foster,  
R. Harris and S. Turner

Opposition Group Members nominated to attend meetings of the Cabinet:-

Councillors R. James, I. Kettle, P. Miller, G. Simms, D. Vickers and M. Wood (Conservative Group); Councillors P. Brothwood and K. Turner (UKIP Group)

Officers:-

J. Polychronakis (Chief Executive), J. Millar (Director of the Urban Environment), V. Little (Director of Public Health), A. Pope-Smith (Director of Adult, Community and Housing Services), P. Sharratt (Interim Director of Children's Services), P. Tart (Director of Corporate Resources), I. Newman (Treasurer), R. Sanders (Assistant Principal Officer, Democratic Services) and other officers.

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16. **Apologies for absence**

Apologies for absence from the meeting were received from Councillors Harley and Partridge.

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17. **Changes in representation of Opposition Groups' Members**

Councillor Kettle was serving in place of Councillor Harley for this meeting of the Cabinet only.

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18. **Declarations of Interest**

No declarations of interest were received in respect of matters to be considered at this meeting.

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19. **Minutes**

RESOLVED

That the minutes of the meeting of the Cabinet held on 3<sup>rd</sup> July, 2014, be approved as a correct record and signed.

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20. **Capital Programme Monitoring**

The Cabinet considered a joint report of the Chief Executive and Treasurer on progress with the implementation of the Capital Programme, including the 2013/14 outturn position, and which proposed amendments to the Programme.

RESOLVED

- (1) That the result of the Post Completion Review of relevant capital projects, as set out in Appendix C of the report submitted to the meeting be noted
- (2) That the Abberley Street site is withdrawn from the sites being disposed of as part of the Transforming our Workplace project and replaced by the Church Street Education Centre site in Pensnett, as set out in paragraph 7 of the report submitted to the meeting.
- (3) That the Council be recommended
  - That current progress with the 2014/15 Capital Programme, as set out in appendix A to the report submitted to the meeting, be noted and that budgets be amended to reflect the reported variances.
  - That the increase in budget for the Clayton Park Outdoor Gym be approved and the Capital Programme amended accordingly, as set out in paragraph 5 of the report submitted to the meeting
  - That the expenditure on the A459 pedestrian crossing improvements be approved and included in the Capital Programme, as set out in paragraph 6 of the report submitted to the meeting.

- That the expenditure on the replacement of franking machines be approved and included in the Capital Programme as set out in paragraph 8 of the report submitted to the meeting.
- That the Urgent Amendment to the Capital Programme, as set out in paragraph 9 of the report submitted to the meeting, be noted.

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

21. **Corporate Quarterly Performance Management Report**

The Cabinet considered the report of the Chief Executive under cover of which the first Corporate Quarterly Performance Management Report for 2014/15, relating to performance for the period 1<sup>st</sup> April, 2014 to 30<sup>th</sup> June, 2014, was submitted.

RESOLVED

- (1) That the Corporate Quarterly Performance Management Report be approved.
- (2) That the consideration of the report by the Corporate Performance Management, Efficiency and Effectiveness Scrutiny Committee be noted.

22. **Tenant Involvement Arrangements**

The Cabinet considered a report of the Director of Adult, Community and Housing Services seeking approval to revised tenant involvement arrangements. The draft Constitution of the proposed Dudley Housing Board was appended to the report.

In the discussion, the clause in the draft Constitution regarding an annual review of the effectiveness of the Board was noted and welcomed. A suggestion was also made that a tenant representative be co-opted to the Adult, Community and Housing Services Scrutiny Committee and it was noted that, should a request to this effect be received from the Dudley Housing Board, it would receive due consideration.

RESOLVED

That the Council be recommended:

- (1) To approve the disestablishment of the Area Housing Panels.



- (2) To offer support to our tenants in the development of a structure that will assist them in achieving their priorities as listed in paragraph 8 of the report submitted to the meeting.
- (3) To approve a transfer of responsibility from the Area Housing Panels to the Tenants Board and to make recommendation(s) relating to expenditure of the Community Safety and Environment budget.
- (4) That the Constitution and Terms of Reference of the Tenants Board be approved as set out in the appendix to the report.

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23. **The Local Government Ombudsman's Annual Review Letter 2014**

The Cabinet considered the report of the Director of Corporate Resources summarising the complaints against the Council received and dealt with by the Local Government Ombudsman's Office over the year ended 31<sup>st</sup> March, 2014. The Annual Review Letter from the Ombudsman was appended to the report.

RESOLVED

- (1) That the information contained in the report submitted to the meeting and the appendix to the report be noted and that the Chief Executive be and Directors be requested to:
  - (a) Review their internal arrangements;
  - (b) Continue to ensure that requests for information on complaints received are dealt with by the date requested This will ensure that responses can be submitted to the Ombudsman's office within the timescale 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.

24. **Valerie Little**

This being the last meeting of the Cabinet attended by Valerie Little before her retirement from the Council's service, the Leader thanked Ms Little on behalf the Council for her service as Director of Public Health and paid tribute particularly to the help given by Ms Little in integrating the public health function into the Council.

The meeting ended at 6.25 p.m.

LEADER OF THE COUNCIL

# **DELEGATED DECISION SUMMARIES**

(Copies of Decision Sheets on the new decisions database can be accessed by logging on to

<http://online.dudley.gov.uk/dudco/decision/decisions.asp>)

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1.

Delegated Decision Summary

Exempt  
Yes No

**Decision Made By** Cllr Khurshid Ahmed  
**Authorised By** Cllr Khurshid Ahmed, Cabinet Member for Transport  
**In Consultation With** John Millar, Director of the Urban Environment  
**Ward(s) Affected** Castle & Priory  
**Date of Decision** 25 July 2014 **Reference** DUE/29/2014

To introduce Prohibition of Waiting at Castlegate Way and Castlegate Drive, Dudley

1.1 To introduce The Borough Council of Dudley (Castlegate, Dudley) (Prohibition of Waiting) (Number 5 Order Type) Order 2014 as advertised. Shown in Appendix A.

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2.

Delegated Decision Summary

Exempt  
Yes No

**Decision Made By** Cllr Khurshid Ahmed  
**Authorised By** Cllr Khurshid Ahmed, Cabinet Member for Transport  
**In Consultation With** John Millar, Director of the Urban Environment  
**Ward(s) Affected** Amblecote  
Quarry Bank & Dudley Wood  
Lye and Stourbridge North  
**Date of Decision** 01 August 2014 **Reference** DUE/30/2014

Safer Routes to School 2013/14 – Thorns Road

1.1 That the Thorns Road, Safer Routes to School Scheme be implemented as set out in the report.  
1.2 That the speed limit be reduced from 40mph to 30mph on the roads shown in Appendix A.

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3.

Delegated Decision Summary

Exempt  
Yes No

**Decision Made By** Cllr Khurshid Ahmed  
**Authorised By** Cllr Khurshid Ahmed, Cabinet Member for Transport  
**In Consultation With** John Millar, Director of the Urban Environment  
**Ward(s) Affected** Kingswinford South  
**Date of Decision** 08 August 2014 **Reference** DUE/33/2014

Allocation of new road name off Mount Pleasant, Kingswinford

1.1 That the road identified on plan no. T&T/D/RN/198 be named 'Hazelmere Gardens'.

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**4.****Delegated Decision Summary****Exempt**

Yes No

 **Decision Made By** Cllr Khurshid Ahmed**Authorised By** Cllr Khurshid Ahmed, Cabinet Member for Transport**In Consultation With** John Millar, Director of the Urban Environment**Ward(s) Affected** Wordsley**Date of Decision** 08 August 2014**Reference** DUE/34/2014**Stopping up of Public Footpath B46 from High Street, Rectory Fields, Wordsley**

1.1 That an application be made to the Magistrates Court under S116 of the Highways Act 1980 to stop up public footpath B46 from High Street to Rectory Fields, Wordsley as shown on Plan D009 and that all costs associated with the application be met by the landowner of No2 High Street , Wordsley.

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**5.****Delegated Decision Summary****Exempt**

Yes No

 **Decision Made By** Cllr Khurshid Ahmed**Authorised By** Cllr Khurshid Ahmed, Cabinet Member for Transport**In Consultation With** John Millar, Director of the Urban Environment**Ward(s) Affected** Halesowen South**Date of Decision** 08 August 2014**Reference** DUE/35/2014**Dedication of Footpaths over Leasowes Park, Halesowen**

1.1 That the proposed dedication of a public footpath as shown on Plan D005 be approved.  
1.2 That the paths shown as permissive paths on Plan D006 be recognised by the Council.

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

Yes No

 **Decision Made By** Cllr Khurshid Ahmed**Authorised By** Cllr Khurshid Ahmed, Cabinet Member for Transport**In Consultation With** John Millar, Director of the Urban Environment**Ward(s) Affected** Coseley East**Date of Decision** 19 September 2014**Reference** DUE/42/2014**Allocation of new road name off Upper Ettingshall Road, Coseley**

1.1 That the road identified on plan no. T&T/D/RN/199 be named 'Flaxen Field'.

7.

Delegated Decision Summary

Exempt	
Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Decision Made By** Cllr Khurshid Ahmed  
**Authorised By** Cllr Khurshid Ahmed, Cabinet Member for Transport  
**In Consultation With** John Millar, Director of the Urban Environment  
**Ward(s) Affected** Brierley Hill  
**Date of Decision** 19 September 2014

**Reference** DUE/43/2014

Allocation of new road name off Bague Walk, Brierley Hill

1.1 That the road identified on plan no. T&T/D/RN/200 be named 'Woodcock Mews'.

8.

Delegated Decision Summary

Exempt	
Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Decision Made By** Cllr Khurshid Ahmed  
**Authorised By** Cllr Khurshid Ahmed, Cabinet Member for Transport  
**In Consultation With** John Millar, Director of the Urban Environment  
**Ward(s) Affected** All  
**Date of Decision** 25 September 2014

**Reference** DUE/45/2014

SUSPENSION OF CAR PARK CHARGES - CHRISTMAS 2014

That the Council suspend parking charges on the 6th, 13th, 20th December 2014 on all Council controlled car parks and that the Director of the Urban Environment be authorised to also suspend parking charges on one late shopping night in November/December 2014, in each of the centres following liaison with local traders.

9.

Delegated Decision Summary

Exempt	
Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Decision Made By** Councillor Hilary Bills  
**Authorised By** Councillor Hilary Bills, Cabinet Member for Environment and Culture  
**In Consultation With** John Millar, Director of the Urban Environment  
**Ward(s) Affected** All  
**Date of Decision** 12 September 2014

**Reference** DUE/40/2014

The Introduction of a Van and Trailer Permit Scheme at the Council's Household Waste Recycling Centre

To agree the introduction of a Van and Trailer Permit Scheme at the Council's Household Waste Recycling Centre.

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

**Decision Made By** Councillor Hilary Bills  
**Authorised By** Councillor Hilary Bills, Cabinet Member for Environment and Culture  
**In Consultation With** John Millar, Director of the Urban Environment  
**Ward(s) Affected** All  
**Date of Decision** 17 September 2014 **Reference** DUE/41/2014

**Approval of the Himley Bonfire Budget 2014**

That approval be given to the annual firework display at Himley Hall & Park in accordance with the admission charges set out in Appendix A and the budget set out in Appendix B

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

**Decision Made By** Councillor Dave Branwood  
**Authorised By** Councillor Dave Branwood, Cabinet Member for Adult and Community  
**In Consultation With** Andrea Pope-Smith, Director of Adult, Community and Housing Services  
**Ward(s) Affected** All  
**Date of Decision** 04 July 2014 **Reference** DACHS/007/2014

**Grants to Voluntary Organisations**

To fund applications for grants to voluntary organisations 2014/2015. An appendix of the voluntary organisations is attached to this Decision Sheet.

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

**Decision Made By** Councillor Tim Crumpton  
**Authorised By** Councillor Tim Crumpton, Children's Services and Lifelong Learning  
**In Consultation With** Pauline Sharratt, Interim Director of Children's Services  
**Ward(s) Affected** Kingswinford North & WallHeath  
Kingswinford South  
Wordsley  
**Date of Decision** 07 July 2014 **Reference** DCS/28/2014

**New Instrument of Government for The Brier School**

To approve the sealing of a new Instrument of Government for The Brier School

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**13.****Delegated Decision Summary****Exempt**

Yes No

 

**Decision Made By** Councillor Tim Crumpton

**Authorised By** Councillor Tim Crumpton, Children's Services and Lifelong Learning

**In Consultation With** Pauline Sharratt, Interim Director of Children's Services

**Ward(s) Affected** St James's  
Castle & Priory  
St Thomas's  
Norton

**Date of Decision** 07 July 2014 **Reference** DCS/29/2014

**Approval of the proposals to provide additional primary school places**

To approve the proposal to provide additional school places by permanently expanding three primary schools; Namely Kates Hill Primary School, Sledmere Primary School and Gig Mill Primary School as detailed in the attached consultation document at Appendix 1.

To commence appraisal work on the second phase of projects that have been identified as detailed in the place planning summary paper as detailed in Appendix 2 attached.

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**14.****Delegated Decision Summary****Exempt**

Yes No

 

**Decision Made By** Councillor Tim Crumpton

**Authorised By** Councillor Tim Crumpton, Children's Services and Lifelong Learning

**In Consultation With** Pauline Sharratt, Interim Director of Children's Services

**Ward(s) Affected** Norton  
Pedmore & Stourbridge East  
Amblecote  
Cradley and Wollescote  
Lye and Stourbridge North

**Date of Decision** 07 July 2014 **Reference** DCS/27/2014

**New Instrument of Government for Mount Pleasant Primary School**

To make, by sealing, a new Instrument of Government for Mount Pleasant Primary School.



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**15.****Delegated Decision Summary**

<b>Exempt</b>	
Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Decision Made By** Councillor Tim Crumpton

**Authorised By** Councillor Tim Crumpton, Children's Services and Lifelong Learning  
Councillor David Sparks, Cabinet Member for Policy and Leader of the

**In Consultation With** Pauline Sharratt, Interim Director of Children's Services  
Iain Newman, Treasurer

**Ward(s) Affected** Amblecote  
Belle Vale  
Cradley and Wollescote  
Wordsley  
Quarry Bank & Dudley Wood  
Pedmore & Stourbridge East  
Halesowen North  
Halesowen South  
Hayley Green & Cradley  
South  
Norton  
Lye and Stourbridge North  
Wollaston & Stourbridge  
Town

**Date of Decision** 17 July 2014 **Reference** DCS/30/2014

**To seek approval for the submission of an Expression of Interest to the Education Funding Agency (EFA) for a capital allocation**

To seek approval for the submission of an Expression of Interest to the Education Funding Agency (EFA) for a capital allocation to address the condition needs of those school buildings in Dudley with the highest need that meet the terms of the initiative called Priority Schools Building Programme.

To approve the submission of an Expression of Interest to Education Funding Agency (EFA) for those schools in the Borough that have the highest condition backlog requiring significant capital investment that are of such a significant scale that the required work is not affordable through regular formulaic maintenance allocations received from the EFA.

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**16.****Delegated Decision Summary**

<b>Exempt</b>	
Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Decision Made By** Councillor Tim Crumpton

**Authorised By** Councillor Tim Crumpton, Children's Services and Lifelong Learning

**In Consultation With** Pauline Sharratt, Interim Director of Children's Services

**Ward(s) Affected** Wordsley

**Date of Decision** 23 July 2014 **Reference** DCS/31/2014

**New Instrument of Government for Dingle Primary School**

To make, by sealing, a new Instrument of Government for Dingle Primary School

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

**Decision Made By** Councillor Judy Foster  
**Authorised By** Councillor Judy Foster, Cabinet Member for Regeneration  
**In Consultation With** John Millar, Director of the Urban Environment  
**Ward(s) Affected** All  
**Date of Decision** 05 August 2014 **Reference** DUE/31/2014

**Black Country Councils Broadband Collaboration Agreement**

1.1 That the Council enter into Collaboration Agreements for the delivery of the Black Country Broadband Project & the Black Country Broadband Business Support Project.

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

**Decision Made By** Councillor Judy Foster  
**Authorised By** Councillor Judy Foster, Cabinet Member for Regeneration  
**In Consultation With** John Millar, Director of the Urban Environment  
**Ward(s) Affected** All  
**Date of Decision** 05 August 2014 **Reference** DUE/32/2014

**To apply a 6 month extension to Council's Landscape Term Tender**

1.1 That the period of the Council's landscape contractors biennial tender for Hard and Soft Landscape works up to £155,000 be extended from 10 March 2014 by a further 6 months.

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

**Decision Made By** Councillor Judy Foster  
**Authorised By** Councillor Judy Foster, Cabinet Member for Regeneration  
**In Consultation With** John Millar, Director of the Urban Environment  
**Ward(s) Affected** All  
**Date of Decision** 04 September 2014 **Reference** DUE/38/2014

**Eligibility criteria for allocation of High Street Innovation and Empty Shops Grant funding**

1.1 To agree the criteria for the allocation of High Street Innovation and Empty Shops Grant funding to be distributed via Community Forums.

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

**Decision Made By** Councillor Judy Foster  
**Authorised By** Councillor Judy Foster, Cabinet Member for Regeneration  
**In Consultation With** John Millar, Director of the Urban Environment  
**Ward(s) Affected** All  
**Date of Decision** 19 September 2014 **Reference** DUE/44/2014

**To approve the Directorate of the Urban Environment's Equality Action Plan for 2014/2015**

That the Directorate's Equality Action Plan for 2014/2015 be approved

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

**Decision Made By** Councillor Rachel Harris  
**Authorised By** Councillor Rachel Harris, Cabinet member for Human Resources, Legal,  
**In Consultation With** Philip Tart, Director of Corporate Resources  
**Ward(s) Affected** All  
**Date of Decision** 07 July 2014 **Reference** DCR/14/2014

**Repairs & Maintenance Budget 2014-15**

To approve the Repair & Maintenance Budget's programme of expenditure for 2014/15

To authorise the Director of Corporate Resources to establish a detailed programme of works, to make minor amendments to that programme and to add individual schemes to it during the course of the year subject to available resources

To authorise the Director of Corporate Resources to establish and enter [including by way of negotiation and/or extension] any contract necessary to facilitate the Council's repair and maintenance procurement system

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

**Decision Made By** Councillor Rachel Harris  
**Authorised By** Councillor Rachel Harris, Cabinet member for Human Resources, Legal,  
**In Consultation With** Teresa Reilly, Assistant Director  
**Ward(s) Affected** All  
**Date of Decision** 10 July 2014 **Reference** HOPSS/27/2014

**To create the post of 'Commissioning Curriculum Development and Operations Officer,'  
Regional Staff College, Children's Services. Funded by Income.**

To approve the creation of a Commissioning Curriculum Development and Operations Officer post, at Regional Staff College, Children's Services on a fixed term contract of 18 months, 22 hours per week, all year round. Funded by Income.

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**23.****Delegated Decision Summary****Exempt**

Yes No

 **Decision Made By** Councillor Rachel Harris**Authorised By** Councillor Rachel Harris, Cabinet member for Human Resources, Legal,**In Consultation With** Teresa Reilly, Assistant Director**Ward(s) Affected** All**Date of Decision** 24 July 2014**Reference** HOPSS/28/2014**To Approve the Appointment of an apprentice at Gornal Wood Crematorium from the Councils apprenticeship scheme.**

To approve the appointment of an apprentice at Gornal Wood Crematorium, from the Council's apprenticeship scheme.

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**24.****Delegated Decision Summary****Exempt**

Yes No

 **Decision Made By** Councillor Rachel Harris**Authorised By** Councillor Rachel Harris, Cabinet member for Human Resources, Legal,**In Consultation With** Teresa Reilly, Assistant Director**Ward(s) Affected** All**Date of Decision** 24 July 2014**Reference** HOPSS/30/2014**Approve the Quality & Commissioning Restructure in DACHS funded from existing base budget. it will improve customer experience.**

To approve the restructure of the Commissioning Team. The new structure will be linked to the forthcoming Adult Social Care new customer journey and will be built around 3 strands – Access & Prevention, Assessment & Independence and Complex & Inclusion.

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**25.****Delegated Decision Summary****Exempt**

Yes No

 **Decision Made By** Councillor Rachel Harris**Authorised By** Councillor Rachel Harris, Cabinet member for Human Resources, Legal,**In Consultation With** Teresa Reilly, Assistant Director**Ward(s) Affected** All**Date of Decision** 24 July 2014**Reference** HOPSS/31/2014**Create and recruit a temporary Family Intervention Administration Post (Fixed term until 31st March 2015) funded by the Troubled Families Grant.**

Create and recruit a fixed term full time administration post until 31st March 2015 funded by the Troubled Families Grant.

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

**Decision Made By** Councillor Rachel Harris  
**Authorised By** Councillor Rachel Harris, Cabinet member for Human Resources, Legal,  
**In Consultation With** Teresa Reilly, Assistant Director  
**Ward(s) Affected** All  
**Date of Decision** 24 July 2014 **Reference** HOPSS/29/2014

**Create & Recruit to the post of Educational Psychologist funded through Traded Services Income.**

To create and recruit Educational Psychologists funded through Traded Services income. Posts are:  
1 full-time consultant (senior) on a permanent contract.  
1 full-time main scale educational psychologist on permanent contract  
2 full-time main scale educational psychologist on temporary contracts

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

**Decision Made By** Councillor Rachel Harris  
**Authorised By** Councillor Rachel Harris, Cabinet member for Human Resources, Legal,  
**In Consultation With** Teresa Reilly, Assistant Director  
**Ward(s) Affected** All  
**Date of Decision** 24 July 2014 **Reference** HOPSS/33/2014

**Create & Appoint Case Officer – SEN Team – 2 year contract to comply with new legislative requirements & funded by specific grant.**

Create and appoint a case officer to the SEN Team on a full time 2 year fixed term contract, funded by specific grant.  
This is required as a minimum to service the implementation of the new SEN Code of Practice from September 2014 as required by the Children & Families Act 2014.

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

**Decision Made By** Councillor Rachel Harris  
**Authorised By** Councillor Rachel Harris, Cabinet member for Human Resources, Legal,  
**In Consultation With** Teresa Reilly, Assistant Director  
**Ward(s) Affected** All  
**Date of Decision** 24 July 2014 **Reference** HOPSS/32/2014

**Through existing funding and a restructure to establish & appoint 1 FTE Practice Dev Mgr, 1 FTE Assist Team Mgr, 18 FTE Social Workers, 9 FT**

Through existing funding and a restructure to establish & appoint to posts of:

- 1 FTE Practice Development Manager
- 1 FTE Assistant Team Manager
- 18 FTE Social Workers
- 9 FTE Advanced Social Work Practitioners
- 5.24 FTE Young Persons Advisers

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29.

Delegated Decision Summary

Exempt  
Yes No

**Decision Made By** Councillor Rachel Harris  
**Authorised By** Councillor Rachel Harris, Cabinet member for Human Resources, Legal,  
**In Consultation With** Teresa Reilly, Assistant Director  
**Ward(s) Affected** All  
**Date of Decision** 13 August 2014 **Reference** HOPSS/35/2014

**To create a post in the establishment at Dudley Council Plus for an additional Advisor, to be funded from the revenue budget for a post at Mary Stevens Park Rec**

To create a post in the establishment at Dudley Council Plus for an additional Advisor, to be funded from the revenue budget for a post at Mary Stevens Park reception.

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30.

Delegated Decision Summary

Exempt  
Yes No

**Decision Made By** Councillor Rachel Harris  
**Authorised By** Councillor Rachel Harris, Cabinet member for Human Resources, Legal,  
**In Consultation With** Teresa Reilly, Assistant Director  
**Ward(s) Affected** All  
**Date of Decision** 13 August 2014 **Reference** HOPSS/34/2014

**New Unit Catering Managers at St Edmund & St John and Tenterfields Primary Schools to deliver universal Free School Meals also at other primary schools as requi**

To create posts of Unit catering manager at St Edmund & St John Primary School and Tenterfields Primary School. 32.50 hours per week, 7.30am – 2.30pm, Monday – Friday, term time only.

Also at other primary schools as required to implement this national initiative.

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

**Decision Made By** Councillor Rachel Harris  
**Authorised By** Councillor Rachel Harris, Cabinet member for Human Resources, Legal,  
**In Consultation With** John Millar, Director of the Urban Environment  
**Ward(s) Affected** All  
**Date of Decision** 03 September 2014 **Reference** DUE/37/2014

**Authorisation of Officers from Birmingham City Council to undertake certain works within the Dudley Borough**

1.1 To authorise the following officers managed and employed by Birmingham City Council to enforce the provisions of "specified legislation"

- Philip David Page (all Specified Legislation required)
- Myles Macdonald (all Specified Legislation except Weights & Measures)
- Malcolm John McCutcheon (all Specified Legislation except Weights & Measures)
- Alan John Shakespeare - (all Specified Legislation except Weights & Measures)

and

Any other Officer appointed to the Scambuster Team as either:

A Trading Standards Officer – all legislation

or

An Enforcement Officer/Investigator – all legislation except weights and measures

1.2 To authorise the Director of Corporate Resources to enter into any necessary agreement relating to the delegations of functions to Birmingham City Council.

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

**Decision Made By** Councillor Peter Lowe  
**Authorised By** Councillor Peter Lowe, Deputy Leader  
**In Consultation With** Iain Newman, Treasurer  
**Ward(s) Affected** Norton  
**Date of Decision** 08 September 2014 **Reference** DUE/39/2014

**LEA VALE ROAD, STOURBRIDGE, FLOOD MITIGATION WORKS**

That the project to replace the Lea Vale Road Culvert be approved and included in the Capital Programme.

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

**Decision Made By** Councillor David Sparks  
**Authorised By** Councillor David Sparks, Cabinet Member for Policy and Leader of the  
**In Consultation With** Philip Tart, Director of Corporate Resources  
**Ward(s) Affected** All  
**Date of Decision** 07 July 2014 **Reference** DCR/15/2014

**Scheme of delegation**

That the scheme of delegation, as set out in Part 3 of the Council's Constitution, be amended to update Cabinet Member portfolios following the annual meeting of the Council on 5th June, 2014.

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

**Decision Made By** Councillor David Sparks  
**Authorised By** Councillor David Sparks, Cabinet Member for Policy and Leader of the  
**In Consultation With** John Polychronakis, Chief Executive  
**Ward(s) Affected** All  
**Date of Decision** 18 August 2014 **Reference** CE/07/2014

**Annual Council Action Plan Update 2014/15**

That the annual council action plan update for 2014/15 be approved.

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

**Decision Made By** Councillor David Sparks  
**Authorised By** Councillor David Sparks, Cabinet Member for Policy and Leader of the  
**In Consultation With** Iain Newman, Treasurer  
**Ward(s) Affected** All  
**Date of Decision** 21 August 2014 **Reference** DUE/36/2014

**POTHOLE FUND 2014/15**

This is an urgent decision (see Appendix A - urgent decision authorisations) to utilise £200,000 of the DfT Section 31 Grant, which forms the Pothole Fund, for a further programme of carriageway microsurfacing to stop the formation of potholes, and to include this expenditure in the Capital Programme.



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**36.****Delegated Decision Summary**

Exempt

Yes No

 **Decision Made By** Philip Tart**Authorised By** Philip Tart, Director of Corporate Resources**In Consultation With** Councillor Rachel Harris, Cabinet member for Human Resources, Legal,**Ward(s) Affected** St Thomas's**Date of Decision** 26 September 2014**Reference** DCR/17/2014**FORMER EDUCATION AND IT TRAINING CENTRE, ABBERLEY STREET, DUDLEY**

That the request to transfer land at the former Education and ICT Training Centre at Abberley Street Dudley by way of Community Asset Transfer be approved on terms and conditions to be negotiated and agreed by the Director of Corporate Resources.

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**37.****Delegated Decision Summary**

Exempt

Yes No

 **Decision Made By** Councillor Stuart Turner**Authorised By** Councillor Stuart Turner, Cabinet Member for Finance**In Consultation With** Iain Newman, Treasurer**Ward(s) Affected** All**Date of Decision** 03 July 2014**Reference** DCR/13/2014**Approval to waive Standing Order 8 to award a contract extension by negotiation for an enhancement to the current Housing Benefit/Council Tax Reduction system**

That approval is given to waive Standing Order 8 in respect of extending a contract by negotiation with Northgate Information Solutions UK Limited, to provide a Data Capture Service for Housing Benefit and Council Tax Reduction (HB/CTR) Application Forms. The service, known as eCapture is an enhancement to the current HB/CTR core processing system.

Benefit Services extend the contract for the period 1st October 2014 to 31st March 2016 with an option to extend for a further year. Prior to awarding the additional year a review will be conducted taking account of all relevant factors.

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**38.****Delegated Decision Summary**

Exempt

Yes No

 **Decision Made By** Councillor Stuart Turner**Authorised By** Councillor Stuart Turner, Cabinet Member for Finance**In Consultation With** Iain Newman, Treasurer**Ward(s) Affected** All**Date of Decision** 25 July 2014**Reference** DCR/16/2014**Approval to waive Standing Order 8 to award a contract extension by negotiation for an enhancement to the current Council Tax / Benefit core system (as describe**

1.1. That approval is given to waive Standing Order 8 in respect of extending a contract by negotiation with Northgate Information Solutions UK Limited, to provide an electronic integration service for Council Tax and Business Rates online forms. The service, known as WebCapture, is an enhancement to the current Revenues / Benefits core processing system.