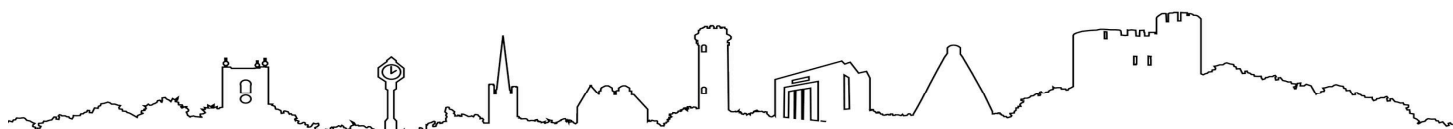


## Minutes and Delegated Decision Summaries

15<sup>th</sup> November, 2023 – 26<sup>th</sup> January, 2024

Public documents for meetings are on the Council's Website by accessing the [Committee Management Information System \(CMIS\)](#)

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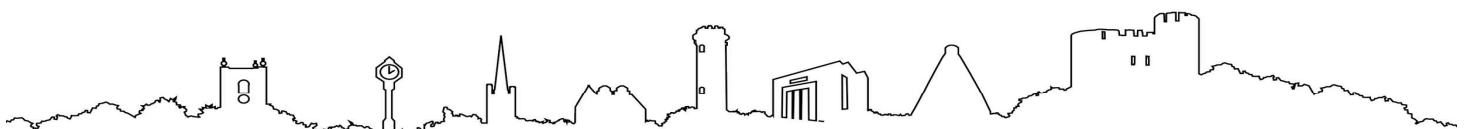
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## **Minutes of the Cabinet**

**Wednesday 13<sup>th</sup> December, 2023 at 6.00pm  
in Committee Room 2 at the Council House,  
Priory Road, Dudley**

### **Present:**

#### **Cabinet Members**

Councillor P Harley (Leader - Chair)  
Councillor P Bradley (Deputy Leader – Vice-Chair)  
Councillors P Atkins, I Bevan, R Buttery, D Corfield, S Clark, Dr R Clinton, M Rogers and L Taylor-Childs.

#### **Opposition Group Members Nominated to attend the Cabinet**

Councillors S Ali, A Aston, C Bayton, K Casey, J Cowell, J Foster, S Mughal, S Ridney and P Sahota.

#### **Officers**

B Heran (Deputy Chief Executive), K Jones (Director of Housing and Communities), I Newman (Director of Finance and Legal), M Abu Affan (Director of Public Health and Wellbeing); P Mountford (Head of Economic Growth and Skills) and H Mills (Senior Democratic Services Officer).

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### 40 **Apology for Absence**

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

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41 **Declarations of Interest**

Councillor J Cowell declared a non-pecuniary interest, in accordance with the Members' Code of Conduct, as a Council tenant.

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42 **Minutes**

**Resolved**

That the minutes of the meeting held on 25<sup>th</sup> October, 2023 be confirmed as a correct record and signed.

---

43 **Review of Housing Finance**

The Cabinet considered a joint report of the Director of Housing and Communities and the Director of Finance and Legal on the latest financial forecast outturn for 2023/24 and provisional Medium Term Financial Strategy (MTFS) to 2026/27 (revenue and capital) for the Housing Revenue Account.

Following the presentation of the report, Members of the opposition group expressed concerns regarding the proposed full rent increase of 7.7% and the full cost recovery for service charges equating to £12.46 per week (on average), for tenants in homes with communal areas, particularly during a period of rising costs of Council Tax and other amenities. Members also requested clarification as to whether it was the intention for grounds maintenance to be outsourced and if so, the impact this would have on wider Council Services; assurance that residents would benefit from an improvement in the level of service/maintenance provided as a result of the increase and whether there was a commitment for discretionary payments to assist those tenants' experiencing difficulties.

The Cabinet Member for Housing and Safer Communities responded to questions accordingly and in doing so commented that a prudent analysis had been undertaken with regard to the rent increase and service charge model, which would conform to Universal Credit to alleviate inconsistencies. It was further commented that there was no intention to outsource grounds maintenance and that there was an array of support available for residents that were experiencing difficulties to meet their payments. Housing representatives would be available at Cost of Living Hubs and additional capacity would be considered.

In referring to the transfer of the Telecare Service to the Adult Social Care Directorate, it was stated that whilst this had provided a saving within the HRA, it was recognised that it had created a pressure on Adult Social Care. The Telecare Service was considered an exceptional service, and Members were assured that there would be no impact to existing Council tenants that were users of the service and who continued to be eligible. The service would continue to be needs tested in the same way as all social care services.

### **Resolved**

- (1) That the latest Housing Revenue Account (HRA) outturn forecast for 2023/24, as outlined in paragraphs 7 to 11 (inclusive) and Appendix 1 to the report submitted, be noted.
- (2) That the proposed budget for 2024/25, the provisional Medium Term Financial Strategy (MTFS) to 2026/27, and the revised Public Sector Housing capital programme for 2023/24 to 2028/29 as outlined in paragraphs 12 to 21 (inclusive) and Appendices 2 and 3 to the report submitted, be noted.

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#### 44 **Local Government Association (LGA) Corporate Peer Review Feedback**

A report of the Chief Executive was submitted to provide a summary of the feedback from the Corporate Peer Challenge (CPC), organised by the Local Government Association (LGA) from 19<sup>th</sup> to 22<sup>nd</sup> September, 2023.

## **Resolved**

That the contents and recommendations contained within the feedback report be acknowledged and endorsed and that the Council's approach with regard to implementation be supported.

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### 45 **Independent Improvement and Assurance Board (IAB)**

The Cabinet considered a report of the Chief Executive which provided an overview of the newly established Improvement and Assurance Board to address the recommendations from the Local Government Association Peer Review feedback, Annual Auditor's report and the financial challenges the Council faced.

## **Resolved**

That the report be noted and that the establishment of the Council's Improvement and Assurance Board be supported.

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### 46 **Long Term Plan for Towns – The Town of Dudley**

A report of the Director of Regeneration and Enterprise was submitted on the Long Term Plan for Towns Initiative, the implementation process, funding, timescales and the proposed next steps.

Following the presentation of the report, Members of the opposition group commented positively on £20 million endowment investment that Dudley was set to benefit from, however, emphasised the need for the membership of the Town Board to reflect the area and community and suggested that one Councillor from each of the Central Dudley Wards be appointed as members, together with a young person representative. The need for due consideration to be given with regard to converting vacant retail into living space, to ensure it was appropriate and fit for purpose, and the need for the investment to be made now and not spread over a ten-year period was emphasised.

## **Resolved**

- (1) That the details of the initiative and the proposed next steps be noted.

- (2) That the Director of Regeneration and Enterprise, following consultation with the Deputy Leader (Cabinet Member for Communities and Economic Delivery), be authorised to progress the implementation of the initiative, as set out in the 'next steps' that do not require additional funding in advance of the receipt of capacity funding and that the 'finance' sections in the report and the impact on the programme of the need to pause elements until the capacity funding is received, be noted.
- 

## 47 **Stalled and Derelict Sites Programme**

The Cabinet considered a report on stalled and derelict sites programme, in particular to seek approval for work to commence on the preparatory stages required to use compulsory purchase order powers and to improve the supply of land and property to deliver new homes on brownfield land, protect green belt and support the availability of affordable and mixed tenure homes.

Arising from the presentation of the report, Members suggested that an updated list or map identifying stalled and derelict properties, with a narrative of why some properties were not listed, would be useful, however due to commercial sensitivity it was recognised that this may need to be provided in the form of a private report to a future meeting.

### **Resolved**

- (1) That the Council confirm that it is minded in principle to seek approval from the Secretary of State to use its Compulsory Purchase Order (CPO) powers on sites within the borough that are detailed within the Stalled and Derelict Sites programme.
  - (2) That the Director of Regeneration and Enterprise be authorised to undertake and commission the necessary detailed work to establish the case for a CPO, meeting the statutory tests and funding requirements for individual sites within the Stalled and Derelict Sites programme, and that this will be subject to any internal spending control processes that are in place.
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48 **Infrastructure Funding Statement 2022/23**

A report of the Director of Regeneration and Enterprise was submitted to seek approval for the Infrastructure Funding Statement 2022/23 and to provide an update on available Community Infrastructure Levy (CIL) monies.

Arising from questions raised by Members of the opposition group in relation to Section 106 monies; the process in which these monies were allocated; details of how much Section 106 monies and CIL neighbourhood funding allocations were available for each ward; and confirmation of what the affordable housing allocation was and why it had not been spent, would be provided by Officers following the meeting.

**Resolved**

- (1) That the Infrastructure Funding Statement 2022/23 be approved.
- (2) That the available Community Infrastructure Levy monies and the approach to funds being carried forward be approved.

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49 **Portersfield**

The Cabinet considered a report of the Director of Regeneration and Enterprise in relation to the progress with the Portersfield project, which outlined the proposed next steps and timescales moving forward.

Members of the opposition group commented on the need to broaden the vision for the site and to provide an element of mixed-use development, rather than being predominately residential. Consideration for the inclusion of health facilities and GP Practices was advocated.

**Resolved**

- (1) That the progress made to date and the updates presented in the report be noted.
- (2) That the headline activity and timescales proposed over the next six months, with further detail to be provided in due course on specific elements, be noted.



- (3) That the revenue budget and how that is proposed to be used, prior to seeking further financial approvals, be noted.
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50 **Issues arising from Overview and Scrutiny Committee and Select Committees**

No issues were raised under this agenda item.

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51 **Questions from Members to the Leader (Cabinet Procedure Rule 2.5)**

No questions were raised under this agenda item.

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The meeting ended at 7.30pm

LEADER OF THE COUNCIL



## **Minutes of the Cabinet**

**Thursday 11<sup>th</sup> January, 2024 at 5.00pm  
in Committee Room 2 at the Council House,  
Priory Road, Dudley**

### **Present:**

#### **Cabinet Members**

Councillor P Harley (Leader - Chair)

Councillor P Bradley (Deputy Leader – Vice-Chair)

Councillors P Atkins, I Bevan, R Buttery, D Corfield, S Clark, Dr R Clinton and M Rogers.

#### **Opposition Group Members Nominated to attend the Cabinet**

Labour Group - Councillors S Ali, A Aston, J Cowell, J Foster, P Lowe and S Ridney.

Independent Group – Councillors S Keasey and M Westwood.

#### **Officers**

B Heran (Deputy Chief Executive), M Abu Affan (Director of Public Health and Wellbeing), M Bowsher (Director of Adult Social Care), C Driscoll (Director of Children's Services), H Martin (Director of Regeneration and Enterprise), N McGurk (Acting Service Director - Neighbourhood Delivery), I Newman (Director of Finance and Legal), H Mills (Senior Democratic Services Officer) together with other officers.

#### **External Auditor**

A Smith – Grant Thornton (for Agenda item no. 4)

#### **Observers**

Councillors R Collins, D Harley, I Kettle, E Lawrence and R Priest.



52 **Apologies for Absence**

Apologies for absence from the meeting were submitted on behalf of Councillors L Taylor-Childs and P Sahota.

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53 **Declarations of Interest**

No interests were declared in accordance with the Members' Code of Conduct.

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54 **Medium Term Financial Strategy**

The Cabinet considered a joint report of the Deputy Chief Executive and the Director of Finance and Legal on the latest General Fund revenue position for 2023/24 and provisional Medium Term Financial Strategy (MTFS) to 2026/27, together with a supplementary report of the Director of Finance and Legal in respect of the MTFS and Pens Meadow School.

Councillor S Clark (Cabinet Member for Finance, Legal and Human Resources) presented the report and in doing so referred to the financial position of the Council and the potential risk of a Section 114 notice being issued by the Director of Finance and Legal within the next 12-month period. The unprecedented pressures associated with social care, a history of Dudley being a low Council Tax Authority and ongoing inflation rises were all considered to be contributing factors to the Council's financial situation and a common theme across all authorities in the Country. It was considered that the financial settlement provided by Government did not keep pace with the rising costs, which resulted in the Council being expected to use their own reserves. Whilst regrettable, it was considered necessary to impose additional charges, such as charging for green waste collections, and to look to reduce the total operating model of the Council to make savings. It was further reported that the Council had approached central government for exceptional financial support.

In referring to paragraphs 4 and 15 of the report in relation to the building of a new Pens Meadow School to replace the current split site provision, it was stated that the Cabinet was requested to consider whether or not to approve a specific override to the spending controls or to defer the Pens Meadow School project. Advice was set out in the supplementary report of the Director of Finance and Legal.

Following the presentation, whilst acknowledging the Council's financial position and advice of the Director of Finance and Legal, the Leader expressed his support for the Pens Meadow Project to continue as it was considered that the current school facilities were not suitable or fit for purpose. Whilst he recognised that the project would require funding now, he reported that it would ultimately reduce spending in future years. It was reported that the cost for a high needs child to attend Pens Meadow School was in the region of £31,000 per year, whereas for a child to attend a provision in the private sector would cost between £60,000 and £90,000.

Councillor R Buttery (Cabinet Member for Children's Services and Education) supported the comments made by the Leader and stated that plans to redevelop Pens Meadow had been under consideration for a significant period of time, during which no repairs or improvements had been made for that length of time. Whilst the teaching and care of children at the school was recognised to be outstanding, the facilities were considered inadequate, located on two separate sites which caused difficulties for both pupils and staff and therefore Members were urged to support the continuation of the project.

The Opposition Spokesperson for Finance and Digital (Councillor S Ali), referred to the dire and perilous financial position of the Council which, in his view, was as a result of a reduction in central government funding since 2010/11 and a systematic decimation of Dudley's funding of services and mismanagement by the administration. The use of financial reserves to meet shortfalls was referred to, together with previous years' budgets not being delivered, on which concerns had previously been raised by Members and the external auditors. Clarification on the impact of the spending control measures, the services affected, what savings had been made and whether a legal budget would be set for the 2024/25 financial year was requested.

In responding to questions raised, Councillor S Clark advised that the first phase of spending controls implemented had focussed on staffing and agency, which forecasted an improvement of £1.5 million and that a legal budget would be set for this financial year.

The Leader of the Council concurred with comments made with regard to the disappointing settlement in comparison to previous years and expressed concern about the settlement being received on the last working day of the calendar year. This inevitably caused difficulties when trying to resolve discrepancies. Representations would continue to be made to local Members of Parliament for the settlement to be delivered at the same time as the Chancellor's autumn statement.

The Leader commended the Children's Services Directorate on their efforts to reduce spend with regard to children in care, equating to £19 million, however recognised that this was still not enough and more needed to be done to drive down cost for both adults and children's social care. Whilst it was acknowledged that the Council worked closely with NHS partners, the relationship between the NHS and Local Authorities needed to improve to ensure services operated efficiently and effectively.

Councillor P Lowe (Opposition Group Leader), on behalf of the Labour Group, acknowledged the difficulties the Cabinet had in establishing a legal budget and asked for clarification on what had changed since 5<sup>th</sup> December, 2023, when it was reported that it was hoped that services would not be cut and that the Council would not be bankrupt or issuing a Section 114; how confident was the Local Authority that any requests to the Government for exceptional financial funding would be agreed and whether the proposed budget was considered 'barely legal'.

In responding to questions, Councillor S Clark advised that comments made on 5<sup>th</sup> December, 2023 had been made prior to confirmation of the settlement, which once received had been less than expected and initially forecasted. He expressed disappointment in terms of the settlement, however, remained confident that a legal budget would be set for the 2024/25 financial year. It was reported that the overspend had been for various reasons which included an increase in costs of adult and children's social care and the increase of wages to bring up to a minimum level, which had impacted on the Council's depleted and low reserves. Government support to continue to finance adult social care was required.

The Leader, Cabinet Member for Finance, Legal and Human Resources and the Director of Finance and Legal (Section 151 Officer) responded to questions from Councillor S Keasey regarding how the Council had lost control of the budget; did the 2023/24 budget remain legal following the changes made in July 2023; could a guarantee be provided that community funding would not be cut; was there any evidence to support the decision to continue with the Pens Meadow Project irrespective of the Section 151 Officer's professional advice and would this impact upon future working relationships and would Councillor allowances be reviewed, together with the introduction of car parking charges.

The Cabinet Member for Finance, Legal and Human Resources advised that decisions needed to be made now to prevent a Section 114 notice being issued. It was acknowledged that the Council's current financial situation was perilous and difficult decisions would need to be made. The impact of the increase in costs in respect of adult social care and children's

social care were reiterated and the way in which the NHS and the Local Authority worked together needed to be addressed by the Government as a matter of urgency.

In referring to the Pens Meadow Project, the Director of Finance and Legal stated that his advice was based on financial fact in that to build a school would incur debt charges during a period when the Council was at risk of issuing a Section 114 Notice. The potential for savings would be in future years and did not impact the immediate financial issue, therefore the advice provided was in spite of any potential future benefits. Resources at year end were forecast to be sufficient to set a legal budget at this time, but by an uncomfortably small margin. Forecasts would be reviewed on a week to week, month to month basis to assess whether a Section 114 Notice would be required.

### **Resolved**

- (1) That the forecast General Fund revenue outturn position for 2023/24 and the effect on General Balances at 31<sup>st</sup> March, 2024, be noted.
  - (2) That the progress with delivery of savings as set out in Appendix B in the report, be noted.
  - (3) That the actions of the External Auditors as outlined in paragraph 12 of the report submitted, be noted.
  - (4) That the various risks and issues which will need to be taken into account in finalising budget proposals for 2024/25 and the Medium-Term Financial Strategy, be noted.
  - (5) That, following consideration of the benefits and risks as set out in paragraph 15 of the report and the supplementary report of the Director of Finance and Legal, an override of the spending controls in order to allow the project to replace Pens Meadow School to proceed, be approved.
  - (6) That the preliminary financial strategy, as outlined in the report, as a basis for scrutiny and consultation, be approved.
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55 **Grant Thornton Auditor's Annual Report**

A report of the Director of Finance and Legal was submitted on the Grant Thornton draft Auditor's Annual Report (AAR) combined for 2021-2022 and 2022-2023.

A Smith (External Auditor) attended the meeting and presented the report, and in doing so advised that the report had previously been considered by the Audit and Standards Committee on 18<sup>th</sup> December, 2023. Three areas were assessed as part of their work which related to financial sustainability, governance and the arrangements in place by the Council to improve economy, efficiency and effectiveness.

Significant weaknesses had been identified in the Council's arrangements in relation to financial sustainability, governance and improving economy, efficiency and effectiveness. In addressing these concerns, four key recommendations had been made including those relating to the Council's financial position and the need to replenish reserves and rebuild them to become financially resilient moving forward. A reset in relationships between Officers and Members was also recommended to help restore trust and respect, and a further recommendation related to the Council settling the requirements of the Regulatory Notice issued by the Regulator of Social Housing with respect to the identification of a failure to meet minimum service standards.

With reference to the previous agenda item in relation to the 2024/25 budget, concerns were raised with regard to the continued use of reserves and the Council's current financial position and therefore consideration would now be given to issuing a statutory recommendation in advance of the budget setting, which would request the Council to identify a minimum of an additional £2.5 million worth of savings and preferably more so as to create a contingency that could be used and deployed to address any in-year pressures that may arise.

The Leader and the External Auditor responded to questions from Members of the Opposition Groups regarding how audits were conducted; who was responsible for the poor Member and Officer relationships and was pressure being placed on Officers by Councillors; and why action had not be taken by the Cabinet when the Auditor's report had first been presented in July 2023.

The Leader assured Members that measures had been put in place and work was ongoing to address the recommendations, however these issues were not a quick fix and would take time to implement. The Improvement Board was now established and had been tasked to look at the total operating model to produce savings. Updates would be provided to the Cabinet and Shadow Cabinet accordingly.

### **Resolved**

That the Auditor's Annual Report (AAR) and the management actions, as detailed in the draft AAR attached as Appendix 1 to the report submitted, be received and supported.

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56 **Issues arising from Overview and Scrutiny Committee and Select Committees**

No issues were raised under this agenda item.

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57 **Questions from Members to the Leader (Cabinet Procedure Rule 2.5)**

No questions were raised under this agenda item.

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The meeting ended at 6.08pm

LEADER OF THE COUNCIL



**Minutes of the Overview and Scrutiny Committee  
7<sup>th</sup> December, 2023 at 6.00pm  
In Committee Room 2, The Council House, Priory Road, Dudley**

**Present:**

Councillor I Kettle (Chair)  
Councillor M Hanif (Vice-Chair)  
Councillors S Ali, H Bills, J Clinton, A Davies, P Dobb, J Foster, E Lawrence,  
E Taylor and D Stanley

**Cabinet Members (by invitation)**

Councillor P Harley (Leader of the Council)  
Councillor D Corfield (Cabinet Member for Highways and Environmental  
Services)

**Officers:**

B Heran (Deputy Chief Executive), I Newman (Director of Finance and Legal),  
M Farooq (Lead for Law and Governance – Monitoring Officer), N Lissimore  
(Transport Strategy Manager), D Hubbard (Policy Lead – Transport) and  
S Griffiths (Democratic Services Manager – Scrutiny Officer).

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17 **Apologies for Absence**

There were no apologies for absence.

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18 **Appointment of Substitute Members**

There were no substitute Members appointed for this meeting.

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19 **Declarations of Interest**

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

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20 **Minutes**

**Resolved**

That the minutes of the meeting held on 19<sup>th</sup> October, 2023 be confirmed as a correct record and signed.

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21 **Public Forum**

No issues were raised under this agenda item.

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22 **Overview and Scrutiny Arrangements 2023/24**

Further to Minute No. 13 of the meeting held on 19<sup>th</sup> October, 2023, a report of the Lead for Law and Governance was submitted on the development of the Council's Overview and Scrutiny Arrangements for 2023/24.

The Democratic Services Manager gave a brief overview of the report. The Deputy Chief Executive then gave a presentation on the key findings of the Local Government Association (LGA) Corporate Peer Challenge report, which would be considered by the Cabinet on 13<sup>th</sup> December, 2023. The presentation slides would be made available for Members online.

Councillor D Stanley referred to procurement and the need to ensure that the Council obtained best value from contractors who worked for the authority. The Deputy Chief Executive referred to the ongoing work of the Procurement Team and the Commercial Team and the complementary role of the Spending Controls Group which had recently been established. In response to further comments from Councillor D Stanley, the Deputy Chief Executive acknowledged the importance of the visitor economy and tourism and the need for an effective and joined-up partnership approach to marketing with the private sector and the business community.

Councillor J Foster referred to the future role of the Overview and Scrutiny Committee in relation to scrutinising the actions taken to implement the findings of the LGA report. The report raised cross-cutting issues of corporate significance and it would be appropriate to incorporate this item in the future work programme of this Committee. In relation to the implementation timetable, the Deputy Chief Executive reported on ongoing meetings and the Overview and Scrutiny Committee would receive progress updates. The Director of Finance and Legal confirmed that the Medium-Term Financial Strategy would be reported to the Overview and Scrutiny Committee on 25<sup>th</sup> January, 2024.

In response to a question from the Vice-Chair (Councillor M Hanif), the Deputy Chief Executive confirmed details of the appointments made to the Independent Assurance Board.

In the context of the spending controls and the additional meetings taking place, Councillor A Davies expressed concern that the Council should avoid a culture of delay and should remain efficient in making decisions and delivering services. The Director of Finance and Legal reported on the balanced approach being taken to the spending controls. The spending control principles applied to all levels of expenditure to ensure a focus on essential spending only. Work was ongoing to clarify the levels at which decisions were taken to avoid unnecessary delays and to ensure operational efficiency. The Chair (Councillor I Kettle) supported the comments made by Councillor A Davies.

Councillor E Taylor referred to the need for clear accountability concerning the standard of road maintenance work and the reason why the Council was paying twice for the same job in some instances. The Leader (Councillor P Harley) and the Cabinet Member for Highways and Environmental Services (Councillor D Corfield) invited Members to email any specific issues to them. Councillor D Corfield also referred to the contractual arrangements which now included a five-year warranty to ensure that contractors and sub-contractors rectified any defective work and make sure that the Council was only charged once for a specific job.

Councillor J Foster commented that the issue raised by Councillor E Taylor was also relevant to the item on traffic congestion and the impact on the Dudley economy (see Minute No. 23 below). The Chair (Councillor I Kettle) commented that issues could also be raised at the Highways and Environmental Services Select Committee. The Chair of that Select Committee (Councillor E Lawrence) reported on the discussions that had already taken place on this subject with a view to implementing improvements and new ways of working.

Three meetings of the Independent Assurance Board had taken place and the Leader (Councillor P Harley) commented positively on the progress made with cross-party discussions. Councillor J Foster supported these comments and emphasised the need to focus on outcomes in a relatively short timescale given the scale of the challenges involved.

Councillor H Bills referred to issue of 'silo-working' as identified in the LGA report and emphasised the importance of addressing this culture to ensure the Council worked more constructively in the future.

Councillor S Ali supported comments made previously concerning the importance of the visitor economy and the need to effectively 'package together' and promote what the Borough had to offer including its visitor-attractions.

Councillor S Ali commented on the significant financial, governance, culture, capacity and structural issues identified in the LGA report. The report was considered a 'reality check' and the action required represented a massive undertaking, including the extent and scope of workstreams affecting regeneration, children's services and adult social care. It was important that this Committee continued to scrutinise the outcomes and improvements to ensure the Independent Assurance Board was making a difference.

The Leader (Councillor P Harley) commented that work to promote tourism was being undertaken by West Midlands Growth Company and West Midlands Tourism and Hospitality Advisory Board and noted that the Council's activities were subject to ongoing financial constraints.

Councillor J Foster referred to the need to summarise the outcomes of the Scrutiny Committee's discussions and agree recommendations. Following a debate, it was considered beneficial that the Deputy Chief Executive present an interim report on the progress of the Independent Assurance Board to the meeting of this Committee on 25<sup>th</sup> January, 2024.

The Committee referred to the LGA recommendation to keep the scrutiny function under review, including the work programme, and to ensure that there were adequate resources in place so that it was fit for purpose. It was noted that further work was necessary to develop the Council's scrutiny arrangements. The Chair referred to the options to deal with scrutiny 'call-ins' and, following a lengthy discussion, the matter was put to a vote.

## Resolved

- (1) That the presentation and briefing on the Local Government Association Corporate Peer Review, prior to its consideration by the Cabinet on 13<sup>th</sup> December, 2023, be noted.
- (2) That the Deputy Chief Executive present an interim report on the progress of the Independent Assurance Board to the meeting of the Overview and Scrutiny Committee on 25<sup>th</sup> January, 2024.
- (3) That the publication of the Government's Scrutiny Protocol for English Institutions with Devolved Powers, as set out in the Appendix to the report, be noted.
- (4) That Option 2 for dealing with Scrutiny Call-Ins, as set out in the report, be recommended for adoption whereby Scrutiny Call-Ins will continue to be referred to and determined by the appropriate Select Committee.
- (5) That revised versions of Article 6 of the Constitution and the associated Scrutiny Procedure Rules be submitted to the Council as part of the Annual Review of the Constitution.

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### 23 **Traffic Congestion and the Impact on the Dudley Economy**

Prior to consideration of this item, Councillor J Foster queried the reason why this item had been included on the agenda for the Overview and Scrutiny Committee. The Chair indicated that traffic congestion had an impact on a range of issues such as the quality of life of residents, the environment and the local economy. As a cross-cutting issue this was considered a relevant agenda item.

It was noted that a report had previously been considered by the Highways and Environmental Services Select Committee. Councillor J Foster expressed concerns and disappointment about the process for scrutiny work programming and the operation of scrutiny generally and would be making further representations in this regard. It was also requested that additional training be arranged for the Committee in due course.

The Committee received a presentation on the Dudley Highway Network Performance. The presentation slides would be made available to Members on the Internet.

Councillor D Stanley referred to specific examples where temporary lights were causing significant traffic delays. Councillor Stanley referred to the need to enforce fines when companies failed to complete scheduled works on time. There were consequential issues for buses not running according to published timetables and particular issues outside schools at peak times. The situation could be improved by the better co-ordination of programmed street works.

Councillor E Taylor raised concerns about traffic congestion and local knowledge, which led to 'rat-running' causing pollution and particular problems on estates, which needed to be addressed.

Councillor A Davies supported the key strategic importance of dealing with traffic congestion and felt that it was appropriate for this issue to be considered by the Overview and Scrutiny Committee. This enabled all the issues and consequences to be considered as a whole, rather than individual Select Committees considering aspects that were only relevant to their remit. There was a need to promote better understanding of road usage in the future and shape the way devolved funding allocated to West Midlands Combined Authority could be used to tackle specific problems of congestion and improve traffic flow in Dudley Borough. Transport for West Midlands should also be engaged in the discussion of issues that were specifically relevant to the Borough.

The Chair (Councillor I Kettle) commented that the presentation highlighted the significance of this issue in terms of the economic impact, environmental pollution, health implications and the impact on quality of life. He thanked the Officers for the presentation and requested further statistical information in the future.

Councillor S Ali acknowledged the issues and commented on the importance of action to alleviate the problems. Reference was made to optimising traffic light signals which affected traffic flow. It had been reported that the air quality plan was last reviewed in 2016 and an update had been requested by the Audit and Standards Committee. Councillor Ali also commented on safety issues including the policy and process for traffic calming/safety measures.

Councillor P Dobb (Chair of the Climate Change Select Committee) indicated that a report had been submitted to the Climate Change and Environment Scrutiny Committee in September, 2022 concerning the monitoring of air quality in the Borough. He would request that a copy of the report be provided.

Councillor J Foster referred to the need to consider the approach to the scrutiny of this thematic issue and suggested that, if it was decided to undertake future detailed scrutiny, this should involve submissions from the Acting Service Director (Environment), the Mayor of West Midlands Combined Authority, along with other subject matter experts, with a view to formulating recommendations.

Councillor A Davies commented on issues of speed and safety in the context of the efficiency of traffic flow and discussions with Officers concerning the installation of average speed cameras on the A461 (Brettell Lane) to change driver behaviour and the need to take a joined-up approach to tackling the various issues involved.

Officers responded to questions from Councillor E Lawrence concerning the effectiveness and expenditure on individual traffic flow schemes and the situation where existing roads could not deal with the volumes of traffic. Reference was made to parking/traffic issues at Russells Hall Hospital and the need for the Council to work collaboratively with other organisations. Councillor Lawrence also referred to the scope for an Artificial Intelligence (AI) enabled traffic signal network in the future. The size and complexity of the issues involved were acknowledged.

Councillor H Bills commented on traffic and parking issues in the vicinity of schools and the need for clear and effective road markings and lines.

Councillor J Foster commented further on the scrutiny process and the lack of a report with clear recommendations. She queried the plan moving forward and repeated the need to develop a clear scope for the scrutiny exercise and invite key participants including the Mayor of the West Midlands Combined Authority, Lead Council Officers on Climate Change and Highways, relevant Cabinet Members and others that may be identified.

The Cabinet Member for Highways and Environmental Services (Councillor D Corfield) acknowledged the key points raised by Members during the meeting. Issues were frequently raised by residents concerning the condition of roads. He commented on the size and scale of the national and regional issues involved. A proactive repair, resurfacing and highway maintenance programme had been developed alongside improved working methods to make the most effective use of resources. He acknowledged the considerable ongoing work and progress and welcomed future scrutiny.

The Vice-Chair (Councillor M Hanif) expressed the view that any future scrutiny work on this topic should be focussed and avoid duplication with work undertaken by the Highways and Environmental Services Select Committee.

Councillor D Stanley commented on potential congestion issues in and around King Street and Trindle Road, Dudley arising from the Metro and bus station developments in Dudley Town Centre. Officers indicated that this issue was under active consideration.

The Chair (Councillor I Kettle) referred to recent discussions at a public meeting concerning the ticket office at Stourbridge station, which had highlighted issues around commuting, the economic impact and the effect on the wellbeing of residents.

At the conclusion of the meeting, the Chair (Councillor I Kettle) undertook to include an item in the future work programme to undertake a detailed scrutiny exercise in relation to this topic.

### **Resolved**

- (1) That the report and presentation be noted.
- (2) That the issue of traffic congestion be included in the future scrutiny work programme with a view to a detailed scrutiny exercise being undertaken on this topic in the future.

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## 24 **Questions Under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

The meeting ended at 8.30pm

CHAIR



**Minutes of the Overview and Scrutiny Committee  
25<sup>th</sup> January, 2024 at 6.00pm  
In the Council Chamber, The Council House, Priory Road, Dudley**

**Present:**

Councillor I Kettle (Chair)  
Councillor M Hanif (Vice-Chair)  
Councillors S Ali, H Bills, J Clinton, A Davies, P Dobb, J Foster, E Lawrence,  
D Stanley and E Taylor

**Cabinet Members (by invitation)**

Councillor P Harley (Leader of the Council)  
Councillor S Clark (Cabinet Member for Finance, Legal and Human Resources)  
Councillor M Rogers (Cabinet Member for Adult Social Care)

**Other Members (by invitation)**

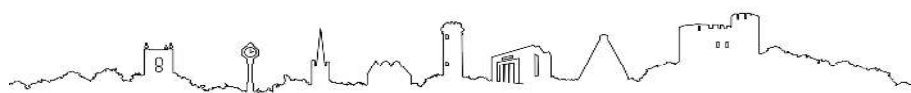
Councillors R Collins, K Denning, D Harley, J Martin and C Reid

**Officers (Dudley MBC):**

B Heran (Deputy Chief Executive), M AbuAffan (Director of Public Health and Wellbeing), M Bowsher (Director of Adult Social Care), C Driscoll (Director of Children's Services), K Jones (Director of Housing and Communities), H Martin (Director of Regeneration and Enterprise), I Newman (Director of Finance and Legal), N McGurk (Acting Service Director - Neighbour Delivery), R Cooper (Head of Financial Services), I Grosvenor (Finance Manager), M Lyons (Interim Lead - Compliance and Building Safety), L Jones-Moore (Finance Manager), P Mountford (Head of Economic Growth and Skills) and S Griffiths (Democratic Services Manager – Scrutiny Officer).

**Officers (West Midlands Combined Authority)**

J Gibson (Head of Policy and Public Affairs) and J Hughes (Member Relationship Manager)



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25 **Introduction by the Chair**

The Chair explained the context for this meeting and informed all participants that the proceedings were being broadcast on the Internet.

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26 **Apologies for Absence**

There were no apologies for absence.

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27 **Appointment of Substitute Members**

There were no substitute Members appointed for this meeting.

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28 **Declaration of Interests**

Councillors I Kettle and D Stanley declared non-pecuniary interests, in accordance with the Members' Code of Conduct, in view of their membership of Overview and Scrutiny Committees at West Midlands Combined Authority.

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29 **Minutes**

**Resolved**

That the minutes of the meeting held on 7<sup>th</sup> December, 2023 be confirmed as a correct record and signed.

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30 **Public Forum**

A representative of Dudley Centre for Inclusive Living expressed concerns on the Council's budget proposals relating to Adult Social Care and Children with Special Educational Needs and Disabilities. Concerns were raised regarding the proposals affecting the Unicorn Centre, Amblecote.

The Director of Adult Social Care acknowledged the valuable contribution made by the Unicorn Centre and referred to the re-provision of the service at Queens Cross. He acknowledged the need for staff training and support. Some service users already attended Queens Cross, however, others did not. It was necessary to balance the cost of providing the service in the context of the Council's overall financial position. A detailed equality impact assessment was in progress and the information would be made available when completed.

Further concerns were expressed that staff at the Unicorn Centre had been instructed not to discuss or disclose information about the proposals with service users. It was queried whether this was normal policy as it was considered beneficial for all concerned to be informed as soon as possible so that those affected could make any necessary preparations and changes. The proposal would have a significant impact on a small group of service users and might cost the Council more if people were subsequently moved into residential care.

The Chair (Councillor I Kettle) confirmed that the proposals in the budget report were subject to approval by the Full Council before any changes could be implemented.

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31 **West Midlands Combined Authority - Formal Ratification of the Single Settlement Memorandum of Understanding between the West Midlands Combined Authority and His Majesty's Government**

The Committee considered a report of the Director of Regeneration and Enterprise on the proposed single settlement memorandum of understanding between the West Midlands Combined Authority and His Majesty's Government. A report on this issue would be considered by the Cabinet on 15<sup>th</sup> February, 2024.

The Committee received a presentation from J Gibson (Head of Policy and Public Affairs – West Midlands Combined Authority). The presentation slides had been made available on the Council's website. Councillors K Denning and J Martin expressed concerns about the accessibility of the presentation slides, particularly as this meeting was open to all Members of the Council and to the public generally. Officers acknowledged and undertook to address the concerns raised.

The Head of Policy and Public Affairs – West Midlands Combined Authority responded to a question from Councillor S Ali concerning the future arrangements for developing place-based strategies and how this would differ from the existing arrangements.

The Chair (Councillor I Kettle) referred to the arrangements for local scrutiny, particularly the commitment to greater scrutiny including meetings with local Members of Parliament at regular broadcast sessions. The Chair queried the format and practical arrangements for these sessions. The Member Relationship Manager – West Midlands Combined Authority advised that terms of reference had been developed and were subject to approval through the appropriate governance process. It was anticipated that a meeting would be arranged with all MPs in the Combined Authority region in due course. The Head of Policy and Public Affairs – West Midlands Combined Authority also responded to questions from the Chair concerning the devolution of decisions on transport schemes.

The Chair thanked officers and representatives of the West Midlands Combined Authority for their attendance and the information provided at the meeting.

### **Resolved**

- (1) That the proposed Single Settlement Memorandum of Understanding between West Midlands Combined Authority and His Majesty's Government, as set out in the Appendix to the report, be noted.
- (2) That the high-level next steps for Single Settlement negotiations and implementation ahead of the first Single Settlement allocation, which is likely to be 1<sup>st</sup> April, 2025, be noted.

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## **32 Medium Term Financial Strategy**

The Committee considered a joint report of the Deputy Chief Executive and the Director of Finance and Legal on the draft Medium Term Financial Strategy to 2026/27, which had been approved by the Cabinet on 11<sup>th</sup> January, 2024 as the basis for consultation and scrutiny.

Following an introduction by the Director of Finance and Legal, Members considered the report. The following questions and comments were raised during the discussion:

Councillor S Ali referred to the perilous state of the Council's finances and the impact of Central Government funding cuts since 2010/11. Although it was acknowledged that the Council may be able to set a legal budget in 2024/25, considerable challenges were identified in future years. Councillor Ali referred to the process for setting the budget and questioned when and why it had been decided not to take the budget proposals to individual Select Committees for detailed scrutiny. The Cabinet Member for Finance, Legal and Human Resources (Councillor S Clark) referred to the pressures identified in adults and children's social care and the spending controls that had been implemented by the Cabinet in October, 2023. It was recognised that decisions impacting on services were necessary, however, no decisions had been proposed pending the outcome of the Government's Spending Review. Following a Cabinet Summit on 22<sup>nd</sup> December, 2023, the budget proposals had been considered by the Cabinet on 11<sup>th</sup> January and it was noted that all Members of the Council had been invited to a budget Question and Answer session on 17<sup>th</sup> January, 2024.

Councillor S Ali questioned who had made the decision not to take the budget report to individual Select Committees. He also referred to the recent announcement of additional funding for local authorities and how much additional funding would be available to Dudley. The Cabinet Member for Finance, Legal and Human Resources (Councillor S Clark) reported that the budget timetable had been discussed at the Cabinet Summit and it was considered essential that full details of the financial settlement were available before the budget proposals were agreed formally by the Cabinet as a basis for consultation and scrutiny.

In referring further to the budget and scrutiny process, Councillor S Ali questioned how far the original budget figures forecast by the Director of Finance and Legal had differed from the settlement figures received in December, 2023. The Cabinet Member for Finance, Legal and Human Resources (Councillor S Clark) responded that the experience in previous years had been that the Government settlement often represented an improvement in the forecast figures. In the current year, the Director's forecast was accurate. However, the Cabinet Member remained of the view that it was the correct decision to await the settlement figures before presenting the budget proposals for consultation and scrutiny.

The Leader of the Council (Councillor P Harley) referred to the budget summit held on 22<sup>nd</sup> December, 2023, which was the earliest, reasonable opportunity for Members and Officers to consider the provisional settlement. Officers had worked through the Christmas period to ensure the accuracy of the figures and present options. Information had been provided to the Leader and Deputy Leader of the Opposition Group along with the proposed budget timetable. The Leader expressed the view that the process was reasonable given the time restrictions and acknowledged that it would be beneficial to receive the provisional settlement from the Government earlier in the year. However, due to the considerable work undertaken, the Council was now in a position where a legal budget could be presented in March, 2024, without using earmarked reserves, and he remained confident that the Council could avoid the issue of a Section 114 Notice.

Regarding the recent Government announcement of additional resources of £500m to social care authorities, the Director of Finance and Legal reported that the Council would not receive details until the final local government settlement was announced in the first week of February, 2024 and this would be considered, along with any conditions, in the final budget report presented to the Cabinet and Full Council.

Councillor E Taylor referred to the Household Support Fund. She questioned the assistance given to people who had difficulty with computer access and how many people had received support from the fund. The Director of Finance and Legal reported that demand had significantly outweighed the available funding. In relation to the applications element, the Council had tried to manage this fairly by releasing funds in four tranches at different times of the day to fit around different personal circumstances. The eligibility criteria had also been adjusted. The Director of Public Health and Wellbeing also referred to the administration of the Household Support Fund and further information would be provided to Councillor E Taylor.

Councillor E Lawrence commented on the scrutiny process and supported comments made concerning the receipt of the provisional settlement figures from the Government. However, it was considered reasonable that all Members had the opportunity to comment at this meeting of the Committee. The Acting Service Director – Neighbourhood Delivery responded to a question concerning green waste collections and gave clarification of the proposals for future collections, which would be subject to review.

The Director of Housing and Communities responded to questions from Councillor C Reid concerning the impact of increased charges on the lowest paid including reference to the prevention of homelessness and poverty. The Director referred to the challenges associated with the Council's budget position and outlined a range of assistance and support that was offered to residents and vulnerable people.

Councillor A Davies referred to the need to view the proposed Council Tax and housing rent increases in context with the need to protect services and similar increases proposed by other local authorities in the region. The Director of Housing and Communities confirmed that the Council had low rents in comparison with other neighbouring authorities. The Director of Finance and Legal confirmed that Dudley's Council Tax was significantly lower than the average for metropolitan authorities and the lowest in the West Midlands. The increases proposed in Dudley for 2024/25 were consistent with increases proposed in similar authorities.

Councillor J Foster referred to detailed Equality Impact Assessments and expressed concern that the Assessments were not available for this scrutiny process. The Director of Finance and Legal reported that the Equality Impact Assessments were being developed alongside the budget process and these would be made available for the Cabinet meeting on 15<sup>th</sup> February, 2024 in line with the approach taken in previous years. The Chair referred to the tight timescales involved and the Deputy Chief Executive confirmed that work on Equality Impact Assessments was ongoing alongside the budget process.

The Director of Adult Social Care gave a detailed response to questions from the Vice-Chair (Councillor M Hanif) as to whether the proposed Adult Social Care budget was sufficient to meet regulatory requirements; if there were any anticipated care home closures that might worsen the Council's financial position and the inflationary award that had been factored into the budget to meet national living wage requirements.

In response to a question from Councillor J Martin, the Director of Finance and Legal acknowledged that the report presented an extremely uncomfortable and worrying position.

The Director of Adult Social Care responded to questions from Councillor J Martin concerning the timescales involved with identifying and reporting on the overspend of £7.6m in the Adult Social Care budget. This figure referred to the position in the October outturn, however, pressure had been building from May, 2023 onwards. The Director outlined the factors that had contributed to increased spending in mid-August to October, 2023. This had been noted through the Council's usual financial reporting processes.

In response to a question from Councillor J Martin concerning the £7.6m overspend in Adult Social Care and £4.7m overspend in Children's Services budgets, the Director of Finance and Legal reported that the emerging pressures in adults and children's had been highlighted to the Cabinet in July, 2023. This was acknowledged as a fast-moving position and overspend figures were reported to the Cabinet in October, 2023.

Councillor J Martin referred to comments from the External Auditor concerning the Council's long term financial planning and expressed further concerns about problems with the Council's in-year financial processes if large overspends were occurring in the middle of a financial year. Councillor J Martin referred to Adult Social Care and Children's Services budgets being consistently overspent. The Director of Finance and Legal referred to compliance with statutory duties in relation to providing social care and issues with changes and prices in the social care market. The situation was acknowledged as complex, volatile and difficult to monitor. However, it was considered essential that this situation was fully recognised and addressed in future financial years.

The Director of Adult Social Care supported comments made by the Director of Finance and Legal and indicated that 2023/24 had been an exceptional year for Adult Social Care. He acknowledged the difficulties this financial year but reported that the budget has been balanced for the previous three years. The situation in Dudley was reflected regionally and nationally and the Council's expenditure was necessary to comply with statutory obligations.

The Director of Housing and Community Services responded to a question from Councillor J Martin as to why the Council was retaining significant reserves in the Housing Revenue Account (HRA) during a cost-of-living crisis instead of improving services or, alternatively, not increasing the financial burden on tenants. It was stated that Dudley's HRA reserves were lower than comparable authorities and were considered necessary in the context of the future investment strategy and the ability to respond appropriately to future challenges.



Councillor H Bills questioned comparisons made between Dudley and other local authorities and stated that Members should consider the best interests of the people of Dudley. She emphasised the importance of taking the advice of auditors and, in this context, questioned decisions made by the Cabinet on 11<sup>th</sup> January, 2024. Councillor P Harley responded and explained reasons for the Cabinet's decision to override spending controls to allow the project to replace Pens Meadow School to proceed. He also commented on the long-term impact of decisions taken by the Council in previous financial years to freeze Council Tax. Councillor H Bills referred to the possibility of additional Government assistance and funding sources and issues relating to long term financial planning in the context of changes in political control. She also referred to the need for investment at Halesbury School.

Councillor D Stanley acknowledged the significant difficulties faced regarding financial planning in Adult Social Care taking account of the aging population and the current and future demands on those services.

Councillor S Ali made further observations on the state of the Council's finances and referred to issues previously raised by the Audit and Standards Committee. Reference was made to concerns that had been raised by the Chair of the Audit and Standards Committee in an email to the Cabinet Member for Finance, Legal and Human Resources. The Cabinet Member (Councillor S Clark) confirmed that the email had been received and the concerns had been acknowledged and noted. Councillor S Ali expressed concern that insufficient, timely action had been taken and requested assurance that key factors raised by external auditors had been taken into consideration. Councillor S Clark responded by again referring to the overspend in Adult Social Care and informed the Committee that issues had been identified, properly considered and a legal budget had been formulated for presentation to the Council in March, 2024.

The Leader of the Council (Councillor P Harley) commented on questions raised during the meeting and commended the work undertaken to present a legal budget to the Full Council on 4<sup>th</sup> March, 2024 without using earmarked reserves. He referred to the key importance of ongoing work to develop a new operating model for the Council with a view to achieving long term financial sustainability.

Councillor S Ali expressed his disagreement with specific comments made by the Leader in relation to libraries and repeated his concerns about the future of Dudley under the current administration.

## **Resolved**

That the comments of the Committee on the proposals for the Medium Term Financial Strategy to 2026/27, taking account of the considerations in the report and the issues raised at this meeting, be referred to the Cabinet for consideration at its meeting on 15<sup>th</sup> February, 2024.

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### **33 Interim Progress Report – Independent Assurance Board**

The Committee received a presentation from the Deputy Chief Executive giving an update on the Dudley Improvement and Sustainability Programme and Plan. The presentation slides had been made available in advance on the Council's Internet site.

Following the presentation, the Deputy Chief Executive responded to a question from Councillor K Denning concerning the metrics and data to demonstrate future improvements. Reference was made to the proposed adoption of a new one-year Council Plan focussed on the budget and sustainability with an associated set of performance indicators relating to the improvement programme, financial management and the impact on residents.

Councillor J Foster commented positively on the Local Government Association Peer Review process and the ongoing work of the Improvement Board. She referred to the importance of maintaining the confidentiality of discussions at the Improvement Board and expressed concern regarding comments that had been made in relation to the Opposition Group concerning the timetable associated with scrutiny of the Council's budget. The Leader of the Council (Councillor P Harley) expressed the view that the budget timetable was not confidential. This had been discussed at the Cabinet budget summit on 22<sup>nd</sup> December, 2023 in the presence of the Leader and Deputy Leader the Opposition Group. In responding to the comments of the Leader, Councillor J Foster indicated that the issue of confidentiality would be raised further at the Improvement Board.

Councillor J Martin referred to other authorities in which Government commissioners had been appointed and sought assurance that this process was similarly robust and credible. The Leader gave assurance regarding the process and stressed the importance of both main political groups contributing to and supporting the new operating model in the interests of the Council's future sustainability.

## **Resolved**

That the presentation and progress update be noted.

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### **34 Progress Tracker and Future Business**

The progress tracker and programme of future business for the Overview and Scrutiny Committee was received and noted.

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### **35 Questions Under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

At the conclusion of the meeting, the Chair thanked everyone for their attendance and contributions.

The meeting ended at 8.20pm

CHAIR

## **Minutes of the Adult Social Care Select Committee**

**Wednesday 15<sup>th</sup> November, 2023 at 6.00 pm  
In the Council Chamber,  
The Council House, Priory Road, Dudley**

### **Present:**

Councillor L Johnson (Chair)  
Councillor J Elliott (Vice-Chair)  
Councillors A Aston, S Bothul, T Crumpton, A Davies, M Hanif, P Lee and  
A Qayyum

### **Dudley MBC Officers:**

M Bowsher (Director of Adult Social Care), M Spittle (Head of Access and  
Prevention, Commissioning, Performance and Complaints), J Cox (Adult Service  
Manager), C Petford (Team Manager Adult Safeguarding) and S Griffiths  
(Democratic Services Manager)

### **Also in attendance:**

Dr P Kingston (Independent Chair – Dudley Safeguarding Adults Board)

Councillor M Rogers (Cabinet Member for Adult Social Care)

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## 21 **Apologies for Absence**

Apologies for absence from the meeting were submitted on behalf of  
Councillors R Collins, A Hopwood and C Sullivan.

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22 **Appointment of Substitute Member**

It was reported that Councillor P Lee had been appointed to serve as a substitute Member for Councillor R Collins, for this meeting of the Committee only.

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23 **Declaration of Interest**

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

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24 **Minutes**

With reference to Minute No. 17 of the meeting held on 7<sup>th</sup> September, 2023, the Director of Adult Social Care advised there were three places available for Members of the Select Committee to join the Adult Social Care STAR awards on Monday 18<sup>th</sup> December, 2023 at Himley Hall. An email would be circulated to Members. The Director asked that interested Committee Members confirm their attendance by the end of November.

**Resolved**

That the minutes of the meeting held on 7<sup>th</sup> September, 2023, be confirmed as a correct record and signed.

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25 **Public Forum**

No issues were raised under this agenda item.

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26 **Annual Adult Safeguarding Report and Deprivation of Liberty Safeguards (DoLS)**

A report of the Director of Adult Social Care was submitted on a summary of the previous 12 months of performance in relation to Adult Safeguarding and Deprivation of Liberty Safeguards (DoLS). The report also set out a recommended sustainable plan to meet the requirements of DoLS in light of Liberty Protection Safeguards (LPS) being delayed indefinitely while identifying preparations to meet the regulatory framework for the Care Quality Commission (CQC) Inspection of Adult Social Care in 2023/24.

The Committee received a data summary for Adult Safeguarding (September 2023) and the Dudley Safeguarding Adults Board's Annual Report for 2022/2023. Dr P Kingston (Independent Chair of Dudley Safeguarding Adults Board) attended the meeting and addressed the Committee alongside C Petford (Team Manager for Adult Safeguarding) and the Director of Adult Social Care. The Director expressed thanks to the Safeguarding Team for managing the safeguarding process in a timely and proportionate fashion. The Director noted that further work was required to reduce the number of outstanding DoLS assessments but there was a clear rationale for prioritisation of cases.

Arising from the presentation of the report, Members asked questions, made comments and responses were provided as follows:-

- (a) The Chair (Councillor L Johnson) raised a concern regarding evidence there was a risk that DoLS referrals were increasing and the capacity to complete assessments had decreased, which might lead to an increase in citizens being illegally detained. The Director of Adult Social Care referred to the complexity of DoLS assessments and emphasised the need to undertake assessments in a necessary and proportionate fashion. Further infrastructure to undertake DoLS reviews would be requested as part of the Council budget setting for 2024/25 onwards.
- (b) The Chair (Councillor L Johnson) requested clarification of the comment that, compared to many local authorities, Dudley had a very high number of safeguarding concerns, in part due to the way contacts were recorded. Dr P Kingston reported that approximately 6,000 concerns were recorded each year. The Council operated an 'open door' approach and a review of the system for recording and reporting was being considered.

- (c) Councillor A Aston commented on the increase in safeguarding concerns over the past 8 years without a corresponding increase in the budget provision. Clarification was sought on the process following a safeguarding report and how this might be escalated to a full investigation. The Director of Adult Social Care referred to the system operated by the Multi-Agency Safeguarding Hub (MASH). Concerns were referred to a Senior Social Worker and up to 70% of concerns were dealt with at the triage stage. In appropriate cases, requests for information were made to partners/agencies. There was a high statutory threshold for conversion to Section 42 enquiries (Care Act 2014).
- (d) In response to comments from Councillor T Crumpton, the Director of Adult Social Care acknowledged inherent risks in relation to safeguarding concerns for vulnerable adults, including people with dementia. There was a growing number of cases. Decisions were made on individual cases taking account of the best evidence available. In cases of doubt, these should be referred to the MASH and ongoing efforts were being made to raise awareness of the safeguarding process with both the public and professionals. There was a continual focus on education and the adoption of best practices in safeguarding. It was acknowledged that there should be genuine reasons as to why cases were dealt with in the MASH, due to their complexity or the need for a decision. All cases were unique and decisions needed to be made in the best interests of each individual, following detailed consideration. All decisions needed to be proportionate and defensible in the circumstances and complex cases required professional judgement regarding DoLS.
- (e) The Vice-Chair (Councillor J Elliott) referred to reasons for the increase in domestic abuse referrals. Dr P Kingston outlined various reasons, including increased education and the visibility of domestic violence issues and some victims feeling more prepared to report issues. This was acknowledged as a multi-faceted issue and reference was made to the impact of Covid-19 lockdowns and an increase in alcohol and drug related referrals. Although the profile of domestic abuse had been raised through increased public knowledge, media and social media, it was acknowledged that some difficulties remained in reporting cases. The Director of Adult Social Care referred to the significant increase in self-neglect and self-harming cases and the need to build multi agency data trends with a view to increasing the focus on prevention and the re-positioning of resources accordingly.

- (f) Councillor M Hanif referred to the section of the report on life expectancy, health conditions and health inequalities and expressed concern about the increase in the suicide rate in Dudley. This was recognised as a growing concern. Support would need to be a focus for future learning and development and the future service offer in Adult Safeguarding. Dr P Kingston referred to ongoing work on suicide prevention being undertaken by Public Health and other agencies.
- (g) Councillor T Crumpton referred to a breakdown of domestic abuse data, including statistics concerning different social groups and ethnicity. Dr P Kingston acknowledged the points and referred to ongoing challenges. It was acknowledged that difficulties had arisen in engaging with appropriate community representatives and faith groups. Councillor T Crumpton expressed concern that more work should be undertaken to target resources appropriately.

### **Resolved**

- (1) That, subject to the comments outlined above, the report and assurances about the safeguarding of adults in Dudley Borough be noted.
- (2) That the draft priorities for the Safeguarding Adults Board for 2023/24 be noted.

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## **27 Quarterly Performance Report – Quarter 1 (1<sup>st</sup> April to 30<sup>th</sup> June, 2023)**

A report of the Director of Adult Social Care was submitted presenting the Quarter 1 Adult Social Care Select Committee performance report for the financial year 2023/24, covering the period 1<sup>st</sup> April to 30<sup>th</sup> June 2023. It was noted that the performance information was aligned to the 3-year Council Plan. The Committee reviewed the performance report and Members were invited to refer any identified performance issues to the Director of Adult Social Care.



The Cabinet Member for Adult Social Care commented that the corporate quarterly performance report was also regularly reviewed by the Overview and Scrutiny Committee and commended the Adult Social Care Directorate on its ongoing performance. The Director drew the Committee's attention to the continued improvement in assessment times and reduction of waiting lists and acknowledged the focus had now moved to ensuring performance on completion of annual reviews improved.

## **Resolved**

That the report be noted.

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## **28 Market Position and Sustainability**

A report of the Director of Adult Social Care was submitted on the current adult social care market position, key market sustainability issues and the market sustainability plan.

The Committee received a detailed presentation from the Adult Service Manager outlining key market challenges, risks and sustainability plans. Following the presentation, Members asked questions, made comments and responses were provided as follows:-

- (a) Councillor T Crumpton referred to the importance of care homes to the overall care system in terms of caring for older people who might otherwise be in hospital. Reference was made to the need to address staff shortages associated with the recruitment and retention of care and personal assistants, funding challenges and the need for increased collaboration across the health and adult social care sector. The Director of Adult Social Care acknowledged these issues and the budgetary challenges faced by partners within the Integrated Care System. The significant budget challenges faced by Adult Social Care would need to be considered in the context of the Council's overall financial position and budget setting process.
- (b) Councillor T Crumpton commented further that the funding situation in relation to adult social care had not been adequately addressed at a national level and fewer care homes were faced with increasing demands. It was acknowledged that the Council's budget setting process would be scrutinised by Members during January, 2024.

- (c) Councillor A Aston commented on the volatile nature of the care market and stressed the importance of this issue being highlighted to all Members of the Council. Ongoing difficulties with recruiting personal assistants was widely acknowledged and had been raised at the direct payments user group.
- (d) Councillor A Davies referred to a potential extra care development in Brierley and questioned whether connections had been made with West Midlands Combined Authority concerning funding opportunities. The Director of Adult Social Care referred to the need for the proposal to be economically viable in terms of capital and ongoing revenue funding and undertook to check on progress.
- (e) Councillor A Davies referred to the place-based domiciliary care model and queried the level of interest in the tendering process and the operational date. The Adult Service Manager confirmed there had been considerable interest and it was anticipated that the contract would be operational from 1<sup>st</sup> April, 2024.

### **Resolved**

- (1) That the report and presentation on the adult social care market position and key pressures be noted.
- (2) That the Market Sustainability Plan be noted.

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## 29 **Adult Social Care Select Committee Progress Tracker and Future Business**

The Committee received the progress tracker and programme of planned future business for the 2023/24 municipal year.

### **Resolved**

- (1) That the Adult Social Care Select Committee Progress Tracker and Future Business, be noted.
- (2) That the programme of business for the Committee meetings in January and March, 2024 be reviewed, in consultation with the Chair and Vice-Chair, to take account of the scrutiny of the Council's budget proposals.

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30 **Questions under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

The meeting ended at 7.35pm

CHAIR

## **Minutes of the Adult Social Care Select Committee**

**Wednesday 17<sup>th</sup> January, 2024 at 6.30 pm  
In Committee Room 2, at the Council House,  
Priory Road, Dudley**

### **Present:**

Councillor L Johnson (Chair)  
Councillor J Elliott (Vice-Chair)  
Councillors A Aston, S Bothul, T Crumpton, A Davies, M Hanif, A Hopwood and  
A Qayyum.

### **Dudley MBC Officers:**

M Bowsher (Director of Adult Social Care), J Vaughan (Head of Assessment &  
Independence) and H Mills (Senior Democratic Services Officer)

### **Also in attendance:**

Councillor M Rogers (Cabinet Member for Adult Social Care)

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### 31 **An Apology for Absence**

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

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### 32 **Appointment of Substitute Member**

No substitutes were appointed for this meeting.

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33 **Declaration of Interest**

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

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34 **Minutes**

**Resolved**

That the minutes of the meeting held on 15<sup>th</sup> November, 2023, be confirmed as a correct record and signed.

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35 **Public Forum**

No issues were raised under this agenda item.

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36 **Corporate Quarterly Performance Report – Quarter 2 (1<sup>st</sup> July – 30<sup>th</sup> September, 2023)**

The Director of Adult Social Care presented a report on the Quarter 2 Corporate Quarterly Performance of the financial year 2023-24, covering the period 1<sup>st</sup> July to 30<sup>th</sup> September 2023, aligned to the 2022-25 Council Plan.

During the presentation, it was reported that of the 11 Adult Social Care Corporate Key Performance Indicators (KPI's) four were underperforming, namely:-

PI.2620 – Number of people with a learning disability support reason awaiting a Care Act review where the last review or assessment was over 12 months ago.

PI.2621 - Number of new people aged over 65 into residential care or nursing care.

PI. 2626 – Percentage of Section 42 individuals with outcomes expressed, fully achieving their outcomes.

PI.2627 – Percentage of Section 42 individuals with outcomes expressed, fully and partially achieving their outcomes.

In referring to PI.2620, it was acknowledged that whilst performance had improved during the quarter, achievement still remained below target. A direct payments project had been implemented and a dedicated team established who were working to fast-track reviews and it was envisaged that an improvement would be evidence moving forward.

In referring to PI.2621, it was reported that it was the Governments preference to see a low number of people moving into residential and nursing care provisions, however there had been a stepped increase during the current financial year due to hospital demand and the level of activity within the care system. It would therefore be unlikely that this KPI target would be achieved for 2023/24.

In referring to PI. 2626 and PI. 2627, it was described that the two KPI's related to the safeguarding process and what a person who had entered the system wanted to achieve from the process. It was acknowledged that some of the expectations were not always achievable, however the Safeguarding Team were positive that performance would be improved by the end of the financial year.

The Director of Adult Social Care then referred to the Adult Social Care Outcomes Framework (ASCOF) and in doing so advised that the data collected from ASCOF's set of agreed indicators would be used to measure how well care and support services were provided in the Borough, and would be shared nationally, regionally and locally to identify strengths and weaknesses across the system. It was reported that an improvement had been reported on 16 of the 18 ASCOF indicators compared to the previous reporting year and Dudley's position on the national league table had improved.

The Director of Adult Social Care reported on the indicators with particular reference made to the two areas that required improvement, namely the proportion of adults with a learning disability in paid employment and the proportion of older people (aged 65 or over) who received reablement/rehabilitation services after discharge from hospital. It was reported that work with employment support agencies, the job centre, as well as apprenticeships would be explored to improve employment opportunities for adults with learning disabilities.

The Committee were advised that in comparison to the previous year approximately 562 additional people were now accessing care and support, which had reflected upon the Directorate's spending position, however the quality of services that people were receiving across the board remained good and improving.

Arising from the presentation of the report, members made comments, asked questions and responses were provided where necessary, as follows:-

- a) In referring to the proportion of adults with a learning disability in paid employment, Councillor T Crumpton commented on the need for a holistic approach within the Council to provide support to this cohort of adults, in particular the transition from a young person to an adult.

In responding the Director of Adult Social Care commented that COVID had significantly impacted upon employment for people with learning difficulties, as companies were operating more online, with fewer physical roles available, together with competition for job roles. It was considered important to hear from people who were supported about their experiences to gain a better understanding of how to support people into work. Further work was required to re-establish job coaches and to raise the profile to encourage local organisations, businesses and charities to engage.

- b) Councillor T Crumpton expressed his concern that the budget proposals specifically relating to Adult Social Care would not be presented to the Select Committee and asked for the views of the Director of Adult Social Care on how budget proposals would impact service delivery and performance.

The Director of Adult Social Care responded that due to the ongoing impact following COVID and pressures within the NHS, there had been a high demand for services/support during the current financial year, beyond expectation and financial limits. Every effort would be made to ensure that the Directorate remained within its allocated budgets for the 2024/25 financial year. The impact current services had, and the structure of services would need to be reviewed, and services would need to be creative in their delivery and open to change as it was recognised that it would be inevitable that difficult decisions would need to be made.

Whilst it was appreciated that the Local Authority had a statutory duty in terms of setting a legal budget, the Director of Adult Social Care emphasised the statutory responsibility and accountability he had to the residents of Dudley, and should at any time Dudley not meet its statutory obligations, regardless of the financial context of the Council, this position would be made evidently clear. It was considered that the fundamental factor was that funding allocated by Central Government was not commensurate with the level of demand for services or the costs required to pay staff who deliver that care, which was something that needed to be addressed by Government.

The Director of Adult Social Care assured Members that he would be transparent with service changes as a result of budget implications.

- c) Councillor T Crumpton suggested that it would be useful during the next year when developing new ways of dealing with spending controls, for the Committee to be advised in order of priority, so that the Committee could establish a good understanding of the services that the Local Authority was legally obligated to deliver and those that were not required and how a balance would be established.

In response, the Director of Adult Social Care advised that Dudley's strategy for a number of years had been to focus on prevention. A range of services i.e. telecare service, dementia gateways, carer hubs and dementia advisers, were currently offered by Dudley although were not a statutory duty to provide. However, it was considered that to take those services away, would have a negative impact on a person's independence and quality of life and consequently increase the demand for statutory care.

- d) Councillor A Aston referred to PI.2620 and in doing so observed that the target had never been met and questioned what the barriers were that prevented the service achieving the target and requested clarification as to what the target was based on.



In responding, the Director of Adult Social Care advised that there had been staffing issues within the Dudley Disability Service which had impacted upon performance levels, together with the rate of agency pay offered by other Local Authorities being higher than Dudley's pay scale which resulted in a challenge with recruitment. A further factor related to the range of people that had come into the service in the last 12 month period as a result of a closure of care providers, ownership transfer or that the care provider no longer provided care for an individual due to the costs paid by the Council not covering the aspiration of the business. In these circumstances the ongoing care and support would become a priority, therefore planned review work would again be deferred.

It was commented that to try to alleviate a delay in annual reviews, a triage system that regularly reviews all risks had been implemented. Any individual identified as having increased concerns would be prioritised.

It was acknowledged that the target had been set high to drive the service as hard as possible, with additional challenges which had to be prioritised. Recruitment continued to be of great concern, and reviews were undertaken to ensure that there was sufficient capacity to cover what was legally required.

- e) In responding to a question from Councillor A Davies in relation to ASCOF, the Director of Adult Social Care clarified that 3.7% of adults with a learning disability in paid employment, related to the population of adults with learning disabilities that was supported by the Council and had Care Act eligible needs. An analysis of the range of performance would be circulated to Members following the meeting.

- f) Arising from a further question from Councillor A Davies with regard to the non-statutory services that were provided by Dudley and whether these services could be provided by an alternative provision, the Director of Adult Social Care advised that he was not aware of any other Dementia Gateway in the UK. It was acknowledged that there were a range of voluntary sector organisations who specialised in providing support for people with dementia, although in terms of providing a whole approach this was not currently available outside of the Local Authority. It was considered that it may be possible for elements of the service to be delivered in a different way by other organisations, but the totality of the service could not be re-provisioned.

Members commended the Director of Adult Social Care and his teams for their dedication and ongoing commitment in providing care and support to residents of the Borough.

### **Resolved**

That the Quarter 2 Corporate Quarterly Performance report and the Directorate service summary sheets, be received and noted.

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### **37 Dudley Adult Social Care Activity – Average Number of People Delayed**

A report of the Director of Adult Social Care was submitted to provide an overview of supported hospital discharge activity assisting residents to return home.

In presenting the report, the Director of Adult Social Care referred to the critical incident that had been declared by Russell Halls Hospital, due to limited capacity in the hospital as a result of high admissions. It was commented that a winter plan across the whole health and care system had previously been agreed, which required the Local Authority to deliver approximately 5 discharges per day in order to keep the hospital flowing, although in realistic terms this had equated to 8 to 10 discharges per day since the Christmas period in order to meet hospital pressures. Financial support to balance the cost of the additional demand had been submitted to the Integrated Care Board, due to the Council's current financial position, and a response to that request was awaited.

The discharge team had continued to work seven days a week to meet with hospital demand, and multidisciplinary team meetings were arranged on a daily basis to discuss any issues that arose. It was reported that there had been a high number of failed discharges, due to an array of reasons, which needed to be addressed and improved moving forward.

In terms of recruitment, it was reported that Senior Occupational Therapists and Assistant Team Managers had now been appointed, together with Senior Supervisors, Care Staff promoting independence and Assistant Therapy assistants. Agency staff continued to be used to fill any predominate gaps in service delivery.

In concluding the presentation of the report, it was acknowledged that there was work to be done in the redesign of resourcing across the system to alleviate pressure in future winter plans.

Arising from the presentation of the report, Members made comments, asked questions and responses were provided where necessary as follows:-

- a) The Chair expressed concern in relation to the number of failed discharges, in particular those patients reported to have been discharged before being medically fit.

The Director of Adult Social Care commented that the number of failed discharges were tracked on a daily basis. Within the last three days there had been 10 failed discharges, which were not necessarily caused by the Local Authority, although resulted in the team doing twice as much work, when that resource could have been focussed on other patients.

- b) Councillor A Aston remarked on the media publication in relation to the critical incident declared at Russells Hall, which implied that pressure had been put on external partners for social care delays.

- c) In referring to patients that were conveyed to other hospitals outside of Dudley, Councillor A Aston questioned if this caused a significant problem with their discharge.

In responding the Head of Assessment and Independence advised that good working relationships had been developed with the discharge teams at out of borough hospitals and the same discharge to access pathways model, as operated at Russells Hall Hospital, was now adopted.

- d) Arising from a further question raised by Councillor A Aston with regards to whether the hospital acknowledged the pressure failed discharges had on the care system, the Director of Adult Social Care advised that failed discharges were reported during the daily 'Gold Call' meeting with the hospital, and a review was currently taking place at Russells Hall Hospital led by Walsall Together, who were an exemplar in the region, looking at pathways out of hospital and as to what could be done to improve discharge flow. Information would also be reported to the A&E delivery Board at the monthly meeting.
- e) Councillor M Hanif suggested that it would be useful if future reports included data with regards to the number of complaints received which related to the discharge process from Russells Hall Hospital. The Director of Adult Social Care confirmed that the Committee had previously received the Annual Complaints Report with the relevant data, but would confirm the specific number of complaints received about the hospital discharge process.

## **Resolved**

- (1) That the information contained in the report and presented at the meeting in relation to Dudley Social Care Activity – Average Number of People Delayed per day, be received and noted.
- (2) That the Director of Adult Social Care provide data with regards to the number of complaints received in relation to the discharge process from Russells Hall Hospital.

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38 **Preparing for Adulthood (PFA)**

Members considered a report of the Director of Adult Social Care on the development of the Preparing for Adulthood Team within Dudley Disability service and how this would improve the outcomes of young people with disabilities and/or autism in Dudley.

The Director of Adult Social Care presented the report and in doing so provided a summary of the aims and objectives of the Preparing for Adulthood team and the progress that had been made.

Members commented positively on the report and the progress of work that was being done to provide support and to give young people aspirations for the future.

Arising from a question raised by Councillor M Hanif with regards to whether recruitment would continue as a result of the current spending controls, the Director of Adult Social Care confirmed that the expertise position in mental health would continue to be recruited despite the recruitment freeze, as it was considered to be a niche area of specialism and would be funded and owned by both the Mental Health service and the Learning and Disabilities service, in the hope to reduce silos working.

**Resolved**

That the report in relation to Preparing for Adulthood be received and noted.

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39 **Adult Social Care Select Committee Progress Tracker and Future Business**

The Committee received the progress tracker and programme of planned future business for the 2023/24 municipal year.

The Director of Adult Social Care suggested that following a recent ADASS Practice Review on adult social care case files undertaken on 2<sup>nd</sup> January, 2024, Members may want to consider receiving a feedback report from the review at a future meeting.

**Resolved**

- (1) That the Adult Social Care Select Committee Progress Tracker and Future Business, be noted.
  - (2) That a feedback report on the ADASS Practice Review, be presented to the Adult Social Care Select Committee at its meeting in March, 2024.
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40 **Questions under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

The meeting ended at 8.08pm

CHAIR

## **Minutes of the Children's Services Select Committee**

**Thursday 16th November 2023 at 6.00 pm  
In Committee Room 2, The Council House, Priory Road,  
Dudley**

### **Present:**

Councillor K Lewis (Chair)  
Councillor D Bevan (Vice-Chair)  
Councillors C Bayton, T Crumpton, P Lee, C Reid, S Ridney and D Stanley.

### **Officers:**

P Bullingham (Head of Family Solutions), V Buchanan (Independent Children's Safeguarding Scrutineer), C Driscoll (Director of Children's Services) K Graham (Service Director of Children's Social Care), J Mupombi (Head of Service for Through Care), M Palfreyman (Head of Education Outcomes and Inclusion), S Thirlway (Service Director Education, SEND and Family Solutions), J Wood (Young Persons Advisor) and K Buckle (Democratic Services Officer).

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### 23. **Introductions**

The Chair invited Officers and Members to introduce themselves.

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### 24. **Apologies for Absence**

Apologies for absence from the meeting were submitted on behalf of Councillors C Sullivan and M Webb.

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### 25. **Appointment of Substitute Members**

No substitute Members were appointed for this Meeting of the Committee.

26. **Declarations of Interest**

Councillor P Lee declared a pecuniary interest as he was engaged as a Dudley Foster Carer.

Councillor K Lewis declared a pecuniary interest as an Early Years Provider.

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27. **Minutes**

**Resolved**

That the minutes of the meeting held on 11th September 2023, be confirmed as a correct record, and signed.

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28. **Public Forum**

No items were raised under this agenda item.

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29. **Children's Services Select Committee Progress Tracker**

The Democratic Services Officers referred to the progress tracker detailing the recommendations and actions from the previous meeting.

**Resolved**

That the information contained in the Children's Services Select Committee Progress Tracker, be noted.

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30. **Dudley Children's Safeguarding Partnership (DCSP) Annual Report**

The Independent Children's Safeguarding Scrutineer presented the report submitted, outlining her role.

It was stated that the report was prepared by the Dudley Safeguarding People Partnership (DSPP) Business Support Unit on behalf of the Partnership and recognised the progress the DCSP had made throughout the year and the challenges that remained that would continue to be addressed in 2023/24. As the Independent Scrutineer, V Buchanan had reviewed the report and confirmed that the contents were an accurate record of the activities of the Partnership and its Sub-Groups.



The two bespoke areas of scrutiny conducted on behalf of the Executive during the year, one with Russells Hall Hospital and a second meeting frontline police officers, to consider how they understood and were supported regarding safeguarding issues that they dealt with in their day to day work, following which two reports were prepared and action plans were put in place.

The focus of the Partnership on Restorative and Trauma informed practice was illustrated clearly in the two case studies at the end of the report and the approach had been strengthened by the move towards the Family Safeguarding Model that had recently gone live in Dudley. A report on the impact of the partnership working would be presented in the next annual report.

What was next for the Partnership, the issues to note and the risks to be dealt with as contained in the report submitted were referred to.

Section two of the report provided details of the statutory safeguarding partners including the senior officers in Dudley.

Section two-point three referred to the shared vision of the partnership which included the whole family approach.

Section two-point four outlined the priorities for 2022/2023 which allowed partners to be more flexible and adapt to emerging themes and trends that were referred to in the report.

Section two-point six of the report included the Dudley demographics including census data.

Section three of the report highlighted the data in relation to deprivation, child poverty and family income and it was reported that as at 31<sup>st</sup> March 2023 there were 252 children subject to child protection plans; 317 as at 31<sup>st</sup> March 2022 and over the course of the 12 months in the reporting period a total of 627 children had been subject to a plan, 698 in 2021 to 2022, therefore both the end of year total and the 12 month figures had decreased this year. These trends supported the outcome of working with families more restoratively at the child in need stage and reducing the need to enter into child protection. A further decrease was expected with the development of the Family Safeguarding model during 2023.

The progress against priorities of the Partnership and the first annual conference on 5<sup>th</sup> July 2022 were referred to.

Priority one had included a revision of the Child Neglect Strategy which was formally launched in November 2022 and ensured there was a multi-agency response to cases of neglect or suspected neglect.

Priority two included the work of the Children's exploitation sub-group responsible for delivering that priority which had strong partnership leadership with the voluntary sector and the police co-chairing the sub-group and overseeing the Children's exploitation work plan for the Partnership. Details of the work undertaken were referred to.

Promoting and sharing the language matters document in terms of working with young people at risk of exploitation, moving away from victim blaming language had taken place.

Barnardo's had supported 32 young people around child sexual exploitation and a direct quote from a young person who had received that support was referred to.

Following on from the success of the Partnership conference held in July 2022, partners felt it would be beneficial to have more opportunities to enable more discussion on the progress of priorities. In response, the Partnership organised and held a development workshop on 27<sup>th</sup> March 2023 with a theme of Think Family, which was well attended.

The Children with Disabilities Team had been part of Children's Services for over 18 months and improvements in service provision were now visible.

The Independent Scrutineer had made a visit to the Council's Corbyn Road facility with the staff speaking positively about the services offered.

Other areas of progress included the development of the Children out of Sight Strategy with safeguarding embedded into that strategy.

The Police had introduced a new internal guide (Aware) that covered the minimum standards of professional curiosity and recommended good practice for all offices when they encounter children.

Section four of the report referred to the Local Authority Designated Officer (LADO) that oversaw allegations against adults in a position of trust who work or volunteer with children and young people. The management of the allegation process was referred to and it was noted that LADO records were viewed by Ofsted during an inspection in October 2022 and the feedback was that the designated officer service in Dudley responded promptly and robustly to concerns about adults in a position of trust who present risks to children.

Section 5 of the report submitted referred to details of the private fostering arrangements which were made by usually a parent for a child to stay with a friend and the Local Authority having a duty to ensure safety arrangements.

Section six of the report referred to learning from reviews with seven serious incident reviews taking place, however it was reported that the number of reviews tend to fluctuate.

Full details of the review and learning resources were available on the DSPP website.

Audits provided a valuable opportunity to dip sample multi-agency practice on specific themes and for the partnership to be assured about safeguarding practice. The audits highlighted key learning, details of which were included in the report submitted.

Details of multi-agency training and its impact were outlined together with the priorities for 2023/2024.

In conclusion the case studies in Appendix 2 to the report submitted were referred to.

Arising from the presentation of the report submitted, Members raised issues and questions and Officers responded where necessary as follows: -

- (a) Councillor D Stanley referred to the high figures in relation to deprivation, raising concerns that they were significantly higher in the Dudley Borough than England and requested confirmation of the work to address deprivation and child poverty.

In response, the Director of Children's Services advised that the issues referred to were within the terms of reference of the Public Health Select Committee and should be scrutinised by them.

- (b) Councillor T Crumpton also raised concerns, referring to the constant corridor of poverty in the Borough and concerns that children within those areas were more likely to suffer exploitation and safeguarding issues.

The Director of Children's Services referred to the previous work of the Committee in relation to child poverty, with Councillor C Bayton raising similar concerns. There was a task and finish group jointly with what was then Health and Adult Social Care Scrutiny Committee,

however, with the changes in Select Committees, this area was now within the remit of the Public Health Select Committee and there was the need to ensure that work was not duplicated.

It was noted that the report was a statutory report and the Independent Scrutineer advised that the report included the priorities of the DSPP and the work in relation to whole family different ways of working could be reported on in the next annual report

- (c) Councillor C Bayton referred to the significant number of re-referrals back into early help and requested information on what was in place to address those increases.

Concerns were raised in relation to training data which offered 2068 places of which 1106 were used and only 849 delegates attending courses, and whilst noting the review the training impact process to better inform the Partnership of the impact of its multi-agency training on practice, improving attendance at training was required to better inform the Partnership.

The Independent Scrutineer referred to the reduction in re-referrals in relation to the early help services which had been evidenced by the new ways of working and she was confident that improvements would continue, as percentages of those cases being closed and not re-referring were reducing, with figures being reported on a quarterly basis. Assurances were provided that figures would continue to be monitored. There was also a Performance and Quality Assurance Sub-Group.

It was agreed that those attending training should increase and reports presented quarterly to a Learning and Improvement Sub-Group. There was a commitment to hold partners to account, whilst acknowledging that there would be sickness issues for those unable to attend on the day of the course. Further data would be included in the next annual report.

- (d) Councillor S Ridney questioned whether priority number four related to health professionals failing to engage.

The Independent Scrutineer advised that the gap for 16 to 18-year-olds in health professional attendance at safeguarding meetings had been identified and had now been addressed, with public health commissioning a service to participate.

## Resolved

That the Dudley Children's Safeguarding Partnership Annual Report for 2022/23, be received and noted.

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### 31. Education Report

Members considered a report providing an update on the work of the Education outcomes team which consisted of the following: -

- Primary Data overview
- Attendance for 2022/23
- Suspensions Data
- Education Strategy Themes
- Alternative Provision Update
- Inspections

The Head of Education Outcomes and Inclusion presented the report submitted and made particular reference to the improving picture regarding the outcomes for children in Dudley in early years and Key Stage 1 and 2. However, it was accepted that work remained as Dudley remained below the national average in most indicators and some data remained affected by Covid.

The school attendance overview was outlined with attendance rates in 2022/23 being 92.5% and in 2021/22 22.5% of pupils were recorded as persistently absent defined by the Department for Education (DfE) as missing 10% or more of possible school sessions.

843 pupils were absent from school in 2022/23 (2%) primarily as a result of anxiety and in some cases for medical reasons with an increase in parents obtaining letters from doctors being evidenced.

There remained a national picture of anxiety and parental anxiety providing the reason why children were not being sent to school, with Dudley continuing to escalate their concerns to the DfE team.

It was noted that attendance was still not back to pre-covid levels of 95% and there had been an increase in legal action and fines for non-attendance which again had been raised with DfE who had responded stating that this reflected the national picture.

The staffing within the attendance team had been increased, as there were concerns that if children were not in school, they remained out of sight and again those concerns had been raised with both the DfE and Ofsted.

The data in relation to those children who were Elective Home Educated (EHE) was reported on and the increase in numbers of those children missing from education (CME) which were averaging 300 each week due to pupils not being on school rolls.

With in year numbers increasing and 100 new arrivals into the borough it was currently part of the Alternative Provision Strategy to investigate how to engage with the new arrival centre, as there was a collective responsibility to promote school attendance.

Exclusions in Dudley remain above the national average with 128 permanent exclusions and 88 being upheld. Prevention methods in relation to permanent exclusions included accessing alternative provision, or prevention work and interventions with the capacity increasing in the Inclusion Team were referred to.

In relation to the Education Strategy Themes there included the need to increase the offer to those not in education, employment, or training earlier with it being recognised that silo working impacted on the outcomes and life chances of children and young people for the future.

There followed an Alternative Provision (AP) Strategy update, with the Strategy being redeveloped to ensure that it was fit for purpose and meeting the needs of children and young people. A secondary headteacher workshop had taken place with every school represented.

The AP Strategy was being developed to be consistent with the principles underpinning the SEND Strategy and the inclusive pathways programme.

There was the need to have a clear ethos and vision for alternative pathways.

There was a plan to pilot the 'Children North East's Poverty Proofing the School Day Programme' in 8 of Dudley's Primary Schools during the current academic year.

There was household support for primary schools of £5,000 and £10,000 for secondary schools each year to support families and children and a report would be presented to the Committee on the above programme following its roll out.

There had been eight Ofsted inspections since September with the local authority maintaining 86% of primary schools rated good or outstanding. Further work was being conducted with academies to provide an offer of help and support by the local authority.

Arising from the presentation of the report, Members asked questions and Officers responded as follows: -

- (a) Councillor C Bayton in referring to the poverty proofing work outlined above enquired how that had impacted on the position regarding the affordability of school uniforms.

The Head of Education Outcomes and Inclusion advised that the legislation had changed and only a certain proportion of the school uniform now needed to be branded and the work outlined above had impacted on the provision of school uniforms.

Councillor C Bayton also commented that one way of dealing with poverty was to improve education and the academic skills base referring to the challenges faced by the authority in achieving this.

- (b) Councillor C Reid suggested that information in relation to the entitlement to free school meals be made available for those families who faced language barriers.

The Head of Education Outcomes and Inclusion referred to the new Arrival Centre and discussions that had been entered into with some headteachers in relation to documentation being developed and there was the ambition to establish base provision on school sites on what was available and how to access that provision.

- (c) Councillor C Crumpton referred to the work being conducted in his Ward which had been welcomed, however he referred to those with mental health issues including those with children with mental health needs and the help and information required for parents to navigate what help and services were available to deal with mental health issues.

The Head of Education Outcomes and Inclusion referred to the Child and Adolescent Mental Health Service waiting lists, advising that some schools employed counselling staff which was having a positive impact. However, the provision of counselling staff would not be an option for every school. There were issues at national level and it was agreed that there was significant change required in the support available to children and parents in relation to mental health issues.

The Director of Children's Services referred to the challenges dealing with mental health and there was work being conducted at a national level to increase resources. There was the requirement to ensure that the correct level of emotional health and wellbeing support was offered with a real focus on partners having a consistent approach and providing early help. An information leaflet on pathways, and this had been circulated to all schools.

The Director of Children's Services advised that the issue of mental health would be a programme of work for the Public Health Select Committee who had the power to engage with mental health partners.

- (d) In responding to a question from Councillor D Stanley in relation to the household support fund for schools, it was confirmed that the money was utilised for services in Dudley schools and could not be utilised for schools outside of the borough. The funding provided was also audited.
- (e) Councillor S Ridney suggested that free school meals should be available for all primary school aged children and details of those services that were free for parents such as free school meals should be readily available to prevent the embarrassment caused to parents. It was stated that some funding was now available to provide extra family support workers, which was welcomed.
- (f) In responding to a question from Councillor C Reid, the Head of Education Outcomes and Inclusion stated that the Local Authority had no jurisdiction to force schools not to use logos on school uniforms.

In responding to a further question, the Director of Children's Services stated that schools would be unable to employ a child mental health nurse as this would be on an NHS foundation requiring clinical supervision.

The Chair confirmed that she supported the comments and suggestions in relation to school uniforms.



## **Resolved**

That the information contained in the report submitted on Education Outcomes, be noted.

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### **32. Family Hubs and Start of Life Information and Update Report.**

The Head of Service – Family Solutions presented the report submitted referring to an overview of the development and recent progress of the Dudley Family Hubs and Start of Life Programme, referring to the steps taken to achieve a successful launch and how the service would be developed across the Borough.

The Head of Service – Family Solutions reported that he was the Officer overseeing the implementation of the Family Hubs whilst also supporting them, with the Hubs providing strong opportunities to connect for people.

The Family Hubs provided a wide range of services including those for health and wellbeing, finance, school readiness, emotional support, and better outcomes for early years.

The five Family Hubs had been launched in August for families and young people with those entering the Hubs feeling part of their community.

Investment had been obtained from the DfE for the Family Hubs particularly for three years to provide services for families and children with specialist strands of services being delivered within the programme including midwifery and supporting opportunities for families to reduce the pressure on children's social care.

There were currently 15 families receiving autism training with the ambition to grow the 0 to 19 offer.

Partners in the voluntary community sector had been requested to join in the vision to create wrap around support system.

Practitioners had been trained in a number of areas including parenting and healthy eating.

Staff at the Family Hubs had the ability to drive down to grass route level with families and create simple access points to support.

The aims and goals of the programme which included a Start for Life Programme which was a sustainable model looking at parents, early support and mental health.

Arising from the presentation of the report submitted Members asked questions and responses were provided as follows: -

- (a) Councillor D Stanley requested details of the locations of the Family Hubs.

The Director of Children's Services advised that the locations were in the former Family Centre buildings which had been re-named and re-designed with the ambition to have a bespoke opportunity to have some facilities in Halesowen Leisure Centre.

- (b) In responding to a further question from Councillor D Stanley in relation to finances the Head of Service – Family Solutions reported that £2.5m was available from the DfE to support a range of staff that equated to £500k each year to sustain the model until 2025, with assurances being provided that work and processes were being examined to investigate longer term arrangements on how to sustain the model going forward.
- (c) In response to a question from Councillor C Reid, the Head of Service – Family Solutions advised that each Hub invested time, energy and resources to notify local residents of the services available, including events, and publishing leaflets with the aim to build on the offer going forward.

Members would be provided with leaflets in order to inform their local residents of the offer available at the Hubs.

- (d) In response to a query from Councillor T Crumpton, the Director of Children's Services referred to the invitations that had been emailed to Members to attend the Family Hubs, that was referred to in the Committee's Progress Tracker.
- (e) Councillor T Crumpton referred to the need to work with Members who could provide details of small voluntary groups who could support the Family Hubs.

- (f) In response to a question from Councillor S Ridney, it was confirmed that Housing Colleagues were integrating with Family Hubs, providing advice and information when required to do so.
- (g) In response to a request from Councillor P Lee, it was agreed that details of the dates available to Members to attend the Family Hubs would be emailed again to Members.

### **Resolved**

- (1) That the information contained in the report submitted on Family Hubs and Start of Life Information and Update report, be noted.
- (2) That the Head of Service – Family Solutions be requested to provide Members with leaflets in relation to the Family Hubs to distribute to their constituents.
- (3) That the Democratic Services Officer be requested to email to Members details of the dates available to them to attend the Family Hubs.

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### **33. Care Experienced Young Adults Accommodation.**

A report of the Director of Children’s Services was submitted on the delivery of accommodation to Care Experienced Young Adults as well as provide a response to the Committee’s recommendations to improve suitability of accommodation for this cohort of young people.

The Head of Service for Through Care presented the report submitted making specific reference to the 274-care experienced young adults in Dudley being supported up until the age of 25. 22 individuals were currently in accommodation identified as unsuitable with 252 in suitable accommodation.

The graph setting out the summary of young people in suitable accommodation as contained in the report submitted was referred to and it was noted that care experienced young adults living in Dudley had housing priority status. That status did not however extend to care experienced young adults who were living outside Dudley.

It was reported that not all children in care and care experienced young adults wished to live independently. The Staying Put arrangement and supported accommodation arrangements were referred to along with the

specialist accommodation for young people who may have a disability or need support with mental health problems.

It was further reported that where a care experienced young person was in custody, they were allocated a Young Persons Advisor, who worked collaboratively with Youth Justice or Probation Services and Housing to ensure that suitable accommodation and support was offered when released from custody.

The new Standards and Inspection Framework for Supported Accommodation providers produced by Ofsted in November 2022 was referred to, with providers required to register their provision with Ofsted.

The DfE had provided a grant to mitigate the implications for the registration of supported accommodation.

The Young Persons Advisor presented that part of the report dealing with Homelessness Prevention and her role, advising of the work undertaken to bridge the gap with housing for the young people who were in unsuitable accommodation working collaboratively with multi-agencies and the Dudley Housing Team.

The two Homeless Workers within the Housing Team were referred to and it was noted that they notified the YPA when a young person was due to be released from custody in order that a package of support could be put in place which included work with the Housing Team and the Anti-Social Behaviour Team should any issues arise providing a holistic approach to any such situations to prevent homelessness.

In relation to the next steps contained in the report submitted, work was continuing across the region with other local authorities and Trusts. There continued to be a focus on reducing the numbers of care experienced young adults who were at risk of homelessness and those in unsuitable accommodation. That work was boosted by the presence of a Homelessness Prevention YPA and closer collaboration with all Local Authority departments and key partner agencies, including commissioner services through the Transitions Panel as well as targeted work with young people.

Work had commenced prior to young people leaving care with tenancy workshops taking place and the provision of a set up a home grant. The work of Councillor P Bradley within the Corporate Parenting Board Skills Working Group was referred to.

A new joint New Housing Protocol for care experienced young people with Housing and Commissioning colleagues had recently been drafted. Consultations had taken place with care experienced young adults during Care Leavers week in October 2023. Supported Accommodation providers were also being consulted on their views.

The Council Priorities and Projects as contained in the report submitted were referred to.

- (a) Councillor C Reid referred to some specific cases of care leavers within her Ward and in response, the Head of Through Care undertook to discuss individual cases outside the meeting.

The Service Director for Children's Social Care referred to the Staying Put arrangements and it was noted that young people were supported up until the age of 25.

The work with other authorities where care experienced young adults were placed was referred to with Dudley wishing to be in the position where any children who were placed in Dudley could be worked with. It was emphasised that Dudley children were a priority for the service.

- (b) In responding to questions raised by Councillor C Bayton, the Service Director for Children's Social Care stated that all providers of supported accommodation within the Dudley Borough had registered their provisions with Ofsted, with the West Midlands being the most reactive region to register their supported accommodation.

Each Authority prioritised their own children with no reciprocal arrangement in place. There were however good relationships with Walsall and Staffordshire authorities in relation to Dudley children placed in their authorities and their children placed in Dudley.

The types of accommodation that are not judged as suitable included sofa surfing at various properties.

There were 13 young people in custody and again that was unsuitable accommodation.

- (c) Councillor C Bayton requested that future reports include the types of unsuitable accommodation that young people were living in.
- (d) In response to a question from Councillor P Lee, the Head of Through Care advised that once a foster child reached the age of 18, Foster Carers continued to receive state allowances whilst that young person

remained in education, and young people who wished to leave their Foster Carers at 18 were provided with opportunities to change their minds and either enter into a Staying Put arrangement or where it was safe to do so return to their parents.

Once a young person reaches the age of 18 they were classed as an adult on a legal basis, however assurances were provided that YPA's would continue to work with them. The service was currently in the process of recruiting an Emotional Wellbeing Care worker to work with care experienced young people, however it was reported that fostering care rates would not continue after a child reached the age of 18.

- (e) Councillor D Stanley referred the service to Churches Housing Association of Dudley and District (CHADD), who provided accommodation for young people within the Borough.

### **Resolved**

- (1) That the report submitted on Care Experienced Young Adults Accommodation, be noted.
- (2) That future reports on Care Experienced Young Adults accommodation included details of specific accommodation that was unsuitable.

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### 34. **Closing Remarks of the Chair**

The Chair wished Members and Officers a happy Christmas and New Year.

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### 35. **Questions from Members to the Chair under (Council Procedure Rule 11.8)**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

The meeting ended at 8.25pm

CHAIR

## **Minutes of the Children's Services Select Committee**

**Thursday 18th January 2024 at 6.00 pm  
In Committee Room 2, The Council House, Priory Road,  
Dudley**

### **Present:**

Councillor K Lewis (Chair)  
Councillor D Bevan (Vice-Chair)  
Councillors C Bayton, T Crumpton, P Lee, C Reid, S Ridney, C Sullivan, D Stanley, and M Webb; R May (Co-opted Member)

### **Officers:**

C Driscoll (Director of Children's Services), K Graham (Service Director of Children's Social Care), S Thirlway (Service Director Education, SEND and Family Solutions), E Thomas (Acting Virtual School Head Teacher) and K Buckle (Democratic Services Officer).

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### 36. **Introductions**

The Chair wished those present a Happy New Year.

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### 37. **Apologies for Absence**

Apologies for absence from the meeting were submitted on behalf of Councillor R Collins and T Reid.

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### 38. **Appointment of Substitute Members**

No substitute Members were appointed for this Meeting of the Committee.



39. **Declarations of Interest**

Councillor P Lee declared a pecuniary interest as he was engaged as a Dudley Foster Carer.

Councillor S Ridney declared a non-pecuniary interest as a member of the Management Board of the Virtual School.

Councillor K Lewis declared a pecuniary interest as an Early Years Provider.

C Driscoll declared a non-pecuniary interest as a former Director of Worcestershire County Council.

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40. **Minutes**

**Resolved**

That subject to R May being included in the list of apologies for absence, the minutes of the meeting held on 16<sup>th</sup> November 2023, be confirmed as a correct record, and signed.

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41. **Public Forum**

There were no members of the public present.

Councillor S Ridney referred to the Medium-Term Financial Strategy particularly with emphasis on proposals relevant to the Committee's Terms of Reference, specifically Children's Services stating that the proposals contained therein should have been submitted to the meeting for scrutiny purposes and expressed her disappointment that it had not.

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42. **Children's Services Select Committee Progress Tracker**

The Democratic Services Officer referred to the progress tracker detailing the recommendations and actions from the previous meeting, stating that a response had not been received from the Assistant Director People and Inclusion in relation to the DBS checks and undertook to contact the Director in order that a response could be provided as soon as practicably possible.

Members noted the future business items for 2023/24.



Councillor T Crumpton requested the Director of Children’s Services to report to a future meeting on the Medium-Term Financial Strategy, particularly the impact that would have upon Children’s Services for the forthcoming municipal year.

**Resolved**

- (1) That the information contained in the Children’s Services Select Committee Progress Tracker, be noted.
- (2) That the Democratic Services Officer be requested to contact the Assistant Director People and Inclusion for a response in relation to the position regarding DBS checks for Members and the criteria required.
- (3) That the Director of Children’s Services be requested to consider the request to report to a future meeting on the Medium-Term Financial Strategy, particularly the impact that would have upon Children’s Services for the forthcoming municipal year.

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43. **Corporate Quarterly Performance Report Quarter 2 (1<sup>st</sup> July 2023 to 30<sup>th</sup> September 2023)**

The Director of Children’s Services referred to the key performance indicators relating to Children’s Services for Quarter 2 making specific reference to the following: -

Performance Indicator 1447 the percentage of Agency Social Workers, although the target was 15%, there remained the ambition to reduce this Indicator to zero, however nationally there was a shortage of social workers. Although the indicator for Quarter 2 was 18.8%, this was significantly higher in January 2023 as nearly one quarter of the posts had not been filled.

The Directorate re-design was referred to which had made a significant difference to the ability to recruit social workers, with the position significantly improving.

In relation to Performance Indicator 432, the number of children looked after per 10,000 of the population, previously the performance indicator had been high over a prolonged period of time. It was evidenced that Children in Care do not perform well in education outcomes, had health and wellbeing issues and there was an over representation in the Youth

justice system. The ambition remained to ensure that only those children who need to be taken into care were taken into care.

The Family Safeguarding model that had recently been implemented was based upon the belief that family was best for children and the model enabled parents to care for their children both safely and appropriately with a clear focus on Special Guardianship Orders (SGO'S). Following the introduction of the Model the rate of children in care was reducing, with 84.2% of children in the care of the Authority at Quarter 2, against a target of 83%. That figure continued to reduce to well below 600 at the end of September 2023.

In relation to children subject to Child Protection Plans the target had been 43% for Quarter 2, with the outturn position being 22.4%. There had been a downward trend during the preceding five years and that figure was now much lower than comparator groups. Work had been conducted to ensure that children were not being left at risk.

The Service Director of Children's Social Care referred to the work conducted to introduce the Family Safeguarding Model including the triangulation work with Hertfordshire County Council, Walsall, and South Staffordshire. Individual children were reviewed weekly, and Audit checks undertaken. Work was conducted with the Centre for Professional Practice, and an oversight was provided by Dudley Children's Safeguarding Partnership and reported in the Safeguarding report.

Arising from the presentation of the report submitted, Members raised questions and queries and responses were provided where appropriate as follows: -

- (a) In response to a question from Councillor S Ridney, the Service Director of Children's Social Care confirmed that in relation to the correct children being made subject to a Child Protection Plan, that would ensure that those children who are at risk of significant harm were provided with wrap around care and subject to Child Protection Plans.

Regarding older children, Child Protection Plans were sometimes not appropriate, and those children were subject to Safety Plans based around exploitation with the ambition that the right approach be provided for the right child.

- (b) In response to a question from Councillor C Bayton regarding Safety Plans, the Service Director of Children's Social Care advised that Safety Plans provided the same level of protection as Child

Protection Plans, with child protection meetings running parallel with the plans.

- (c) In response to a question from Councillor D Stanley in relation to financial pressures resulting from the employment of agency Social Workers and the current number of children/young people who were in the care of the Authority, the Director of Children's Services advised that there was an underspend on the Social Worker budget for 2023 as there were problems with recruitment. A Market Forces Supplement had now been implemented in the sum of £7,000 per year with a commitment to peg pay for Social Workers in conjunction with 14 other authorities working together. There remained the ambition to recruit permanent staff who were committed to the Authority.

The service redesign had resulted in more interest being generated by both Social Workers and former Social Workers and applications being received for the positions.

It was reported that as at the end of December 2023 there were 565 children and young people in the care of the Local Authority, which represented the lowest number for several years. The Director assured members that she was confident that the right decisions were being made for children and young people.

In response to a further question from the same Member, the Director confirmed that children remained looked after until the age of 18 years and should a young person have remained in care for a number of years they were classed as care experienced young people and support could be provided to them up until the age of 25 years.

The Service Director for Children's Social Care confirmed that all children in the care of the Authority were allocated a Social Worker, however it was accepted that individual Social Workers could change with work continuing in relation to caseloads.

- (d) Councillor C Reid raised concerns with safeguarding particularly regarding Agency Social Workers should information not be shared, and safeguarding issues missed.

The Director of Children's Services advised that the Authority were no longer in the position where there were high levels of vacancies. Should Agency Social Workers be recruited they were registered in the same way and treated as permanent members of staff, having

to adhere to a child record system. Lightweight mobile devices had been issued to Social Workers to record in real time.

Should Members wish to raise concerns, individual cases could be examined to determine what, if any, action was being taken. It was confirmed that safeguarding work remained paramount.

The Director of Children's Services requested Members to raise individual concerns with her.

- (e) Councillor T Crumpton raised concerns regarding the reduction in producing Child Protection Plans and in response the Service Director of Children's Social Care stated that the current reporting period for 1<sup>st</sup> July to 30<sup>th</sup> September 2023 did not reflect current numbers and was fully confident that children and young people who needed Child Protection Plans had those plans and there was no correlation between those gaps in Social Workers.

In response to a further question from the same Member, the Director of Children's Services advised that one of the challenges for recruiting Social Workers is that it was a generic profession for most authorities and there were a range of payments in various authorities for permanent staff. It was accepted that it would be ideal if there was a standard rate of pay across all authorities but that was not possible. Wolverhampton City Council remained the highest paying authority within the region, and it was not affordable for Dudley to match the same rate of pay. Progress was being made and indicators and data evidenced that. Staff remained positive and positive feedback had also been received from children and families.

- (f) In response to a query from R May, the Director of Children's Services advised that there was no evidence to suggest that high thresholds were affecting the implementation of Child Protection Plans and the performance data remained good in relation to the number of early help cases being closed.

### **Resolved**

That the contents of the Corporate Quarterly Performance Report for Quarter 2 (1<sup>st</sup> July 2023 to 30<sup>th</sup> September 2023), be noted.

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## 44. **Dudley Virtual School – Summary of Annual Report 2022 – 2023**

Members considered a report of the Director of Children's Services on the work of the Virtual School, programme of activities, systems and processes that were being developed to improve outcomes and enhance learning of children in care.

The Acting Virtual School Head Teacher referred to the background in relation to the Virtual School and made reference to the academic outcomes for children in care including in the Early Years Foundation, Key Stage Two SAT's results and Key Stage Four Results as contained in the report submitted.

Members noted the Post 16 outcomes and that the full cohort of children in care had an increasing number with identified special educational needs at 41%.

The Ofsted ratings for 2022/23 were noted together with details of the attendance at school for Dudley children and details of exclusions and suspensions.

In relation to suspensions those continued to raise concerns and work on inclusive pathways was continuing with data being examined to ascertain the reasons for suspensions and identifying trends.

Trauma informed practice training to support children in schools was provided.

It was reported that there were low numbers of young people who were not in employment, education, or training, however the number of young people identified as NEET tended to increase as they moved towards leaving care. That was an area of focus of partnership work between the Care Leavers Team, Dudley Virtual School, and Connexions.

It was reported that the Virtual School Health and Emotional Wellbeing Programme supported young people.

Dudley Counselling Service and Play Therapy intervention work was referred to and the number of those children being assessed and worked with as contained in the report submitted was noted.

Barnardo's had continued to support children in care, with the service receiving 27 referrals in the period between July 2022 and July 2023.

Work continued to improve and support Personal Education Plans (PEP's).

It was noted that Breathing Space had supported 14 young people referred to their service by the Dudley Virtual School. Breathing Space was a therapeutic alternative provision which supported young people that were disengaged with learning and at risk of suspensions or permanent exclusions.

The Virtual School had continued to initiate work with the Primary and Secondary settings with the aim to develop a co-ordinated programme to integrate an inclusive approach to teaching and learning across Dudley.

The Delivering Equality and Equity across Dudley Schools programme (DEED'S) and full details thereof were outlined. It was noted that this would link with other programmes including engaging with all secondary settings in the RADY approach over three phases.

Details of the Aspire to University Programme run by the University of Wolverhampton that was designed to support young people who were in care from Year 7 through to Year 13 were outlined.

The Virtual School were also working with 'Unifrog' to provide all young people with the chance to register on their online platform to help them research possible career choices, compare university courses and apprenticeships offers.

The Arts offer had continued to be delivered for Dudley's children in care. The programme 'Artslink' was part of the West Midlands Virtual Schools Children in Care Foundation. Details of the full arts offer were outlined in paragraph 4.9 of the report.

The Virtual School were awarded a grant from the Department for Education for the Post 16 pilot to develop an offer over the academic year of 2022 to 2023. That aimed to create a strategic platform for the enhancement of educational provision and help inform the wider 'system' to refine processes, offers and interventions for the children in care cohort.

The 'Smashlife' programme prepared young people for adulthood and reflected what young people wanted.

Arising from the presentation of the report Members asked questions and made observations and responses were provided as follows: -

- (a) Councillor C Bayton in referring to the Key Stage Four results referred to those students with social challenges and difficult journeys through their education and in particular the increase in numbers of unaccompanied asylum seekers.

The Acting Virtual School Head Teacher confirmed that their Education Health and Care Plan would move with those specific children to the alternative Authority, with the Virtual School working with colleagues as soon as children and young people were in placement including conversations with neighbouring authorities, social care services and Special Educational Needs and Disabilities Teams.

- (b) R May expressed the importance of the RADY programme and encouraged Members to discuss the programme and encourage those schools who were not participating in the programme to do so.

### **Resolved**

That the information contained in the report submitted on Dudley Virtual School – Summary of Annual Report 2022, be noted.

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45. **Questions from Members to the Chair under (Council Procedure Rule 11.8)**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

The meeting ended at 7.15pm

CHAIR

## **Minutes of the Climate Change Select Committee**

**Wednesday 22<sup>nd</sup> November, 2023 at 6.00 pm  
in The Council Chamber, The Council House,  
Priory Road, Dudley**

### **Present:**

Councillor P Dobb (Chair)  
Councillor T Russon (Vice-Chair)  
Councillors C Barnett, C Bayton, C Eccles, J Elliott, S Henley, P Lee, N Neale  
and A Tromans.

### **Dudley MBC Officers:**

F Mahon (Head of Energy, Sustainability & Climate Change), N McGurk (Acting  
Service Director – Neighbour Delivery), K Jones (Director for Housing and  
Communities) and G Gray (Democratic Services Officer)

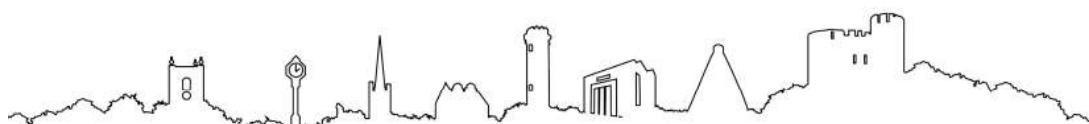
### **Also in Attendance:**

Councillor Dr R Clinton (Cabinet Member for Climate Change)  
Councillor D Corfield (Cabinet Member for Highways and Public Realm)  
Mr T Weller (Member of the Public by invitation)

Together with 2 members of the public.

### **18 Apology for Absence**

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





19 **Appointment of Substitute Members**

It was noted that Councillor P Lee had been appointed as a substitute Member for Councillor M Dudley, for this meeting of the Committee only.

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20 **Declarations of Interests**

No Member made a declaration of interest, in accordance with the Members Code of Conduct, in respect of any matter considered at the meeting.

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21 **Minutes**

In referring to Minute No. 12(i) – Electric Vehicle Charging Infrastructure, Mr T Weller commented that public transport should be accessible and fair for all people and not just for the young.

**Resolved**

That, subject to the amendments and comments made above, the minutes of the meeting held on 14<sup>th</sup> September, 2023 be approved as a correct record and signed.

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22 **Transport Fleet Services**

A report of the Director of Housing and Communities was submitted to provide an update on the progress on the Net Zero Neighbourhood (NZN) scheme at Brockmoor and to outline additional sustainability measures being taken by the Housing Directorate on existing and future schemes.

The Director of Housing and Communities provided an overview of the report and referred Members to the NZN project together with a number of schemes being carried out in conjunction with Government agencies and external energy providers that were mainly within the private sector and was aimed to increase sustainability and tackle poor energy efficiency, as detailed within the report submitted.

It was noted that several properties had signed up to undertake the retrofit to their properties within the Brockmoor area in December, that installation of Air Quality monitors and Light Emitting Diode (LED) lighting had been installed on lampposts and that an Environmental competition scheme for Schools in the Dudley Borough had been launched.

In response to a comment made by Mr Weller concerning the urgency of actions to be taken within homes to make them energy efficient, the Director of Housing and Communities advised that the NZN scheme was now up and running and referred Mr Weller to the Appendix of the report submitted, which outlined timescales and the various actions that had started to take place.

## **Resolved**

That the information contained in the report submitted, and as reported at the meeting on the update on the progress with the Net Zero Neighbourhood Scheme at Brockmoor and the additional sustainability measures being taken by the Housing Directorate on existing and future schemes, be noted.

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### **23 Update on Carbon Reduction Plan**

The Committee received a presentation from the Head of Energy, Sustainability and Climate Change on an update on the Council's carbon reduction plan.

In presenting the information the Head of Energy, Sustainability and Climate Change outlined the key work that had been completed and it was reported that a Climate Policy Manager had started in September 2023 and that the draft Climate Action Plan had been produced and was going through the Council's approval process. The draft Climate Action Plan would be reported at the meeting of the Climate Change Select Committee in January, 2024.

It was reported that the feedback received following the Your Borough, Your Future consultation would be incorporated within the draft Action Plan and that an audit had been carried out to look into action plans established by other councils to assist in the development of generic actions and themes.

It was advised that approximately 20 meetings had taken place with key Officers to discuss and agree actions for the draft Action Plan and that a new governance process had been formed to oversee the Council's delivery of net zero, which included establishing a Climate and Sustainability Board. It was advised that the first meeting of the Climate and Sustainability Board would be held on 28<sup>th</sup> November 2023 to consider and sign off the draft Action Plan.

The proposed governance structure for carbon net zero delivery was outlined, which included submitting an annual progress report to the Strategic Executive Board together with theme-based meetings of the Climate and Sustainability Board and the Climate Action Plan Working Group, represented by key Officers.

The Head of Energy, Sustainability and Climate Change outlined further key work that had been carried out, including communications promoting free carbon literacy training for residents within the Council's newsletter and the COP28 social media campaign. Midlands Net Zero Hub had been commissioned to produce a carbon baseline for the Council's Climate Action Plan by January, 2024.

It was advised that key staff had undertaken carbon literacy training at the West Midlands Combined Authority (WMCA) and that a training plan had been developed to deliver carbon literacy training to key decision makers within the Council, starting with the Climate Change Select Committee Members in January 2024.

An overview of the carbon reduction tracker together with a list of key projects that had been delivered were presented at the meeting, which included:

- 100% green energy purchased for the Council Estate.
- 8 travel plans agreed as part of new developments or with existing employers.
- 7 new or upgraded pedestrian/cycle lanes.
- 0.96km of new cycle footpaths
- 5 new crossings for pedestrians/cyclists
- 2 new traffic signal junctions including Light Emitting Diode (LED) lamps and extra low voltage power supply.
- 23 new electric machines in Green Care, including leaf blowers and hedge cutters.
- 5 electric quad bikes for street scene operations
- 100 public recycling waste bins installed.
- Trialling electric mechanical road sweepers
- Undertaking a programme to change 30,000 streetlights to LED.
- 90% of streets lights at Lister Road Depot are now LED.
- More than 60% of maintained schools have a 20mph scheme.
- 416 solar panels installed on the roof of Duncan Edwards Leisure Centre, saving 23 tonnes of CO2 a year.

It was advised that the most reliable way to report actual carbon savings would be to carry out annual monitoring, for example reductions in business mileage as a result of car share and other schemes. It was also advised that the carbon action tracker could be reported at future meetings.

In referring to the draft Climate Action Plan for Dudley, the Head of Energy, Sustainability and Climate Change stated that there would be a three-year action plan from 2024 to 2027 with an annual review and reporting process. The Action Plan would contain climate adaptation and resilience measures together with actions that would contribute to Borough wide carbon reductions towards the Council's carbon net zero ambitions.

It was advised that the draft Climate Action Plan for Dudley would contain six strategic themes, namely Community and Business, Transport and Active Travel, Energy, Waste and Fleet, Land Use and Biodiversity, and Enabling Actions including communications and fundraising.

The Head of Energy, Sustainability and Climate Change provided a summary of the contents page of the Action Plan and referred to the importance of co-benefits; emissions data being provided; the importance of partnership working, engagement and funding as well as the requirement for offsetting residual emissions from hard to decarbonise sectors, such as commercial transport.

Examples of enabling actions within the draft Action Plan were outlined in the presentation submitted and it was explained that a corporate communications and engagement plan for the climate emergency would be developed and delivered by the end of March 2024. A funding tracker to provide Officers and Elected Members with key information regarding funding opportunities to support the delivery of projects would also be developed and maintained. It was also reported that carbon literacy training would be rolled out in 2023/24 to key decision makers in order to achieve Bronze accreditation for the Council from the Carbon Literacy Trust.

In referring to the next steps of the draft Action Plan, The Head of Energy, Sustainability and Climate Change advised that the draft Action Plan would be submitted to the Climate and Sustainability Board on 28<sup>th</sup> November 2023 and confirmed that the Action Plan would be presented to the Climate Change Select Committee on 24<sup>th</sup> January 2024.

The Head of Energy, Sustainability and Climate Change further advised that the approval process would be completed during February/March 2024, and that the climate communications plan would be produced by the end March 2024. Work would also be undertaken with key external stakeholders to develop a new climate partnership and that Dudley would lead on the development of the Borough Climate Action Plan during 2024. It was also proposed that a public consultation process for the Borough plan would be conducted during Spring/Summer 2024.

Arising from the presentation, Members asked questions and made comments. Responses were provided where appropriate as follows:-

- a) The Acting Service Director – Neighbourhood Delivery referred to the significant work that had been undertaken by the Energy, Sustainability and Climate Change team to formulate the draft Action Plan and that the key projects that were outlined would provide Members a better understanding of the scale of activity that needed to be undertaken and that all information would be shared going forward.
- b) In response to a question raised by Councillor C Bayton in regard to spending controls and the potential impact in delivering the Action Plan and what priority was given, the Head of Energy, Sustainability and Climate Change clarified that all actions within the Action Plan had already been approved and that an annual review would be carried out. It was advised that the reporting process mechanism was being developed and that delivery progress for all actions would be reported on and the information made available to this Committee.
- c) Further to a question raised by Councillor C Eccles concerning the implementation of traffic restriction policies within Dudley Town Centre and neighbourhoods being declined at a meeting of the Council and the affect this would have on the Action Plan going forward, the Acting Service Director – Neighbourhood Delivery advised that various considerations were being looked into regarding transport and that this would also be expanded upon within the Action Plan and within focus groups. It was advised that work had been undertaken to reduce the speed around schools to 20mph, which would transfer into low carbon neighbourhoods. Officers would be considering all aspects of transport and implement trials as necessary to identify whether these could be pursued and presented to Cabinet.

- d) In response to a query raised by Councillor C Barnett regarding how the reduction of private vehicles and the reduction of the carbon impact would be achieved and measured, the Head of Energy, Sustainability and Climate Change recognised that travel actions and carbon impact were difficult to measure and that co-benefits would also need to be measured. It was advised that any funding would need to be quantified and that sustainability was also an important factor throughout the Dudley Borough as well as carbon reduction. With regard to measuring energy, it was reported that specific elements such as decarbonisation would be included within the Borough Plan, with some delivery undertaken by external partnerships.
- e) A further question was raised by Councillor C Barnett concerning the Council's position on the Climate Emergency Scorecard and whether there would be an improvement in the score in future. The Head of Energy, Sustainability and Climate Change advised that no further submission had been carried out and that there would be a right to reply as part of next year's scorecard process, however, this would take time to input to. It was advised that the Energy, Sustainability and Climate Change team would work to ensure that the score for Dudley would improve as a result of delivery of actions within the Action Plan.
- f) Reference was made to the timescales proposed in implementing the Borough Action Plan, and the Head of Energy, Sustainability and Climate Change advised that the Action Plan would be a Borough wide process and would be dependent on working with various partnerships as to when the Action Plan could commence. It was noted that the Council was facilitating implementation alongside independent partnerships with a view to maintaining self-sustainability.
- g) In responding to a query raised by Councillor C Barnett regarding the involvement of Community Groups, the Head of Energy, Sustainability and Climate Change clarified that a variety of Community Groups including Dudley Council for Voluntary Services (DVCS) and Friends of the Earth would be invited to contribute towards the Borough Action Plan when it is developed in 2024.

- h) In response to concerns raised by Councillor D Borley regarding what checks were undertaken to implement pedestrian crossings, in particular on the Stourbridge Ring Road, which would stop traffic, cause congestion and in consequence create more pollution, the Head of Energy, Sustainability and Climate Change advised that relevant Officers would need to be consulted on schemes and any concerns that may arise regarding safety issues.

The Acting Service Director – Neighbourhood Delivery advised that Air Quality monitoring was carried out by the Environmental Services team who monitor and understand where the hot spots for pollution were situated around the Borough.

- i) Mr T Weller welcomed the information provided on the update of the Council's Climate Action Plan, and suggested that there were easier ways to reduce traffic and mileage by pedestrians cycling or using commuter trains on railways.

Mr T Weller further commented that there were several railway lines that had been destroyed or converted, which was considered to have created a significant cost and suggested that a previous proposal for the Tram line to be bought to Stourbridge Junction from Flood Street in Dudley to be reinstated and considered this would be more beneficial and should be implemented.

- j) Councillor C Bayton advised that in regard to air quality, Electrical Vehicles would still create 2.5 Particulate Matter pollution from tyres and breaks, therefore, there would need to be a reduction in traffic and reducing speed. It was noted that an air quality action plan had been adopted by the West Midlands Combined Authority (WMCA), whereby mobile sensors were used, and local authorities were required to provide data to the WMCA in order to identify hot spots.
- k) Councillor T Russon considered that the wider public transport issues should be looked into and commented that monitoring of Electrical Vehicles had evidenced that these vehicles would break at a lower rate, therefore, creating lower pollution.

- l) Councillor A Tromans welcomed the information provided, and queried whether the quad bikes used for administering pesticides were Electrical Vehicles as there were none shown within the Council's fleet and whether harmful weed killer was being used. In responding, the Head of Energy, Sustainability and Climate Change advised that the plans for Glyphosate weed killer would be a separate issue from the Carbon Reduction Plan.

Councillor D Corfield advised that there were Electric Vehicles within the Council's fleet and invited Councillor A Tromans to visit the Lister Road depot to view vehicles, including the quad bikes, that were being used.

- m) Councillor A Tromans appreciated the work carried out concerning the 20mph zones at schools and the Acting Service Director – Neighbourhood Delivery clarified that 65% of the roll out for 20mph zones outside of schools had been undertaken with a view for this to be completed within the next two years.
- n) In responding to a query raised by Councillor A Tromans regarding the Cycle pathways and maps of existing routes, the Acting Service Director – Neighbourhood Delivery advised that there were several Cycle routes throughout the Borough, however, acknowledged there were many sections that were unconnected to other routes.
- o) Mr T Weller commented that there was a continuous cycle route from Saltwells/Merry Hill to Wolverhampton, which crossed through three Council authorities, which was considered to be unusable as a consequence of many sections of the route being a mud way. Mr T Weller suggested that the Greencare Team consider using gravel or clear the mud so that the cycle route could be used.

### **Resolved**

That the information contained in the presentation submitted, and as reported at the meeting, on the update on Council's Carbon Reduction Plan, be noted.

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## 24 **Climate Change Select Committee Progress Tracker and Future Business**

Councillor C Bayton requested that the inclusion of Biodiversity be included as a future agenda item.

### **Resolved**

That the Climate Change Select Committee Progress Tracker and Future Business, as outlined in the report, be noted.

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## 25 **Public Forum**



A member of the public raised concerns regarding the dangerous pedestrian crossing from Greenfield Avenue Stourbridge and of speeding cars that were causing pollution and impacting the air quality. They also considered that the accessibility to the subways at Stourbridge Ring Road should be reviewed.

In responding Councillor D Borley advised that he was aware of the pedestrian crossing mentioned and the accessibility issues to some subways, however, considered that other subways at the Stourbridge Ring Road were easier to use and advised that there was no easy solution to prevent speeding motorists.

In response to a query from a member of the public concerning cycle lanes impacting the traffic plan and cycle paths, the Acting Service Director – Neighbourhood Delivery advised that measures that were being implemented with regard to traffic and cycle lanes this year would be within the key project.

In responding to comments made, Councillor C Barnett agreed that the design of the access to the subways was unsatisfactory, and that it would be the choice of the cyclist to use cycle lanes on busy traffic routes. It was considered that cars were prevalent, and the work undertaken by the Climate Change team should help towards reducing ongoing traffic issues.

Mr T Weller referred to the demolition of the multi-story car park at Pool Road in Halesowen and suggested that it would be preferable to build flats that were energy efficient or houses with Solar Panels.

In response, the Chair clarified that the information had only recently been announced, therefore, this could be looked into further once additional information had been received.

In responding to a question raised by a Member of the Public in relation to the extent of the climate emergency issues considered by the Select Committee, the Chair advised that the Committee was newly established and would be considering the items set out in the Action Plan and taking any actions that were deemed necessary.

Councillor Dr R Clinton also commented that once the Climate Change and Sustainability Board had been established, several issues would be addressed allowing for broader answers to questions going forward.

Questions pursuant to Council Procedure Rule 11.8 were raised by Councillor A Tromans. Responses were received as follows and circulated to Members at the meeting of this Committee:

- How many homes within Dudley Council’s housing stock currently have an Energy Performance Certificate rating of C or higher?

“Historically Dudley Metropolitan Borough Council have reported that 75% of homes have an Energy Performance Certificate rating of C or above. However, a full stock condition survey is currently underway and as part of this programme the Standard Assessment Procedure (SAP) rating is being assessed and a full Energy Performance Certificate is being undertaken and lodged. The Survey Control Services (SCS) surveys will be completed by April 2024, after which the most up to date position will be reported, but initial indications from surveys and Energy Performance Certificate being produced to date indicate that 53% of our homes achieve an Energy Performance Certificate rating of C or above.

Energy Rating Banding	No. of properties within banding	% of surveyed properties in the banding
B	65	1.38%
C	2462	52.32%
D	1982	42.12%
E	175	3.72%
F	16	0.34%
G	6	0.13%
<b>Grand Total</b>	<b>4706</b>	<b>100.00%</b>

<b>Average SAP rating</b>	<b>68.02</b>
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- Is there a plan of works to upgrade homes within Dudley Council’s stock that do not currently have an Energy Performance Certificate rating of C, and if so, how will these be prioritised?

The Standard Assessment Procedure and component data being gathered as part of the full Survey Control Services project are being combined with historical investment data to develop the investment needs across the stock, as the position in relation to the properties sitting in Band C and above has altered since the last investment plan. The properties sitting in Band D which offer the greatest prospects of improvement will be prioritised, with any additional resources from grant funding being used to improve those properties in Band E

- Does the Borough have any plans to apply to the Social Homes Decarbonisation Fund for wave 2.2 or any subsequent rounds of funding?

An application is being prepared for the Social Housing Decarbonisation Fund based on the findings of the Survey Control Services exercise, the authority has until 19<sup>th</sup> January, 2024 to make the submission and any successful grants must be spent by 31<sup>st</sup> March, 2025.

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The meeting ended at 7.25pm

CHAIR

## **Minutes of the Climate Change Select Committee**

**Wednesday 24<sup>th</sup> January, 2024 at 6.00 pm  
in Committee Room 2, The Council House,  
Priory Road, Dudley**

### **Present:**

Councillor P Dobb (Chair)  
Councillors C Barnett, C Bayton, R Collins, C Eccles, J Elliott, S Henley, P Lee,  
N Neale and A Tromans.

### **Dudley MBC Officers:**

F Mahon (Head of Energy, Sustainability and Climate Change), H Rayet  
(Climate Policy Manager), J Deakin (Head of Waste and Fleet Operations) and  
G Gray (Democratic Services Officer)

### **Also in Attendance:**

Councillor Dr R Clinton (Cabinet Member for Climate Change)  
Councillor D Corfield (Cabinet Member for Highways and Public Realm)  
Mr M Richards (Member of the Public by invitation)

Together with 2 members of the public.

### **27 Apologies for Absence**

Apologies for absence from the meeting were submitted on behalf of  
Councillors T Russon and M Dudley.



## 28 **Appointment of Substitute Members**

It was noted that Councillor R Collins had been appointed as a substitute Member for Councillor T Russon, for this meeting of the Committee only.

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## 29 **Declarations of Interests**

No Member made a declaration of interest, in accordance with the Members Code of Conduct, in respect of any matter considered at the meeting.

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## 30 **Minutes**

In referring to Minute No. 22 – Members were advised of the error of the title concerning the Net Zero Neighbourhood Scheme.

### **Resolved**

That, subject to the amendment made above, the minutes of the meeting held on 22<sup>nd</sup> November, 2023 be approved as a correct record and signed.

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## 31 **Public Forum**

A Member of the public from the Friends of the Earth Community Group raised questions regarding the Dudley Climate Action Plan and the Brockmoor Pensnett Retrofit programme and queried whether further updates or progress had been made and whether information could be provided.

In response, the Chair clarified that information concerning the Dudley Council Climate Action Plan would be presented at the meeting and advised that information could be circulated including information regarding the Dudley Council Climate Action Plan and Brockmoor Pensnett Retrofit programme.

At this juncture Councillor N Neale withdrew from the meeting.

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## 32 **Dudley Council Climate Action Plan**

A report of the Acting Service Director – Neighbourhood Delivery was submitted to recommend to approving the Dudley Council Climate Action Plan, Phase 1 (2024-2027) as part of the Council's response to the climate emergency.

The Head of Energy, Sustainability and Climate Change provided an overview of the report submitted and in doing so stated that Dudley Council had declared a Climate Emergency in 2020 and had committed to deliver a Climate Action Plan and produce a Borough Wide Action Plan within Phase 2 of the Action Plan. It was noted that actions from the Dudley Council Climate Action Plan would contribute towards the Borough wide impact.

There was a focus to achieve Net Zero by 2030 and steps had been taken within several service areas of the Council in particular the Council's Estate and Fleet Services to reduce the carbon footprint.

Members were advised that the Council had recognised they had a leadership role to produce a Council Action Plan and within Phase 1 of the Plan there was the need to set a positive example to address climate impact within the Council's own operations and services. There was also a need to provide information and advice to the public, to encourage staff to take action, and to engage with partners, residents, businesses and community stakeholders to tackle climate change across the Borough and to enable them to participate and provide feedback.

It was reported that the Climate and Sustainability Board had been established to develop and monitor the delivery of the Council's Climate Action Plan, that the Board would work with external partnerships to provide opportunities to work with businesses, however, partnership working would be included within Phase 2 of establishing the Borough Plan.

It was advised that the Council were delivering a number of actions and initiatives that were being developed and that were outlined within the report submitted.

The Head of Energy, Sustainability and Climate Change reported that the Midland Net Zero Hub had carried out work to provide information and to assist the Council in reaching the Net Zero target for 2030. It was noted that the information received identified that there was a need for Dudley to reduce emissions by a further 13,209.85 tonnes Carbon Dioxide Equivalent (CO<sub>2e</sub>) from the amount of carbon generated from Council buildings and activities, within the baseline year of April 2022 to March 2023.

It was reported that the Dudley Climate Action Plan would be a 3-year plan with 6 themes as outlined in the report submitted. The Head of Energy, Sustainability and Climate Change explained that the Dudley Climate Action Plan was not a set document and would be formally reviewed and updated annually.

It was advised that the Dudley Climate Action Plan was a Corporate Plan, that the existing and planned projects and initiatives would be funded across key Directorates, therefore, there would not be a specific budget. However, consideration had been given to the current cost control processes and would work alongside colleagues to ensure actions were developed. It was noted that a meeting had taken place in November, 2023 to discuss actions, however, the budget review had subsequently been put in place, which would inevitably affect current plans, though colleagues were confident that the majority of initiatives within the first year would proceed.

It was noted that the Council recognised the need to address the Biodiversity Crisis alongside Climate Emergency and once completed focus would be given to the Borough Wide Action Plan to target Net Zero for 2030.

Members were advised that a communications plan would need to be established with the intention for people to understand what actions were being undertaken and to initiate engagement with residents. The Climate Change webpage had been set up in November, 2023 and further engagement work through social media had been carried out by the Climate Policy Manager. The Council were eager to involve young people with the possibility of establishing a youth citizens assembly.

The Head of Energy, Sustainability and Climate Change reported that the Climate and Sustainability Board would meet on a quarterly basis with a view to provide monitoring reports to the Climate Change Select Committee and it was advised that Key Performance Indicators and targets would be developed in due course.

Arising from the presentation, Members asked questions and made comments. Responses were provided where appropriate as follows:-

- a) In response to a question raised by Councillor C Eccles concerning the budget restraints and how it would affect the Council's target for Climate Emergency, the Head of Energy, Sustainability and Climate advised that budgets would primarily be regulated through high level Officers within individual Directorates, that Officers would consult with relevant service areas should delivery be behind target and that a pragmatic and flexible approach would be needed particularly within the first year to ensure the Council were developing momentum.
- b) Councillor C Barnett welcomed the Dudley Climate Action Plan and commented positively on the work carried out. Councillor C Barnett referred to the launch of the new Climate website and it was felt that public engagement would be significant to provide residents with effective communication and guidance.

The Climate Policy Manager acknowledged that it was vital to ensure the public were engaged, encouraged and supported. It was advised that engagement would coincide with the public consultation and that the Communications Team would be working towards providing a Communications Plan for delivery to residents.

- c) In regard to Planning Policy and the restrictions on National Guidelines, Councillor C Barnett queried how the Dudley Climate Action Plan would be incorporated to ensure Developers contributed towards the Plan, whilst adhering to National Planning Policies.

In response Councillor Dr R Clinton, Cabinet Member for Climate Change, advised that several discussions with Planning Officers would be carried out to look at incorporating the Dudley Climate Action Plan with the Planning Regulations.

The Climate Policy Manager clarified that discussions had been undertaken with Planning Officers in November 2023 to consider in detail the Planning and National Policies to ensure that any actions would coincide and conform to Planning and National Policies and that Officers were content that there would be no conflict.



- d) Councillor C Barnett referred to the Council's Cycle Hire Scheme and whether the scheme had been successful and made comments in regard to the accessibility of cycleways around the Dudley Borough in that it was believed to be challenging, therefore, consideration would need to be given on the development of a network of cycleways to enable cyclists to travel around the Borough as an alternative use of transport.

In response the Head of Energy, Sustainability and Climate Change advised that the Dudley Climate Action Plan included the review of the travel policy and that any actions carried out would be based on ongoing discussions with relevant Officers. It was noted that an E-bike scheme was in place, and whilst it was acknowledged that there were challenges with the cycleways around Dudley, successful cycle routes schemes within other areas would be explored to assist in effective delivery of the cycle network.

- e) Councillor C Bayton welcomed the Dudley Climate Action Plan, however, felt that there was a lack of exposure through social media to help change the mindset and behavioural change in local residents.
- f) Reference was made by Councillor C Bayton concerning the 13,209.85 tonnes of Carbon Dioxide Equivalent of emissions that had been identified by Midland Net Zero Hub and stated that consideration would need to be given for any actions undertaken and should not create further issues within other parts of the Borough or within surrounding areas.
- g) Councillor C Bayton commented on the Cycle Hire Scheme and acknowledged that there had been a loss within Dudley and other surrounding areas, however, it was considered that there was a need for understanding from residents regarding how cycling would be a valuable contribution and suggested to look at solutions to incentivise residents to take up future schemes.
- h) Councillor D Borley welcomed the Climate Action Plan and commented that there were several safety issues for cyclists on the current cycle routes within Dudley.
- i) In referring to the Climate Action Plan, Councillor D Borley expressed a view that future developing technology would need to be taken into consideration and a measured approach would be needed when establishing future schemes and undertaking any actions.

In response the Head of Energy, Sustainability and Climate Change acknowledged that a flexible approach would be essential to the Climate Action Plan to consider new evolving technology together with any changes within Government Policies. It was advised that pilot schemes and trials would be carried out that would provide a measured approach.

- j) Councillor C Eccles commented that there had been very few opportunities for local community groups to be involved and contribute to the Climate Action Plan and considered that local community groups should be utilised going forward. In referring to Biodiversity, Councillor C Eccles advised that there were several established local groups who were eager to be involved within their own area.

In response the Head of Energy, Sustainability and Climate Change advised that the Public Consultation would provide an opportunity to discuss with local community groups and stakeholders.

- k) In response to a query raised by Councillor C Eccles concerning the retrofit initiative in that the main focus was on the Council's Estate and Tenants and queried whether private properties would also be community funded, the Head of Energy, Sustainability and Climate Change explained that information would be explored further within the Borough Plan.
- l) In responding to a question raised by Councillor C Barnett regarding community engagement, the Head of Energy, Sustainability and Climate Change clarified that plans would be discussed regarding community engagement within the next phase of the Borough Plan, however, it was recognised that a strategy and plan would need to be put in place. It was noted that Schools were being consulted, that there was an aim to establish a Youth Council and that educational talks on recycling were being carried out within Schools, however, there would be scope to develop and broaden other environmental subjects communicated to children to engage with students on Climate Change issues.
- m) Councillor C Barnett referred to the group Copenhagenize and advised that they had developed significant information that could be utilised for developing cycle networks around the Dudley Borough.

In response the Head of Energy, Sustainability and Climate Change recognised that there was a vast amount of experience available throughout the country that could be used as a starting point and that discussions would be carried out with various groups to consider best practices.

- n) Councillor C Barnett emphasised the importance of engaging and educating children concerning Climate Change.

The Head of Energy, Sustainability and Climate Change commented that it was essential to involve children with educational material to help engage other students within schools.

- o) Councillor R Clinton commented that there had been an emphasis from the West Midlands Combined Authority to use local manufacturers to produce supplies for solar panels, heat pumps, insulation together with various other materials and it was considered it would be an opportunity to diversify the industry within the Dudley Borough and reduce the carbon footprint.
- p) Mr M Richards commented positively on the Climate Action Plan and welcomed the regular updates that would be provided to future meetings, however, considered that the Action Plan was primarily focussed on the Council Estate rather than local residents and advised that it was essential to mobilise the local population by providing regular communication and relevant information to residents.

The Head of Energy, Sustainability and Climate Change clarified that the communications plan would be implemented to engage the public and further engagement would be carried out within the second phase of the Borough Plan.

- q) Mr M Richards commented further on the Biodiversity Emergency and raised concerns regarding species disappearing leading to eco-systems breaking down should no action be taken.
- r) Councillor D Borley expressed a view that consideration would need to be given to any decisions and actions made that would affect the local transport and the local economy. The Head of Energy, Sustainability and Climate Change clarified that the local economy would be considered within the next stage within the Borough Plan, that consultations would be carried out with local stakeholders and businesses and that there would be a focus on creating green jobs together with retrofit schemes.

## **Resolved**

- a) That the Dudley Council's Climate Action Plan, Phase 1 (2024-2027) set out in Appendix 1 of the report submitted outlining how the Council would work to reduce carbon emissions from the Council's operations and activities and influence carbon reduction boroughwide, be received and noted.
- b) That an annual update of the Climate Action Plan to review the data and evidence, monitor progress and insert new actions to further reduce the Council's carbon footprint towards achieving its ambition to reach carbon net zero by 2030, be included as a future agenda item on the work programme for the 2024/2025 municipal year.

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### **33 Climate Change Select Committee Progress Tracker and Future Business**

Councillor C Bayton requested that a report on Biodiversity Net Gain be included as a future agenda item on the work programme for the 2024/2025 municipal year.

## **Resolved**

That a report on Biodiversity Net Gain be included as a future agenda item on the work programme for the 2024/2025 municipal year.

That the Climate Change Select Committee Progress Tracker and Future Business, as outlined in the report, be noted.

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### **34 Questions Under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

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The meeting ended at 7.00pm

CHAIR

## **Minutes of the Corporate and Economic Strategy Select Committee**

**Thursday, 2nd November 2023 at 6.00 pm  
In Committee Room 2, The Council House, Dudley.**

### **Present:**

Councillor D Stanley (Chair)  
Councillor S Henley (Vice-Chair)  
Councillors J Foster, E Lawrence, W Little, S Mughal, N Neale, C Reid, and P Sahota

### **Officers:**

C Blunn (Corporate Performance Manager), F Parrett (Head of Commercial) S Haycox (Corporate Performance Support) and K Buckle (Democratic Services Officer).

### **Invitee:**

P Atkins (Cabinet Member for Corporate Strategy)

### **Also in Attendance:**

M James (Commercial Manager) - Observer

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## 26 **Opening Remarks of the Chair**

The Chair welcomed those present to the meeting including those Councillors that had recently been appointed to the Committee and those who were substituting for absent Members.

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27 **Apologies for Absence**

Apologies for absence from the meeting were received on behalf of Councillors C Eccles and A Hopwood.

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28 **Appointment of Substitute Members**

It was noted that Councillors C Reid and W Little had been appointed to serve as a substitute Members for Councillors C Eccles and A Hopwood respectively for this meeting of the Committee only.

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29 **Declarations of Interest**

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

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30 **Minutes**

Councillor J Foster referred to Minute number 20 – Stalled Sites – Strategies for bringing back into use privately owned vacant land and property – Members questions referring to paragraph n) advising that the training had been requested for all Members with the training requested being in relation to neglected and stalled sites, although it was agreed that previous training had been more suitable for officers than members.

The same Councillor referred to Minute number 21 – Consultation Process Review across the Authority – this paragraph under e) – line four stating that the word majority should be replaced with the word many as she was only aware of the community groups that had been targeted within her Ward.

**Resolved**

That subject to the amendments referred to above the minutes of the meetings held on 30<sup>th</sup> August and 6<sup>th</sup> September 2023, be approved as a correct record and signed.

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31 **Public Forum**

No issues were raised under this agenda item.

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## 32 **Commercial Strategy**

A report of the Director of Digital, Customer and Commercial Services was submitted to provide an update on the commercial strategy, core commercial activity and key projects and to assure the Committee on the value of the work undertaken by the Commercial team.

The Head of Commercial gave a detailed presentation to the Committee and in doing so referred to the objectives of the strategy, the definition of commercial activity in Dudley, the aligned values to the values of the organisation and the volume of commercial services that were supported by a team delivering core commercial functions.

It was reported that the team was small and as a result had to prioritise their activity with a clear set of priorities that could include introducing new services, changing offers, the commercial approach or ceasing services. There was the need for the Authority to deliver services effectively and at the same time operate as a business.

It was noted that Regeneration and Enterprise generated 60% of commercial income during 2022/23 and schools were the key commercial customers generating 38% of the commercial income for the same period.

Work was also underway with the Council's Communications and Public Affairs team in relation to the Himley Hall bonfire, advertising space income, town centre rentals and the Mayoral Business Club.

The Directorate Plan actions, objectives and key performance indicators (KPI's) for 2023/24 were outlined and it was noted that the KPI's had been met last year and were on target to be met this year.

A graph was displayed containing those services that had potential growth, those that were in deficit, profitability and surplus and it was reported that working with services to increase profitability was taking place and there was a real shift in focus leading to improved governance, profitability, and accountability.

The challenges that were faced included resistance from service areas when officers may not have adequately briefed members on the impact of commercial decisions. The Finance structure and methodology did not allow the easy access to the profitability of a service meaning additional resource to manage this. A lack of an overarching effective commercial approach requiring investment in systems, resources, and customer communications.

The speed of responses with the need to react quickly in a challenging Council environment was required and work was being conducted with officers to enable them to make decisions through the appropriate governance process.

Core commercial activity to date was referred to with baseline financially sustainable work continuing with finance and service areas where budgets were agreed collectively.

There was a review of the pricing strategy across the organisation. Collaborative decision making to achieve the maximum revenue that customers could sustain continued with this impacting on the excess of £700k being achieved in 2023/24 with regards to Regeneration and Enterprise.

It was reported that following commercial initiatives and interventions successes had followed with the launch of Connect2Dudley on 5<sup>th</sup> September 2022, with drivers to grow income, reduce recruitment costs and improve the quality of agency staff which had resulted in a forecasted surplus of £240k by year five ahead of schedule in April 2023.

The agreement to invest £0.5m in a play area facility at Himley Hall, bringing additional customers and revenue to the site with a forecasted cumulative surplus of £582k by year five.

The agreement to invest £0.65m at Dudley Town Hall, improving the venue and the offer, increasing the number of events, footfall and secondary spend.

The price revenue in Telecare with a potential increase of £600k in income per year from 2023/24.

Working closely with schools continued with a good retention policy.

Himley bonfire would be in profit this year following work with Communications and Public Affairs.



The deliverable income forecasted for 2023/24 was £2m and £3m for 2024/25.

Following the school meals review, project management of the closure of the service to time and to budget driving forward activity to ensure agreed savings were delivered.

There was the plan for the cessation of the Digital Grid for Learning from 1<sup>st</sup> September 2025, alongside technology colleagues who would be developing a new commercially viable offer to schools.

Working with 322 schools on the delivery of 68 services continued with work to retain as much profitable business as possible.

Monitoring performance, setting clear targets, and taking action to improve sales continued at the Leisure Centres, Himley Hall, Town Halls and Brooke's Bistro.

Difficult decisions were made in relation to school meals due to the deterioration in finances, with 37% of schools moving to new providers. There was a £1.1m subsidy for school meals during the current financial year and a £1.2m subsidy for 2023/24, with little option available other than increasing the cost of school meals by 30-40% to cover the subsidy. There was the need to ensure the quality of services and minimise the impact on staff.

There had been positive outcomes with 17 of 69 schools transferring to new providers, 11 having a clear plan with an agreed date, 17 with a plan in place, 17 out to tender and 7 schools considering their options.

In relation to Connect2Dudley the objectives and additional objectives contained within the presentation were referred to and it was reported that at the end of quarter 1 the service was in a profit position, sooner than expected. A revised forecast illustrated that at the end of the first full year of trading the service would be ahead of forecast by £27k and a full year profit position, 12 months ahead of schedule.

Phase two would focus on commercialisation with a soft launch taking place in January 2024. The two-year ventures forecasted a total cumulative profit of £865k to be shared between the partners.

Members asked questions, made comments and responses were provided where appropriate as follows: -

- a) Councillor N Neale, referring to the predictions above, asked whether they would be impacted upon by the budget setting process and the savings required. There was a request to be provided with revised figures following the budget summit and how the projection would be revised.

In response the Head of Commercial stated that all other budget changes would not impact on the projected trajectory for Connect2Dudley.

Some customers had been lost in relation to the Telecare service and projections may need to be reviewed regarding that service due to customer demand. The Head of Commercial was confident with all other forecasts contained in the report and presentation submitted.

- b) Councillor P Sahota in referring to the Commercial Strategy and the policy changes regarding delivery of services for the borough questioned why Equality Impact Risk Assessments had not been carried out and none had been identified although the Telecare service would be used by vulnerable people.

It was questioned whether the Council's Human Resources section had conducted a fact-finding exercise in terms of how services were running at the Crystal Café and why the staff had not been consulted on their ideas to make services at the Café more profitable.

Concerns were raised that the report did not identify any environmental or climate change impacts.

Page 33 of the report submitted detailed all services however there was no information in relation to finance and legal services.

Councillor P Sahota suggested that the Authority were weak in marketing for Brooke's Bistro and Leisure Centres, and although the report referred to work of the Communications and Marketing team, work had not happened to market those facilities.

The Head of Commercial operated within a small team and questions were raised whether that would raise issues in delivery for such large agendas and whether any benchmarking had been conducted with other authorities on how to turn services around and make them profitable.

The Head of Commercial responded stating that Equality Impact Risk Assessments were only required if making any significant changes to any services but in terms of the current report that related to supporting and not impacting on services.

It was confirmed that line managers had been consulted in relation to the Crystal Café who had in turn consulted with staff. It was noted that Commercial are in ongoing contact with services.

It was accepted that capacity within the team was an issue and those concerns had been raised.

- c) Councillor L Johnson requested confirmation as to who would be responsible for the provision of school meals in the future and how did their costs compare to other Authorities.

In response the Head of Commercial stated that every school was able to choose their own supplier and 37% of schools had already chosen to do so with the majority transferring to Shropshire Council, whose charges were similar. It was not anticipated that the costs would rise above the normal price index rate.

- d) Councillor E Lawrence referred to governance processes and how staff were empowered to make those commercial decisions.

The Head of Commercial provided an example in relation to the fees at Himley Hall, with the increase in fees and charges requiring authorisation of the Cabinet Member, however where there was an interest expressed in multiple bookings and a reduction in fees could be provided, the Head of Service had delegated authority to approve rather than going back through the process of the fees and charges.

It was a similar case in relation to Brooke's Bistro in that the line management structure could approve price changes as appropriate.

- e) Councillor J Foster raised concerns in relation to contracting out in relation to school meals, comparing that to contracting out civil parking enforcement. Should school meals be contracted out parents money would not be received by the authority but instead transferred to where the school was procuring, and if Shropshire Council could provide a comparable service, why in Dudley has a success not been made of the service.

The Head of Commercial stated that Dudley Council were making a loss, losing £1m with more money being expended than received. Shropshire were a larger entity and as a result able to grow their offer and rely on economies of scale. Dudley Council's competitors had continued to grow and cut the service in every way possible.

Councillor J Foster stated that Shropshire Council was a unity and not a large Authority in terms of population and in terms of budgets was unsure how they compared to Dudley Council. There was the need to examine what was going wrong with the service in Dudley. It was questioned how the system had failed and what had resulted in that failure.

The Head of Commercial stated she was unable to answer questions on the operational success of the service but would refer the question to the Head of Corporate Landlord Services for a response.

In terms of finances there had been a slow deterioration of customers in her opinion resulting in the service struggling and subsequent complaints in relation to the quality of services being received. Schools had subsequently spoken with their feet and left and with academisation it had become apparent that service provision would reduce.

Councillor J Foster referred to the longevity of the service and although aware of the concerns relating to the quality of meals believed that the decision should have been called in for scrutiny, in order that failures could have been identified. As the Authority were following the commercialisation route, unless satisfied that the whole system would work, concerns were raised that a dire financial situation could result.

Councillor P Atkins stated that the decision in relation to cessation of school meals was contained in the Medium-Term Financial Strategy that was submitted to both the Cabinet, Full Council and Select Committees for scrutiny, with that scrutiny process already taking place. There was a large difference in the number of schools in Shropshire as opposed to the Dudley borough, with Dudley Council unable to match their offer, however the operational delivery of the school meals service did not form part of his remit.

Councillor J Foster suggested that prior to considering outsourcing, the position in relation to the provision of school meals required a dedicated session to explore where failings had occurred and examine the position in comparable authorities.

The Head of Commercial advised that benchmarking exercises were conducted, and many authorities had been consulted which had revealed that the South Gloucester and Luton Borough Council had moved away from providing school meals with other authorities moving to put the provision into a different model or reduce the offer. Staffing costs were also a factor in terms of Local Government Terms and Conditions having to be met and pension costs.

Councillor J Foster referred to the arrangement with Kent County Council and the opportunity to collaborate with the other authorities mentioned to provide a service.

The Head of Commercial reiterated that every individual school determined who they entered into contracts with for the provision of school meals and it was schools who were making their own decisions under their own governance structures.

- f) The Chair expressed concerns in relation to Telecare services, as previously those costs were factored into the housing budget and the residents who benefited from the service were paying council housing rent. It was queried how many clients had been lost from the service.

The Head of Commercial confirmed that this was an operational question and would need to be investigated further to provide a definitive response, however it was in the region of 50% of customers so far and there remained work to contact remaining tenants. As the equipment is hard wired in many properties, some tenants had moved into properties where Telecare was installed, however they had young families and did not require the service.

It was reported that the cost of Telecare could be reduced by benefits and a reduction would be applied for those tenants in receipt of income related council tax reduction.

- g) Councillor C Reid referred to her work in sheltered schemes referring to the provision of Telecare being a real lifeline for some and enquired of the position in relation to those receiving limited private pensions and on limited benefits.

The Head of Commercial provided assurances that those in sheltered accommodation would not be charged for the service. It was also stated that those receiving council tax reduction due to income related benefits would receive financial reductions in relation to the Telecare service. Adult Social Care colleagues may also be able to assist with financial advice regarding benefits for Telecare services.

- h) Councillor E Lawrence enquired from a commercial element what work was being completed in relation to the 2025 analogue switch off for Telecare Services.

In response the Head of Commercial advised that Housing and Adult Social Care colleagues were working in collaboration with the Director of Digital, Customer and Commercial Services to ensure the project moved forward.

Councillor N Neale referred to the increase in charges resulting from the system changes that were required.

The Head of Commercial advised that this was an operational query but her understanding was each household would require a sim card which would be supplied at a minimal cost where possible.

The Chair raised concerns in relation to the elderly who were not conversant with technology.

- i) Councillor P Sahota suggested that marketing was essential to provide key messages to those who were vulnerable and elderly, with the need for the Communications and Marketing team to become involved.
- j) In response to a query from Councillor C Reid the Head of Commercial advised that there would be no need for the internet once the changes were made providing opportunities for savings for many households.

k) Councillor C Reid referred to the high-rise flats within her Ward requesting the provision of any marketing material to re-assure those who were fearful of losing their landlines.

The Head of Commercial confirmed that she would feedback the suggestion to the relevant service areas who were managing the analogue switch off.

### **Resolved**

- (1) That the information contained in the report and presentation contained within Appendix 1 to the report submitted, be noted.
- (2) That the Head of Commercial be requested to:
  - (i) Liaise with the Head of Corporate Landlord Services to provide details of the operation of the system in relation to the school meal service, how the system had failed and what had resulted in that failure to members.
  - (ii) Advise members how many customers had left the Telecare service.
  - (iii) To advise the relevant service areas who were managing the analogue switch off of the request that elected members be provided with material detailing the analogue switch off to assure those who had concerns in relation to the loss of their landlines.

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### **33 Corporate Quarterly Performance Report – Quarter 1 (1<sup>st</sup> April – 30<sup>th</sup> June 2023**

A report of the Chief Executive was submitted on the Quarter 1 Corporate Quarterly performance report covering the period 1<sup>st</sup> April to 30<sup>th</sup> June 2023 which aligned to the 2022-25 Council Plan.

In presenting key information through presentation slides, the Corporate Performance Manager stated that of the twelve measures to be reported on there were four on target, one below target and four with no targets with those being noted in the respective scorecards. A further three would be reported on during Quarter 2 and 3. Members were provided with a detailed account of the performance indicators at the meeting.

Reference was made to the three Directorate Service Summary Documents that had been appended to the report submitted, providing an overview of service delivery, service achievements and opportunities for improvement during the relevant quarter focusing on Digital, Customer and Commercial Services, Finance and Legal and Regeneration and Enterprise.

Members were referred to the detail of the benchmarking exercise carried out on the customer satisfaction measures and workforce sickness data measures to ensure that Dudley were comparable and in line with other authorities, and to ensure that there was external context to those pieces of performance information, as contained in the report submitted.

It was noted that the Council Plan from 2022-25 sets out the vision and priorities under four core priorities and the plan was refreshed every three years mapping out the journey and commitment that the Council will constantly strive to improve the method in which services were delivered to meet the needs of local people and to ensure that achievements could be demonstrated and measured.

In concluding the detailed presentation, the Corporate Performance Manager requested the Committee to consider how they would wish to receive the presentation of future reports.

Members asked questions, made comments and responses were given where appropriate as follows: -



- a) Councillor J Foster expressed that she was aware that the Chief Executive was interested to hear about complaints, their timeliness and the investigation process and enquired whether any consideration had been given to the categorisation of those complaints and looking at them in more detail in terms of scrutiny together with the code of conduct of complaints, and making recommendations on procedures, time taken to investigate and outcomes as that was a further area that she would wish to be considered.

In response the Corporate Performance Manager indicated that should Members wish to scrutinise performance further relevant to this committee, she would consult the relevant Heads of Service to present those in the future.

- b) In response to a question from Councillor S Mughal in relation to short term absence, it was noted that the performance indicator did include Coronavirus which was now recorded as a sickness absence, however that indicator did not include those who were working from home.

The same Councillor requested information on what work was being conducted in relation to work related sickness. The Corporate Performance Manager advised that she would consult with the relevant service to explore future reporting to include working from home statistics if this information was recorded corporately, however the management of sickness was the responsibility of managers with support from HR Business Partners.

- c) The Chair suggested the possibility of focusing on individual items in future reports.
- d) Councillor E Lawrence suggested that Members request information on any specific items prior to future meetings in order that the relevant officers can be requested to attend to address those questions/issues.
- e) Councillor J Foster specified that one of the roles of scrutiny was to drive improvement and complaints were an area where there was that need to drive down in terms of improvement. Grievances and Code of Conduct complaints may also be another area for in-depth scrutiny.
- f) Councillor P Atkins agreed with a focused approach.

- g) Councillor J Foster referred to the need to obtain details of the process in relation to complaints, how they were handled and then obtaining feedback. This would in turn provide a focus on how the process could be improved.

The Corporate Performance Manager confirmed that corporately Digital and Customer Services held the data in relation to corporate complaints and suggested the possibility of in future forwarding draft reports to members prior to meetings in order to determine issues that were to be focused upon and in turn the relevant officers would be invited to attend future meetings.

### **Resolved**

- (1) That the information contained in the report submitted be noted.
- (2) That the review of the Directorate and Corporate Key Performance indicators agreed by the Committee in June that were monitored and reported against the Council Plan for 2023 and the benchmarking exercise undertaken, be noted.
- (3) That the Council Plan refresh referred to in paragraph 10 of the report submitted, be noted.
- (4) That the Chair and Vice-Chair in conjunction with the Corporate Performance Manager be requested to consider how future reports should be presented to the Committee above, referring to the suggestions by members above.
- (5) That the Corporate Performance Manager be requested to: -
  - (i) Report on the details in relation to the complaints procedure to include processes, how they were handled and feedback from complainants to include timeliness.
  - (ii) Report on what work was being conducted in relation to work related sickness in future Corporate Quarterly reports.

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### 34 **Corporate and Economic Strategy Select Committee Progress Tracker and Future Business**

A report on the Progress Tracker and Future Business was received and noted by Members and the following issues and suggestions were made: -

- a) Councillor J Foster raised the issue of no response being received from the Head of Economic Growth and Skills regarding the two resolutions arising from the Stalled Sites – Strategies for bringing back into use privately owned vacant land and property report.
- b) Councillor J Foster referred to future business and queried why reports were being submitted for scrutiny if they were for noting only and the need to drill down underperforming areas within the remit of the committee.
- c) Concerns were raised in relation to the disruption that may be caused in general to two town centres and traders due to the full funding now being obtained in relation to the metro rail, and a request was made for a report to be submitted to a future committee on this issue.
- d) Councillor J Foster stated that the relevant Cabinet Members and Directors should be invited to future meetings of the Committee including the Leader and Deputy Leader.

### **Resolved**

- (1) That the information contained in the report submitted on the Corporate and Economic Strategy Select Committee Progress Tracker and Future Business, be noted.
- (2) That the Senior Democratic Services Officer be requested to contact the Head of Economic Growth and Skills regarding the two resolutions arising from the Stalled Sites – Strategies for bringing back into use privately owned vacant land and property report requesting responses as a matter of urgency.
- (3) That a report on mitigating the disruption that is to be caused in general to two town centres and traders due to the full funding now being obtained in relation to the metro rail be submitted to a future meeting of the Committee.
- (4) That the Senior Democratic Services Officer be requested to invite the relevant Cabinet Members, Directors, Leader and Deputy Leader to future meetings of the Committee as and when required.

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

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36 **Comments of the Chair**

The Chair thanked all Members and Officers for attending and the positive and constructive discussions and contributions made during the meeting.

The meeting ended at 8.00pm

CHAIR

## **Minutes of the Corporate and Economic Strategy Select Committee**

**Thursday, 11<sup>th</sup> January, 2024 at 6.00 pm  
In Committee Room 3, The Council House, Dudley.**

### **Present:**

Councillor D Stanley (Chair)  
Councillor S Henley (Vice-Chair)  
Councillors C Eccles, J Foster, A Hopwood, E Lawrence, T Russon and K Westwood

### **Officers:**

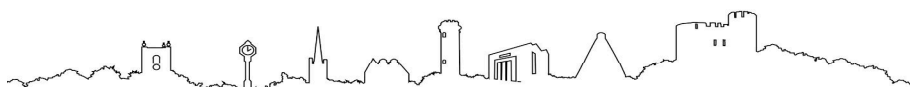
H Martin (Director of Regeneration and Enterprise), C Blunn (Corporate Performance Manager), S Haycox (Corporate Performance Support) and K Taylor (Senior Democratic Services Officer).

### **Also in Attendance:**

Councillor P Atkins (Cabinet Member for Corporate Strategy)  
S Shingadia (Director of Strategic Partnerships and Integration), A Shaw (Executive Director) and J Hughes (Member Relationship Manager) (Transport for West Midlands) for Agenda Item No. 6 – Wednesbury to Brierley Hill Metro Extension Delivery Update.

### **37 Apologies for Absence**

Apologies for absence from the meeting were received on behalf of Councillors S Mughal, N Neale and P Sahota.



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38 **Appointment of Substitute Member**

It was noted that Councillor K Westwood had been appointed to serve as a substitute Member for Councillor P Sahota for this meeting of the Committee only.

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39 **Declarations of Interest**

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

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40 **Minutes**

Councillor J Foster referred to Minute No. 32 – Commercial Strategy page 11 paragraph two stating that the word unity should be replaced with unitary.

**Resolved**

That, subject to the amendment referred to above, the minutes of the meeting held on 2<sup>nd</sup> November, 2023, be approved as a correct record and signed.

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41 **Public Forum**

No issues were raised under this agenda item.

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42 **Wednesbury to Brierley Hill Metro Extension Delivery Update**

The Committee received a presentation by representatives of Transport for West Midlands on progress with the delivery of the Wednesbury to Brierley Hill Metro Extension.

A Shaw, Executive Director, provided an update on progress made in relation to the main construction works as part of phase 1, which was expected to be completed by the end of 2024.

Members were advised that following construction, and to ensure a safe operating tram network, an entry into service would commence including technical sign-off and completion of safety assessments. Further extensive driver training would also be undertaken given the significant change of metro operations from a single line to a network. It was anticipated that the entry into service would be completed within two months following construction.

Reference was made to the closure of the Dudley Bus Station from Sunday 14<sup>th</sup> January, 2024 in preparation of the significant transformation of the Dudley Interchange.

A map outlining the locations of the three areas that had been identified for Phase 2 of the project namely, 2a to Waterfront, 2b to Merry Hill and 2c to Brierley Hill was provided at the meeting.

It was noted that there were a number of risks associated with construction costs on all capital projects in particular as a result of inflationary supply chains. The complexities of projects within the Black Country in ensuring the ground was stabilised to support the tram construction was mentioned together with the Delta Junction tie in works and expansion of the West Midlands Metro Depot in Wednesbury. The importance of ensuring connectivity with the main railway line at Dudley Port Station was also emphasised.

S Shingadia, Director of Strategic Partnerships and Integration, then confirmed that the overarching business case was being refreshed recognising the number of additional factors and developments that had occurred since the commencement of the project and to ensure that a robust investment case overall was maintained.

It was noted that work was ongoing on the upgrade of the Wednesbury Depot to ensure that it was fit for purpose to support the wider network of operations, additional trams, larger stabling facilities, and the operational workforce. It was hoped that this extension would enable the metro network to expand across the wider West Midlands in the future.

An overview of the progress made on a number of significant major projects within the Black Country was provided, including the construction works on the Wednesbury Delta Junction which would allow the operations to run into line one forming the wider metro network, which included a large extension to the metro network of eleven kilometres with 17 stops identified along the route. It was noted that the project would help regenerate over 170 hectares of brownfield land within the area resulting in up to 50,000 houses across the corridor.

It was noted that 33,000 tons of ballast had been delivered for the track installation across the railway corridor, and that a number of tram stops across the route were starting to take shape. The positive collaborative working with the local Transport Team was acknowledged in order to ensure local accessibility to the tram stops by integrating into existing cycling and walking routes along the corridor.

A number of significant new structures for phase one of the new route had been delivered, however works were continuing on the Wednesbury Delta Junction and Hanson's Ale Bridge.

Reference was made to the completed track work in Castle Hill within Dudley Town Centre with the installation of rail continuing at pace in Flood Street and King Street. The number of projects within the Town Centre were acknowledged and the importance of ensuring that all work programmes fit together into the wider program of the metro works to ensure that projects were delivered efficiently and effectively at the same time.

Members were advised of the work undertaken to strengthen the Parkhead Viaduct in Dudley in order for the structure to be fit for purpose and the natural and historic nature of the structure retained whilst ensuring structural integrity. This activity was recently highly commended at the Institution of Civil Engineers West Midlands Awards.

The importance of communicating forthcoming disruptive activity was mentioned together with working closely with local authority teams to ensure that construction disruption was being managed accordingly and engagement with elected members and local communities that were directly affected. It was essential that the right levels of journey planning messaging through targeted social media was undertaken and working with local attractions to promote that they were open as usual.

It was expected that there would be a significant improvement to public transport accessibility and public transport journey times once operational.

An overview was provided of the work underway to support the overall programme of works including refreshing the business cases working with the Department for Transport and the Department for Levelling Up, Housing and Communities was provided. The business case was expected to be submitted to Government in Mid 2024 and considered later in 2024 for the mobilisation of phase two, subject to approval.



In concluding, it was noted that the overall cost of the extension and the additional funding that had been indicatively allocated from the Government required the refresh of the business case to ensure good value for money. Collaborative working with the Director of Regeneration and Enterprise and colleagues would continue to ensure briefs were being met and the delivery of the project whilst managing costs was being undertaken.

Members asked questions, made comments and responses were provided where appropriate as follows: -

- a) The Chair commented positively on the presentation given and thanked officers for their attendance and sought clarification as to whether the Metro Depot located in Great Western Street was sufficient to cope with the additional loads.

In responding, the Director of Strategic Partnerships and Integration confirmed that the proposed extension was for both the Depot building and to accommodate the additional stabling required for the larger number of trams that would be in operation. It was noted that the connectivity from Dudley Town Centre would be to either Birmingham or Wolverhampton through the Delta Junction, which would be constructed during Easter. It was noted that there would be some closures and disruption to the metro whilst works were ongoing.

- b) The Chair referred to the poor condition and accessibility issues at Dudley Port Station and queried whether there were any proposals for enhancement works.

In responding, the Director of Strategic Partnerships and Integration confirmed that work had been completed in relation to integrating the metro and heavy rail services. It was recognised that the current structure did not meet access standards, therefore consideration would be given to the longer-term aspirations for Network Rail at Dudley Port.

- c) Following a request by Councillor C Eccles in repainting the mural previously displayed on Hanson's Ale Bridge to the new structure, the Executive Director agreed to refer comments back and investigate options available.

- d) With regard to Phase 2C, Councillor C Eccles referred to the extensive discussions held over a number of years relating to extending the metro line to Stourbridge which was considered vital in improving future connectivity to other areas including Wolverhampton.

In responding, the Director of Strategic Partnerships and Integration acknowledged that it had been recognised that the wider connectivity from Stourbridge to Walsall remained important. Heavy rail solutions had been considered within the area to enable connectivity back towards Brierley Hill but that was not operationally or commercially feasible. Further work would be commissioned on the connectivity for the entire Walsall to Stourbridge corridor with options being considered in terms of light rail.

- e) Councillor E Lawrence referred to the unresolved ownership of the Canal bridge with Network Rail and the Mineshafts at Birmingham New Road and queried why these were deemed a risk now and not during the planning process.

In responding, the Executive Director confirmed that work was being undertaken with the Canal and River Trust and Network Rail with regard to the ownership of the Canal bridge for maintenance responsibility. Although the structure was not part of the metro infrastructure, the metro would travel across and underneath. Intrusive surveys had been undertaken to assess the structural integrity of the bridge, and although there was not a significant risk in terms of its condition, it was essential that responsibility for ownership was taken. It was hoped that this would be concluded prior to formal 'sign-off' of the project.

The issues associated with mineshafts and projects throughout the Black Country was acknowledged. As a result of poor record collection, mineshafts were identified during programmed works with suitable action taken to stabilise the mineshafts as appropriate. This area therefore scored high on the risk register until investigated and resolved. Ground condition surveys had been completed for phase one with some undertaken for phase 2 and it was confirmed that budget contingencies had been allocated for any additional works required.

- f) Councillor K Westwood echoed comments made by Councillor C Eccles and referred to the heritage value of Hanson's Ale Bridge that was located within a large leisure area within the Black Country. In considering local heritage, Councillor K Westwood queried whether reference points to the old Bridge and display boards highlighting the Parkhead Viaduct heritage could be arranged.

In responding, the Executive Director commented positively on the work undertaken in preserving the Parkhead Viaduct and undertook to work with Dudley officers and the Dudley Canal and River Trust with regard to interpretative signage accordingly.

- g) In responding to a question raised by Councillor J Foster, the Director of Regeneration and Enterprise undertook to confirm whether the Parkhead Viaduct was locally listed.
- h) In responding to a question raised by the Chair in relation to anticipated timescales in undertaking works to extend to Brierley Hill, the Executive Director confirmed that all transport work order powers had been approved, and that the timescales were dependent on final sign-off of the business case by Government. A further update could be presented to the Select Committee later in the year if requested.
- i) An update was provided on the mitigation strategies considered during the closure of the Dudley Bus Station.
- j) The Chair referred to the Very Light Rail works undertaken at the bottom of Castle Hill, Dudley and queried whether there were any proposals to connect the Very Light Rail and Metro.

In responding, the Director of Regeneration and Enterprise confirmed that whilst there was a possibility in the long-term, the financial implications would need to be considered. It was noted that there was currently a very light rail and track with a 15 metre radius which was testing different options for a very light rail transit service.

The Chair thanked officers for the presentation given and the informative discussions undertaken during the meeting.

## **Resolved**

- (1) That the information contained in the presentation on progress with the delivery of the Wednesbury to Brierley Hill Metro Extension, be noted.
  - (2) That the Executive Director, Transport for West Midlands be requested to refer comments and explore options available in relation to:
    - Repainting the mural previously displayed on Hanson's Ale Bridge to the new structure.
    - Interpretative signage for the Parkhead Viaduct and Hanson's Ale Bridge.
  - (3) That the Director of Regeneration and Enterprise be requested to confirm whether the Parkhead Viaduct was locally listed.
- 

#### 43 **Progress on Major Regeneration Projects**

A report of the Director of Regeneration and Enterprise was submitted on an update on the major regeneration projects and other town centre proposals/projects in development.

In presenting key information through presentation slides, the Director of Regeneration and Enterprise referred to the support provided by the Local Authority in delivering significant projects that were not Council projects such as the Dudley Interchange and Metro Extension, including exercising Compulsory Purchase Order powers to acquire the required properties. Reference was made to the fully granted funded schemes that were in delivery where the Council was a key delivery partner including Brierley Hill Future High Street Fund Programme and Dudley Towns Fund – Health Innovation.

It was noted that although the Local Authority did not have a dedicated Regeneration Team, there were a number of professionals within the Directorate, including conservation officers, planners, tree experts and designers. Collaboration working with colleagues across the Council enabled delivery of the projects that were progressing.

The Director of Regeneration and Enterprise gave a detailed overview on the status of the next phase of projects both in Dudley town centre and around the Borough, including the Health Innovation Dudley, Portersfield, Eton College, Flood Street, Wellington Road, Brierley Hill Future High Street Fund Programme, Brierley Hill Street Heritage Action Zone and Lye Regeneration Programme. A sustainable and connectivity package was being considered with colleagues from the Highways Department for Stourbridge to improve pedestrian movement and safety together with wider sustainable connectivity enhancements to support the town centre. Maps and drawings associated with each development were displayed at the meeting, and further details of the projects on site and in the pipeline were contained within the report submitted.

An overview was given of the projects that were being considered as part of a 10-year programme across the Local Authority, working closely with colleagues in Public Health, with a whole system approach being adopted to areas that require improvement. Funding bids for each individual element would be explored and submitted as appropriate.

It was noted that the Local Authority was one of 25 local authorities taking part in the Design Code Pathfinder programme to develop a design code for their area based upon National Design Code Guidance 2021. It was confirmed that work was being undertaken with stakeholders to produce a design code for the regeneration of Lye. It was anticipated that the process undertaken would determine future arrangements for regeneration and improvement across Town Centres and areas within the Borough.

Members were advised of the successful national government grant allocations awarded including the Longer-Term Plan for Towns of £20m for a 10-year socio-economic regeneration programme in Dudley Town Centre. Although the four Levelling Up Fund Bids that were submitted to the Government were not successful, in November 2023, non-competitive allocations had been awarded of £20m to both the Brierley Hill and Halesowen bids, which were required to be spent by March, 2026. It was noted that the Lye Regeneration Programme currently remained unfunded.

It was reported that the Brierley Hill bid would support the development of a new Technology Centre at Venture Way, with the existing building being relocated to Wolverhampton, together with a package of support to address connectivity issues between the High Street and Merry Hill.

A new college facility would also be provided in Halesowen on the existing Pool Road Car Park site; however, consideration would need to be given to accessibility access. Additional parking capacity would be considered at Andrew Road and Halesowen Leisure Centre to offset some of the loss at Pool Road.

Work continued in developing the Economic Regeneration Strategy which focussed on key themes which identified a number of actions and interventions needed to address and maximise the benefits of the regeneration programme.

(At this juncture, Councillor E Lawrence withdrew from the meeting)

Members asked questions, made comments and responses were provided where appropriate as follows: -

- a) The Chair welcomed and expressed his gratitude for the comprehensive report presented.
- b) Councillor J Foster although commented positively on the significant number of projects that were progressing, queried the allocation of funding and consideration as to who would benefit from the investment and how these improved the quality of life for residents.
- c) Councillor J Foster requested further clarification on funding requirements and timescales associated with Brierley Hill and Halesowen.

In responding, the Director of Regeneration and Enterprise confirmed that the Local Authority was required to work through the guidance to undertake steps to access the funds. In considering that the funding will have to be spent by March 2026, work had commenced in developing business plans outlining the delivery of the programme. Discussions had also commenced with the Colleges, as these were a prominent force in the design work for both areas. It was hoped that both business plans would be submitted in the near future. Although guidance had not yet been issued with regard to the funding restrictions, it was anticipated that the process would be similar to the Longer-Term Plan for Towns funding, however the funding would need to be spent by March, 2026. The challenges associated with the implementation of the funding within a limited amount of time was mentioned.

- d) Following comments made, Councillor J Foster considered there to be a significant amount of work for staff to undertake within the current challenging financial situation, and queried whether there were any projects at risk due to the emergency financial measures implemented and the requirement in setting a legal budget this year.

In responding to all comments made, the Director of Regeneration and Enterprise confirmed that Benefit Cost Ratio assessments had been undertaken on all projects to determine the benefits to the community. It was evident that the Government was satisfied that the two projects in relation to Brierley Hill and Halesowen had demonstrated significant local benefits in terms of driving up skills, providing access to meaningful and well-paid employment and future proofing investment.

The Director of Regeneration and Enterprise acknowledged comments made in relation to the current financial position and stated that the significant elements that placed the biggest risk to the entire project is the inability to identify match-funding. It was noted that match-funding totalling £1.3m had not yet been identified and was not considered an exception within the spending control restrictions. Conversations were being held with several organisations, including the West Midlands Combined Authority, to identify what support could be provided to bridge the gap. Discussions were also being held with colleagues in the Highways Department to review work programmes over the next couple of years in order to re-prioritise work and allocate available funds to support the delivery of the infrastructure and connectivity.

- e) Councillor J Foster shared her concerns that the Medium-Term Financial Strategy report would not be presented to individual Select Committees. It was acknowledged that some difficult decisions would need to be made that were in the scope of the Select Committee and therefore queried whether any special meetings would be arranged as a matter of urgency where Elected Members could examine the proposals within the remit of their respective Select Committees.

The Cabinet Member for Corporate Strategy confirmed that a dedicated question and answer session had been arranged for Members and that the budget would be considered by the Overview and Scrutiny Committee on 25<sup>th</sup> January 2024.

Councillor J Foster further emphasised her concerns that there would not be an opportunity to discuss the proposals in public before approval in particular during such a difficult time with a proposed budget with significant implications for this year and forthcoming years. Reference was made to processes that had been implemented for several years which allowed Members the opportunity to examine budget proposals at a Scrutiny meeting.

Following further discussion, Councillor J Foster recommended the scheduling of an urgent cycle of additional Select Committee meetings where Elected Members could examine the most controversial and impactful proposals within the remit of their respective Select Committees. The Chair acknowledged the comments made and agreed to consider the suggestions further.

- f) Councillor S Henley referred to the proposed car parking in Andrew Road, Halesowen following the closure of Pool Road Car Park and suggested that this was located too far for users of the leisure centre. The Leisure Centre was an asset to the Town Centre which should be promoted to encourage attendance.

Reference was made to the new college facility on the Pool Road Car Park site and the potential increase in traffic in an area that was already heavily congested. It was therefore queried whether any other locations had been considered near to the Pool Road Car Park in order to maintain footfall within the Town Centre.

In responding, the Director of Regeneration and Enterprise acknowledged comments made and undertook to provide a written response.

- g) Councillor T Russon echoed comments made by Councillor S Henley and referred to e-mails he had received indicating that visitors would not use the Leisure Centre in Halesowen should there not be any nearby car parking facilities available.
- h) Councillor A Hopwood sought clarification on the proposed consultation on the proposals contained within the Stourbridge Project Plan which was scheduled to take place in January 2024, and whether there were any proposals to improve car parking facilities within Lye as part of the Regeneration Programme.

In responding, the Director of Regeneration and Enterprise confirmed that the consultation would commence within the next couple of weeks, and that no plans had been finalised for Lye. Consideration would need to be given to the impact on parking facilities as a result of Town Centre developments on all proposals.

- i) Councillor K Westwood referred to the Eton College project within Dudley, which if successful, would result in the closure of the car park located in Tower Street, Dudley which would have a significant impact on visitors to the Dudley Town Hall during events, and queried whether there would be alternative provision to accommodate visitors.



In responding, the Director of Regeneration and Enterprise confirmed that, if successful, it was anticipated that the entirety of the site would be utilised by the developers for their own purposes resulting in the closure of the car park. However, plans of the proposed layout were awaited.

- j) The Chair emphasised the importance of long-term future regeneration within the Borough and supporting traders and businesses during regeneration works.
- k) In responding to a question raised by Councillor T Russon in relation to the designation of the vacant Daniel's Land in Brierley Hill, the Director of Regeneration and Enterprise confirmed that the land was largely made up of ground following works undertaken nearby and that she was not aware of any designation adopted to the site. The challenges faced financially in developing the site was outlined and it was noted that discussions were being held with colleagues at the West Midlands Combined Authority and Homes England over potential strategic acquisitions that they may wish to support to hold it in control in advance of the metro being operational in the area.

### **Resolved**

- (1) That the information contained in the report submitted and as reported at the meeting, on an update on the major regeneration projects and other town centre proposals/projects in development, be noted.
- (2) That the Chair consider the comments made with regard to scheduling an urgent Committee meeting where Members could examine the most controversial and impactful of proposals within the remit of the Select Committee.
- (3) That the Director of Regeneration and Enterprise be requested to provide a written response to options considered in relation to car parking following the closure of Pool Road Car Park, Halesowen.

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44 **Corporate Quarterly Performance Report – Quarter 2 (1<sup>st</sup> July – 30<sup>th</sup> September, 2023)**

A report of the Chief Executive was submitted on the Quarter 2 Corporate Quarterly performance report covering the period 1<sup>st</sup> July to 30<sup>th</sup> September 2023 which aligned to the 2022-25 Council Plan.

In presenting key information through presentation slides, the Corporate Performance Manager stated that of the eleven measures to be reported on there were three on target, four below target and four with no targets with those being noted in the respective scorecards. One measure would be reported during Quarter 3. The direction of travel comparing short term trend and annual trend within the respective scorecards was reported, together with an overview of measures that were showing areas of concern with assurances given by relevant services to monitor and improve performance.

With regard to PI.47 - % of Corporate Complaints given a full response within 20 working days, it was noted that although the outturn for Quarter 2 was 79%, against an 85% target, the trend of increasing positive performance against the key performance indicator had continued. It was noted that a brief presentation on the complaints procedure to include processes and how they were handled would be presented during Quarter 3.

With regard to key performance indicators relating to sickness absence, it was noted that there had been a 16.35% decrease in the number of working days lost per full time equivalent, 9.37% decrease in the number of long-term days lost, and 33.5% decrease in short-term days lost during this period. The primary reason for short-term absence related to Covid symptoms and positive testing. Further information in relation to work being undertaken with regard to staff and sickness absence would be presented during Quarter 1 or 2 of the next financial year.

An overview of the progress made on key actions recorded for Quarter 2 was provided at the meeting.

Reference was made to the four Directorate Service Summary Documents that had been appended to the report submitted, providing an overview of service delivery, service achievements and opportunities for improvement during the relevant quarter focusing on Finance and Legal, Digital, Customer and Commercial Services, Regeneration and Enterprise and Chief Executive's.

Members were advised on the training developed for Councillors on Corporate Performance that had been made available through the Members Portal. Reference was made to the implementation of the new Learning Experience Platform namely, Thrive at Dudley. A training package had been developed for Managers and Elected Members and further discussions would be undertaken with regard to accessing Member training on Thrive.

Members asked questions, made comments and responses were given where appropriate as follows: -

- a) A discussion was held in relation to Elected Member training, which the recent LGA Peer Review report had identified as inadequate, therefore further work was needed to explore why the current format was not fit for purpose in order to implement improvements accordingly and emphasise the importance of Member Training.
- b) Councillor J Foster commented positively that the Quarterly Performance Report was being used to directly inform the work programme for the Select Committee, which was not being followed in other Committees. It was also considered that as performance management was within the remit of the Select Committee, recommendations could be made about how performance data was used.

In responding to comments made, the Corporate Performance Manager confirmed that it was her understanding that performance was considered by all Select Committees individually and undertook to discuss further with relevant officers.

- c) Councillor J Foster suggested that as several areas of business were deteriorating, there was some potential to consider areas such as sickness absence and complaints in-depth. In particular, as it was expected that there would be a significant escalation of complaints as a result of budget proposals and potential impact to services. The challenges in managing complaints when resources were decreased, and the possible changes to performance benchmarking arising from service areas potentially being withdrawn or impacted resulting in further delays was mentioned.
- d) Councillor C Eccles referred to short term sickness absence and sought clarification on the Council's current policy with regard to COVID testing. It was also noted that stress had been identified as a factor in long-term absences and given the significant amount of pressure that was expected, queried what measures had been considered to support teams across all Directorates to ensure that stress levels were not exacerbated.

In responding, the Corporate Performance Manager undertook to provide a written response.

Following comments made, Councillor J Foster considered that an in-depth scrutiny exercise on sickness absence and in particular stress should be undertaken, and recommendations made to drive improvement.

- e) Councillor A Hopwood echoed comments made in relation to stress and emphasised the importance in addressing and understanding causes, the effect it has on people and the environments they were situated in.
- f) The Cabinet Member for Corporate Strategy referred to the improvement made in the outturn in Corporate Complaints over the last three quarters taking into account the challenges faced in meeting the 20 working days for responses target. Although welcoming further scrutiny in this area, it was suggested that the Committee consider whether there was a core element of the Council that was underperforming as opposed to an overview of complaints.

With regard to sickness absence, the improvement on an annual basis was acknowledged and it was suggested that further consideration should be given as to whether employees were able to work flexibly in order to suit their lifestyle, as flexibility and ensuring a work/life balance impacted stress and sickness absence.

- g) The Chair suggested that a happy team was a productive team, working to one objective within the right atmosphere. It was important to have more involvement with employees and consider their welfare in order to give the right support as necessary.
- h) The Corporate Performance Manager reflected on the flexibility given to employees which had been very positive in her experience and referred to the work undertaken by Public Health and Human Resources and Organisation Development colleagues in relation to the People Strategy.
- i) In responding to a question raised by Councillor J Foster in relation to Staff Surveys, the Corporate Performance Manager stated that there had been some discussions as to whether an interim survey with limited number of questions would be more beneficial, however no decision had been made.
- j) The Chair referred to the importance of obtaining information from exit interviews from employees that had left the authority.

In responding, the Corporate Performance Manager undertook to ascertain whether an overview of the reasons why employees had left the authority could be provided to Members for information.

### **Resolved**

- (1) That the information contained in the report submitted, and as reported at the meeting, on the Quarter 2 Corporate Quarterly Performance report of the 2023/24 financial year covering the period 1<sup>st</sup> July, 2023 to 30<sup>th</sup> September, 2023, be noted.
- (2) That the Corporate Performance Manager be requested to:
  - (i) Discuss with relevant officers future reporting of the Corporate Performance Report to all Select Committees.
  - (ii) Provide a written response on the Council's Policy for COVID testing and the measures taken across the Council to mitigate stress levels for employees in view of the current financial situation and challenging times ahead.
  - (ii) Liaise with the Chair and Vice-Chair on dedicated sessions focusing on specific elements raised by the Committee, including complaints and sickness absence, in future reports.
  - (iii) Investigate whether an overview of the reasons why employees had left the authority could be provided to Members for information.

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#### 45 **Corporate and Economic Strategy Select Committee Progress Tracker and Future Business**

A report on the Progress Tracker and Future Business was received and noted by Members. The future work of the Select Committee would be considered to reflect the discussions and suggestions made during the meeting by the Chair, Vice-Chair and the Senior Democratic Services Officer.

### **Resolved**

That, the information contained in the report submitted on the Corporate and Economic Strategy Select Committee Progress Tracker and Future Business, taking into accounts comments made during the meeting, be noted.

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46 **Questions Under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

The meeting ended at 8.15pm

CHAIR

## **Minutes of the Public Health Select Committee**

**Thursday 23<sup>rd</sup> November, 2023 at 6.00 pm  
In Committee Room 2 at the Council House,  
Priory Road, Dudley**

### **Present:**

Councillor R Collins (Vice-Chair – in the Chair)  
Councillors A Aston, M Evans, J Foster, M Hanif, W Little, P Sahota and  
D Stanley; J Griffiths – HealthWatch Dudley (Co-opted Member)

### **Dudley MBC Officers:**

Dr M Abu Affan (Acting Director of Public Health and Wellbeing), Dr M Andrews  
(Programme Manager), L Grainger (Project Manager) and S Griffiths  
(Democratic Services Manager)

### **Also in attendance:**

Councillor I Bevan (Cabinet Member for Public Health)  
N Bucktin – Black Country Integrated Care Board  
M Hartland – Dudley Integrated Health and Care Trust  
V Branch – Cranstoun, Here4YOUth Dudley  
A Burford – Change Grow Live, Adults Substance Misuse Service

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## **23 Introductory Comments**

Councillor R Collins advised the Committee that, due to her visual difficulties, Councillor I Bevan would be providing practical support such as making a note of requests from Members to speak, as part of her accessibility adjustments.

Councillor R Collins congratulated Mayada Abu Affan on her appointment as Director of Public Health and Wellbeing (subject to confirmation at Full Council).

Councillor I Bevan (Cabinet Member for Public Health) also expressed congratulations and referred to a guide for expectant parents, a nationally recognised document, as an excellent example of Mayada's work.

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#### 24 **Apologies for absence**

Apologies for absence from the meeting were submitted on behalf of Councillors J Clinton (Chair), B Challenor, D Harley and K Westwood.

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#### 25 **Appointment of Substitute Members**

Councillors D Stanley and P Sahota, had been appointed to serve as Substitute Members for Councillors D Harley and K Westwood, respectively, for this meeting of the Committee only.

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#### 26 **Declarations of Interest**

Councillor A Aston declared a non-pecuniary interest due to his employment with West Midlands Ambulance Service.

Councillors I Bevan declared a non-pecuniary interest due to his employment with Dudley Group NHS Foundation Trust.

Councillor R Collins declared a non-pecuniary interest as a member of the Patient Participation Group at Russells Hall Hospital.

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#### 27 **Minutes**

In referring to minute no. 17(f), with reference to disposable income for middle income families, Councillor J Foster requested that the word 'also' be included into the sentence so that it read *'It was considered that support should also be provided based on disposable income to ensure a healthy diet for a child.'*



With reference to Minute No. 19 (Update on High Oak Surgery), Councillor J Foster commented that the details of progress made, which had resulted in a letter from High Oak Pharmacy being circulated, was not fully reflected in the minutes. Additional wording for inclusion would be provided to Democratic Services following the meeting to reflect the following:

*‘Councillor J Foster added that the update was particularly welcome as when she had spoken to the Pharmacist at the Pharmacy Galleria following the July meeting of the Health Select Committee, he had expressed his frustration at the lack of progress being made. However, in response, Councillor I Bevan commented that he had also spoken to the Pharmacist who, in his view, was happy with the progress being made.’*

Councillor R Collins requested that the Chair and Vice-Chair be included in any correspondence concerning the business of the Select Committee.

In relation to Minute No. 20 (The Life in Lye Programme), Councillor M Hanif referred to paragraph (d) concerning the appointment of additional street cleansing support. He requested clarification on the roles of the two operatives that were working full-time in the area.

## **Resolved**

- (1) That, subject to the amendments referred to above, and the inclusion of the additional wording, the minutes of the meeting held on 18th September, 2023 be approved as a correct record and signed.
- (2) That the Director of Public Health and Wellbeing provide written clarification in relation to the roles of the two street cleansing operatives, appointed to work in Lye.

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## 27 **Public Forum**

A resident from Pensnett requested confirmation on the progress in relation to High Oak Surgery. The resident referred to the Scrutiny Committee held in January, where it had been stated by Mr King (Dudley Integrated Health and Care Trust (DIHC)), that the portacabin previously used as High Oak Surgery, would be reopened at the request of residents. It was indicated at that meeting that the Portacabin would continue for the duration of its lease whilst an alternative venue was pursued and clarification was requested as to whether this was still the case.

M Hartland advised that the commitment made through the public consultation still existed, in that there would be a site within Pensnett, and that the portacabin would remain until an alternative venue was identified. Dialogue continued with Galleria Pharmacist with regard to them providing an alternative setting.

In response to a supplementary question the Chief Executive (DIHC) confirmed that the alternative provision would continue as a General Practice service with a doctor present.

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## 28 **Substance Misuse Commissioning and Delivery in Dudley**

A report of the Director of Public Health and Wellbeing was submitted in relation to the issue of substance misuse in Dudley and the interventions and services commissioned by Dudley's Public Health and Wellbeing Directorate to address and mitigate the issue.

In presenting the report the Programme Manager (Dr M Andrews) provided an outline of the overall impact of substance misuse and the national and local picture, the services and interventions commissioned.

Substance misuse was recognised to be a significant issue nationally and contributed to a number of issues and problems across health and wellbeing, social wellbeing, families, crime and disorder, employment and other economic aspects. Overall, Dudley compared well in comparison with other authorities with similar demographics, particularly in terms of user engagement in treatment, which had also been recognised by the Office of Health Improvement and Disparities.

In terms of alcohol misuse, Dudley did have a relatively lower rate of alcohol related hospital admissions than both the regional and national averages. Overall successful treatment completions were a key indicator of performance of treatment services and the level of successful treatment completion had improved, although it was still lower than the national and comparable authorities' levels. Recent improvement in representation to treatment indicated that Dudley was maintaining engagement with those with treatment made and whilst they may not be successful in completing treatment initially, patients were returning for further opportunity. It was reported that with substance misuse, particularly in relation to opiates and crack cocaine, it would often take more than one treatment episode or journey to complete the journey to recovery.

It was reported that there were two specific issues within Dudley, namely Nitazene and Nitrous Oxide. There had been a notable spike in overdose deaths in the West Midlands during June to August 2023 and this had been associated with heroin adulterated with Nitazene, which was a synthetic opioid and stronger than heroin. In Dudley specifically it was reported that there had been three overdose deaths and two overdose injuries linked to Nitazene. Although it was recognised that the spike had faded, a plan of action for adulterated and strong drugs had been implemented, in conjunction with the two service providers and partners, including first responders, volunteers, GP pharmacists and rough sleeper teams to ensure that anyone who had an increased likelihood of being present or finding someone after an overdose of Nitazene, had received the appropriate training in dealing with and administering the lifesaving medication Naloxone.

It was further reported that whilst Nitrous Oxide had not been a treatment issue for Dudley to date, the substance had now been classified as a Class C drug which meant that it was illegal to process, import or sell the substance. The team was working collaboratively with Trading Standards to update information and their approach, to account for the legality change.

A Dudley combating Drugs Action Partnership had been established, which was part of the wider Government drug strategy from harm to hope and formed part of the regional West Midlands Structure and integrated with the Office for Health Improvement and Disparities, as they oversaw the additional funding provided to supplement substance misuse treatment and recovery fund.

Officers in attendance from commissioned service providers, namely Atlantic House Recovery Centre and Cranstoun, provided a brief outline of their services. The role of other commissioned services, in particular pharmacies were outlined in that these services were activity based which provided alcohol intervention, opiate substitution and needle exchange services.

Arising from the presentation, Members had opportunity to make comments and ask questions and responses were provided where necessary:-

- (a) Councillor R Collins was saddened by the 19 related deaths and injuries reported and requested further information on the number of heroin related deaths or injuries that would normally be experienced over the similar period.

In response, the Programme Manager (Dr M Andrews) agreed to provide the information following the meeting, however advised that the numbers did vary.

- (b) Councillor R Collins referred to there being only one pharmacy in Brockmoor and Pensnett, and was unaware if the pharmacy was commissioned to provide alcohol and drug intervention services, and therefore questioned where Brockmoor and Pensnett residents would go to receive these services.

In response, it was confirmed that Galleria Pharmacy did offer supervised consumption services for users and that a level of needle exchange was also offered at the Pharmacy. Work was currently being undertaken, as it was recognised that a number of pharmacies had closed, which had had an adverse effect on the services provided and resulted in residents having to travel further. Whilst it was recognised that pharmacies had their own pressures and priorities to focus on, Dudley continued to work collaboratively with them to try to alleviate the issue and improve access.

- (c) Councillor R Collins commented positively on the positioning of Youth stop, which was considered to be ideally placed, located in Merry Hill Centre within close proximity to the bus station.
- (d) Councillor R Collins proposed that an online session with Public Health Officers be arranged for Members to be provided with further in-depth information as to how they could proactively support substance misuse.

Whilst Councillor J Foster was not against the proposal, it was further suggested that the session include how Members could employ their scrutiny skills to help drive improvement as a critical friend of the service.

- (e) Councillor R Collins commented positively on the experience a resident had received from Atlantic House and suggested that it would be beneficial for Members of the Select Committee to visit the provision had they not already done so.

A Burford – Change Grow Live, Adults Substance Misuse Service welcomed Members to visit the service, who were encouraged to contact the service directly. Alternatively, Members were advised that in February 2024 a full relaunch of the service was planned and Members would be invited to attend at that time.

- (f) Councillor P Sahota referred to the high numbers in relation to alcohol addiction and questioned if in-depth detailed probing in terms of the demographic and geographic of those experiencing alcohol addiction had been undertaken and if there were known hot spot areas in the Borough. He also asked what interventions were being taken to manage the situation and if there were any best practices from other local authorities that Dudley could adopt.

In responding, the Programme Manager (Dr M Andrews) confirmed that some analysis work had been undertaken, although it was recognised that there was more that could be done to establish a clearer profile as to what Dudley's alcohol issue looked like. Some local authorities were known to have conducted a pilot and innovative work around alcohol prevention and approaches, which could be used as best practice, together with information collated by the Health Improvement and Disparities Office.

The Director of Public Health and Wellbeing concurred with the comments made by Councillor P Sahota and suggested that an alcohol dependence improvement action plan could be developed which would then be shared with the Select Committee in due course.

Councillor P Sahota reiterated the importance of establishing the demographics within the Borough to ensure adequate support was provided to all communities, together with the development of an action plan to enable targeted support.

Gaps in service with regards to underrepresented groups, in particular females and those from ethnic minorities, were recognised and it was commented that as part of the Supplementary Substance Misuse Treatment and Recovery Grant (SSMTRG), a specialist outreach worker had been employed, and their role would be to engage with hard to reach groups to establish an understanding of the barriers and to try to help them to access appropriate services.

- (g) Councillor P Sahota referred to paragraph 44 of the report which related to Equality Impact and commented that in his view and, in light of the responses from officers with regards to the demographics and gaps in service, the wording was considered to be contradictory and did not accurately reflect the current position.
- (h) Councillor J Foster referred to the drug naloxone, and expressed concern about the reported side effects following administering the drug and requested clarification as to what ongoing support was provided to those persons that had received the treatment, particularly as one of the side effects was reported to be withdrawals, which it was considered without support could lead to further misuse and overdose.

It was reported that the naloxone offer in place, was a training offer, as well as a kit, with clear guidance and not just a case of administering the drug and then leaving the person. The situation was still classified as an emergency and emergency services should continue to be involved. Naloxone would allow the person to breathe before ambulance services arrived. In terms of ongoing treatment, this would be the opportunity for anyone to provide support for them to access relevant services. Public Health, together with commissioned service providers continued to work closely with Russells Hall Hospital to develop an advanced pathway so that attempts to engage with the person could begin.

- (j) In referring to paragraph 37 of the report, Councillor J Foster commented on the role of the local authority in terms of Licensing and asked what role and involvement Trading Standards had with regard to investigating residents' complaints in relation to the authenticity of particular shops and their conduct.

In response, the Director of Public Health and Wellbeing commented that Trading Standards detected illicit alcohol, tobacco and vapes and undertook investigations, processed prosecutions and the closure of premises if deemed necessary. It was reported that it was evidenced that people who used illicit tobacco and alcohol experienced complications faster than from taking normal goods. Trading Standards were working to develop that link and raise awareness of the issue.

The work undertaken by Trading Standards in the fight against drugs and illicit substances was recognised and a report on the work of Trading Standards would be welcomed by Councillor J Foster at a future meeting of the Select Committee.

At this juncture, the Cabinet Member for Public Health and Wellbeing encouraged Members to report any concerns raised by residents directly to Trading Standards, who would investigate accordingly.

- (k) In referring to paragraph 15 of the report in relation to Nitrous Oxide and it being an emerging issue, whilst it had not currently been identified as an addiction and treatment issue in Dudley, Councillor A Aston requested clarification as to whether it was expected for this issue to escalate, and asked if it had become a significant issue anywhere else, and could any lessons be learned from other authorities where it was an issue.

In response, it was clarified that in terms of Adults Substance misuse, none of the current client group had identified Nitrous Oxide as a substance of use, however, from a children and young person perspective a notable increase of young people presenting to services at Hear4YOUth had been reported and it was now considered as an emerging theme that would require to be monitored.

In terms of best practices, it was acknowledged that both Atlantic House and Cranstoun were organisations with lots of best practices and links across the country available to them to make sure that they were constantly learning from each other. With regard to the emerging nitrous oxide theme, internal focus groups had been established to consider how all other young people services were responding to nitrous oxide and to develop a treatment offer to support young people.

- (l) J Griffiths (Dudley HealthWatch) referred to the geographical issues residents within the north of Borough experienced in accessing services at Atlantic House and requested further information in relation to the outreach programme offered.

In responding, A Burford – Change Grow Live stated that lots of service user consultations were conducted at Atlantic House. The Service was aware of potential travel difficulties and cost implications that may be experienced, and therefore bus passes were offered to service users to reduce the cost of travel. Service users that were required to see a medic would need to attend Atlantic House, however, psychological social support could be provided in the community and at local GP practices if preferred. The benefits of attending Atlantic House were conveyed, particularly the recovery hub and therefore all users would be encouraged to attend onsite.

- (m) Councillor M Hanif referred to paragraph 21 of the report which provided the number of service users in treatment as of May 2023, namely 1230. However it was recognised that this was 6 months ago therefore it was assumed that this would be a much higher number. The comments raised previously by Councillor P Sahota in terms of future reports/presentations on hot spot areas and demographic data were reiterated.
- (n) Councillor M Hanif referred to the location of the Adults Substance Misuse Services based in Atlantic House, Lye, which was a distance away from residents located in the north of borough and questioned how these residents accessed the service.

In response, it was reported that mapping exercises of service users were conducted, and it was evident that there were widespread service users accessing the service, as well as users that lived outside of the borough, which suggested that there was no issue regarding access. A key focus was to engage with the hard-to-reach groups and address ways on how to remove barriers so that they too could access treatment.



- (o) Councillor M Hanif commented positively on the level of detail contained in the report, which highlighted additional groups that the service had been working with, however, it was noted that West Midlands Police had been omitted, and requested clarification as to whether the Police were involved.

The service worked very closely and collaboratively with West Midlands Police, along with outreach workers. The Service had an Offender Manager, as well as Criminal Justice workers, who specifically worked with prison related discharges to ensure continuity of any rehabilitation that had occurred within their custodial setting. Dudley's Drug and Alcohol Partnership and the West Midlands Drug and Alcohol Partnership were both Chaired by a representative of West Midlands Police and they also sat on the drug related deaths panel.

- (p) Councillor M Evans referred to paragraph 21 of the report in particular the Adults Substance Misuse Services contract awarded to Change Grow Live, and asked for clarification as to what checks were undertaken by Dudley on the quality of service delivered.

The Director of Public Health and Wellbeing assured Members that a strong framework was in place in terms of quality assurance and confirmed that the contract was awarded through a formal procurement process. The service had been assessed using stringent criteria and there were key performance indicators and contract monitoring which the provider was required to achieve. Concerns with regards to individual cases should be referred directly to Change Grow Live following the meeting for further investigation.

- (q) In referring to paragraph 15 of the report, Councillor J Foster concurred with previous comments made about Nitrous Oxide and referred to a documentary that was recently broadcasted which described Birmingham as being the nitrous oxide capital of the UK. It was considered vital that measures were taken to address the situation and develop a treatment offer prior to the issue escalating.

## Resolved

- (1) That the report in relation to Substance Misuse Commissioning and Delivery in Dudley, be noted
- (2) That the ways in which Select Committee Members can support substance misuse work in the Borough, as outlined in the report and discussed at the meeting, be noted.
- (3) That the Programme Manager (Dr M Andrews) provide information in relation to the number of heroin related deaths or injuries normally be experienced over a similar period.
- (4) That the Director of Public Health and Wellbeing give consideration to providing an online session to the Select Committee on how Members can proactively support substance misuse work in the Borough and how their scrutiny skills could be deployed to help drive improvement as a critical friend of the service.
- (5) That any Member wishing to undertake a visit to Atlantic House be requested to contact A Burford – Change Grow Live.
- (6) That a report on the associated work undertaken by Trading Standards be presented to a future meeting of the Select Committee.

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29 **Evaluation of Joint Health and Wellbeing Strategy 2017-2022 and Health, Wellbeing and Inequalities Strategy 2023-2028**

The Project Manager, Public Health, advised that as Agenda items 7 and 8 were associated, they would be presented together as one agenda item.

Members considered the reports of the Director of Public Health and Wellbeing on the findings and recommendations from the Health and Wellbeing Board's evaluation of the Joint Health and Wellbeing Strategy 2017-2022 and the new joint Health, Wellbeing and Inequalities Strategy 2023-28 which had been developed by the Health and Wellbeing Board.

The Project Manager presented the reports and outlined the reason for the evaluation and how the authority was progressing on achieving the three 2017-2022 strategy goals, namely promoting a healthy weight, reducing the impact of poverty and reducing loneliness and isolation. It was acknowledged that whilst the priorities for the new strategy had changed, work continued on the goals for the 2017-2022 strategy, which had become embedded as 'business as usual'.

The recommendations for the new strategy were outlined, together with lessons learned. It was recognised that there was no evidence to suggest improvement on childhood obesity or obesity in general during the five-year period, and it was considered that this was due to the lack of a clear action plan and key performance indicators. It was reported that this had been addressed in the new Strategy, in that all new priorities had an action plan and key performance indicators associated, as well as details as to how it would be measured in terms of primary intervention, secondary intervention and across all services.

In terms of the new Joint Strategy, the Health and Wellbeing Board, following consideration of the Joint Strategic Needs Assessment, had agreed that the three new goals would be underpinned by an approach to reducing health inequalities, namely ensuring children were ready for school, fewer people died from circulatory disease and that more women were screened for breast cancer. It was considered that by working to reduce circulatory disease by default, this would impact and improve other conditions and wider determinants.

Councillor I Bevan commended the new strategy and expressed his thanks to all those involved in its development and encouraged all Members to read the document if they had not already done so.

Arising from the presentation of the report, Members made comments and asked questions, and responses were provided as appropriate:-

- (a) Councillor J Foster, whilst welcoming the report, expressed concern about the Health and Wellbeing Board evaluating their own work and the fact that the report presented to the Select Committee was just to be noted. Clarification of the role of the Select Committee in scrutinising the work of the Health and Wellbeing Board was requested.

The Director of Public Health and Wellbeing acknowledged the comments and would take this on board for future reports. It was advised that the development of the strategy had previously been undertaken in conjunction with the Local Government Association (LGA), however, on this occasion the Best National Expert had worked with the Board to develop the strategy.

Councillor J Foster suggested that as the new strategy was currently being implemented, the role of the Select Committee in scrutinising its effectiveness, as it was being embedded, should be considered and presented to the Select Committee at regular intervals, which would ensure independent scrutiny.

- (b) Councillor D Stanley referred to the low uptake in breast cancer screening, particularly in the Sedgley, Coseley and Gornal areas and commented that it had recently been brought to his attention that this was likely due to the lack of appointment availability and residents being referred to provisions in Birmingham for an appointment, as their GP Practice formed part of the Sandwell and West Birmingham Trust. Clarification was requested as to whether these residents could attend local screening units instead.

In responding, the Director of Public Health and Wellbeing advised that the Screening programme was operated by NHSE. Women were called every three years to attend a breast screening appointment, but should that appointment be missed, that patient would not be called again for another three years, unless requested. It was recognised that there were several units available within the Dudley Borough and a patient had the option to choose their preferred site. However, should an issue be identified, then that patient would be referred to an appropriate hospital provision. The Director of Public Health and Wellbeing agreed to investigate the concerns raised by Councillor D Stanley in relation to issues experienced by individual residents.

- (c) Councillor P Sahota commended Public Health for recognising that some of the goals set and initiatives implemented had not been successful, however, expressed the need for further detailed information to be provided outlining what had not been successful and the reasons why. It was considered that more precise information was required to ensure that the recommendations presented were being delivered.

The Director of Public Health and Wellbeing stated that the previous three priorities were not successful, in particular with regard to obesity, due to the lack of behavioural change. It was recognised that the services previously offered were not successful and therefore a change in approach was necessary.

In relation to changing residents' behaviour, and in response to Councillor P Sahota's question on how public health was working with education, housing and environment to develop a golden thread in addressing the issue, the Director of Public Health and Wellbeing commented that it had been acknowledged in previous circumstances, support had only been provided once a person had been identified as living in poverty, therefore the new approach would be to focus on the prevention of poverty. It was anticipated that Public Health would be restructured and it was desirable for the structure to include a dedicated person to lead on the wider determinants of health. However, due to the current financial situation of the Council, work would be focussed to prioritise what could and could not continue to be achieved.

- (d) Councillor P Sahota concurred with the comments previously made in terms of the role of the Select Committee in effectively scrutinising the Health and Wellbeing Board's Action Plan and key performance indicators, as well as being able to question Officers and Members of the Board to ensure that recommendations were delivered and improvements achieved.

The Director of Public Health and Wellbeing welcomed the opportunity for the Health and Wellbeing Board to form part of the scrutiny process, as this was considered to be an asset which added value to the work of Public Health.

- (e) Councillor I Bevan welcomed the interest shown by Members with regard to the Health and Wellbeing Board and future scrutiny of the strategy and achievements. It was suggested that previously the strategy and other initiatives had been shared with Members at the monthly webinars, however due to poor attendance the webinars had ceased. Should there be an interest for the webinars to return, the issues raised could be addressed together with other new initiatives rather than overloading the Select Committee's agenda.

Councillor J Foster concurred that the webinars previously held, particularly during the Covid-19 Pandemic, had been an excellent initiative and considered that the webinar could work alongside Scrutiny, particularly to inform Members on selected topics which would enable them to ask relevant questions. This could be an opportunity in terms of evaluating the effectiveness of the work done by the Health and Wellbeing Board, in that a topic could be selected and experts and Board Members involved in the topic could attend a future meeting to present the data, which would enable the Select Committee to contribute to the Health and Wellbeing report. It was recognised that Health was a large agenda, which should focus on the areas that needed to be improved.

The Cabinet Member for Public Health commented that all Members had previously been contacted with regards to the continuation of the webinars, which had received very little response, however, it was agreed that this would again be pursued and Members would be given the opportunity to request the topics to discuss, with the Health and Wellbeing Board Strategy included and a deep dive into alcohol.

A review of the Select Committees work programme was also suggested.

## Resolved

- (1) That the new Health, Wellbeing and Inequalities Strategy 2023-2028 and its new goals, be noted.
  - (2) That the reinstatement of the monthly webinars for all Members to provide support and to discuss Health and Wellbeing initiatives, including the Health and Wellbeing Board Strategy and a deep dive into alcohol abuse, be reconsidered by the Cabinet Member for Public Health and the Director of Public Health and Wellbeing.
  - (3) That consideration of the role of the Select Committee in scrutinising the work of the Health and Wellbeing Board be considered and that the Chair and Vice-Chair review how this may be incorporated into the work programme for the Select Committee.
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### 31 **Dudley Urgent Treatment Centre (UTC) – Operational Changes**

A report of the Dudley Managing Director – Black Country Integrated Care Board (ICB) was presented on changes made to the operation of the Dudley Urgent Treatment Centre with effect from 1<sup>st</sup> October, 2023.

The Dudley Managing Director referred Members to paragraphs of specific importance, in particular referring to paragraphs 8 and 9 of the report, which outlined the changes that had been made to the service to be staffed between midnight and 6.00am. It was further commented that these changes had been effective from 1<sup>st</sup> October, 2023 and monitored closely by the ICB, Mulling Health (service provider) and the Dudley Group of Hospitals Foundation Trust, with no adverse impact evidenced. One benefit that had been identified from the change had been that Mulling Health had moved from a position of providing locum GPs to now having permanent employed GP's which had made a significant difference in terms of sickness absence.

In responding to a question raised by the Vice-Chair on the impact on residents being small, the Dudley Managing Director confirmed that the actual service that was being delivered was no different to the way in which the service had previously operated, as the pathway was the same, as well as the patient experience. The change related mainly to staff in that there was now one less nurse and one less receptionist on duty, therefore the change was viewed as minor.

In response to questions from Councillors M Hanif and M Evans on the time period of the change and whether this decision would be reversed should demand increase, the Dudley Managing Director stated that following extensive discussions, once the decision had been made, the changes were implemented with immediate effect. The impact of the change on the patient was considered relatively small, as activity levels between midnight and 6.00am were relatively low. The situation continued to be monitored and should levels of activity increase then the situation may need to be revisited. The change was made following an assessment of activity and currently it appeared to be working satisfactorily.

### **Resolved**

That the position in relation to the changes made to the Dudley Urgent Treatment Centre, be noted.

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## **32 Development of Dudley's Integrated Model of Health and Care**

The Committee considered a report of the Dudley Managing Director - Black Country Integrated Care Board (ICB), on the current position in relation to the future delivery of services provided by Dudley Integrated Health and Care NHS Trust.

The Dudley Managing Director - Black Country ICB presented the report and referred to the process and principles used to review where services currently provided by the Trust, should be delivered from in the future.

A final report on the recommendations would be submitted to the ICB in November 2023 and DIHC Board in December, 2023.



M Hartland, Chief Executive of the Dudley Integrated Health and Care Trust then referred to DIHC key focus as the incumbent provider, in that to achieve the principles outlined, in particular ensuring that any service transfer was safe and appropriate and that there was a safe transition from DIHC into the new provider, as well as to protect the employment of their staff. The timeframe in which to meet principles was outlined, and further updates would be provided in the next few months.

In referring to paragraph 10 of the report, Councillor M Evans requested an update on the present position in relation to the transfer of Additional Roles Reimbursement Scheme (ARRS) staff. In response, the Chief Executive of the Dudley Integrated Health and Care Trust advised that, at the time of writing, the decision of all six primary care networks had not been received, with the final response being received on 23<sup>rd</sup> November. They were currently working towards 1<sup>st</sup> April, 2024, and testing of the critical path was ongoing.

### **Resolved**

That the position in relation to the future delivery of services provided by Dudley Integrated Health and Care NHS Trust, be noted.

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### **33 Update on High Oak Surgery**

M Hartland, Chief Executive of the Dudley Integrated Health and Care Trust provided the Select Committee with an update in relation to High Oak Surgery.

It was reported that the current priority was to fulfil the outcome of the public conversation that was conducted earlier in the year, namely to maintain a GP presence in Pensnett and also to engage with the local pharmacists within the Galleria Pharmacy on the business case to get a more permanent solution.

GP services did continue to be provided at the portacabin site in High Oak and services would continue from that venue until a more permanent solution had been identified. It was further clarified that the plan presented to the Select Committee at the previous meeting still remained, in that the pharmacists at Galleria Pharmacy were being supported in the development of a business case, which was to be considered by both DLUHC, as the host of the practice, and also the ICB, as the ultimate commissioner of primary care services, to make sure the business case was fit for purpose and in accordance with governance procedures. A project manager had been appointed to work directly with the pharmacists to produce the business case for the additional clinical room.

It was initially anticipated for the business case to be presented to the ICB in November, however, due to issues with the business case this had not yet been submitted to DIHC or ICB. It was considered that it was in the interest of all parties for this business case to work and all parties were working collaboratively to achieve the best outcome. It was important to note, however, that the business case would need to work for both the ICB and Galleria Pharmacy and also had to be affordable. It was now anticipated that the business case would be submitted to DIHC and ICB in December, which would allow the project to move forward in the new year.

Arising from the verbal presentation, Members made comments and asked questions, and responses were provided where necessary:-

- (a) In response to a question raised by the Vice-Chair in regard to whether there was anything that the Select Committee, Cabinet Member, Chair or Vice-Chair could do to progress the plan, the Chief Executive DIHC confirmed that at this particular time there was nothing that needed to be escalated, as dialogue with Galleria Pharmacy continued.
- (b) The Vice-Chair commented that this issue had been ongoing for a period of three years and it felt like the situation had plateaued. In response the Chief Executive acknowledged the length of time it had taken, however, emphasised that it was a priority which needed to be resolved as soon as reasonably possible.
- (c) The Cabinet Member for Public Health reiterated the previous comments in that all Members were committed to supporting the project and should be contacted if support was required.

- (d) Councillor J Foster, referred to the Select Committee in September where reassurances had been provided by DIHC officers that progress was going at pace, however, expressed disappointment that the situation was no further forward. It was emphasised that what was now proposed to be delivered was not what the residents of Brockmoor and Pensnett had initially wanted, and that it was their desire for a full extensive healthcare surgery to be provided. Having spoken with the Chair of the Select Committee she had been of the view that an invite from the Chair had been sent to pharmacists at Galleria Pharmacy to attend the Select Committee, so that the Select Committee could ask questions directly on how they felt the situation was progressing and the support that he had received, however it did not appear that this had happened.

The Chief Executive DIHC advised that he intended to meet with the pharmacists directly to discuss the situation and to help progress the business case.

Councillor R Collins advised that she had been led to believe that a letter had been sent to the pharmacists at Galleria Pharmacy from the Chair of the Select Committee by recorded delivery, however no response had been received and agreed to discuss the matter with the Chair.

### **Resolved**

That the update be noted.

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### **34 Update from the Director of Public Health and Wellbeing**

The Director of Public Health and Wellbeing gave a verbal update on the Brockmoor and Pensnett Innovation Project and The Life in Lye Programme, and in doing so highlighted the work that had been carried out since the last Select Committee meeting as follows:

## Pensnett and Brockmoor Project

A background to the development of the community innovation project was provided. The Director of Public Health and Wellbeing advised that Public Health, together with HealthWatch Dudley, had started community engagement to explore the views of communities on the challenges and assets within the Brockmoor and Pensnett ward. A number of challenges had been identified from the engagement events, in particular with regard to poor attendance and that of those that attended, there were residents from outside of the Borough. Public Health were now developing a digital questionnaire and looking at a wider engagement event which would be held in January 2024 in association with the Health Communities Initiatives.

The Select Committee was advised that funding had been identified to fund a Community Researcher for a period of two years, however, recruitment to the post was now subject to the Council's spending controls.

J Griffiths, in referring to the engagement events, acknowledged that there had been a slow start, but advised that resources between Public Health and Health Watch were being used, as well as working in tandem with other work streams to engage with as many people as possible.

The asset mapping exercise was now complete and data would be compiled and consideration will be given as to how this information would be published.

There had been a slight delay in the development of a Cost of Living Hub, although the Hub would open on 28<sup>th</sup> November, 2023. 148 appointments had been made available and filled. Liaison engagement subgroups with Healthwatch and ICB, and another subgroup namely, the Improvement, Economic Employability and Skills Team, would be added to the training initiative.

Poverty Proofing had commenced in Primary schools and work had commenced on providing oral health, with free toothbrushes and toothpaste and training provided for all children in primary schools. This was funded from grant funding and was exempt from the Council's spending controls.

In response to a question raised by the Vice-Chair, the Director of Public Health and Wellbeing agreed to provide further information in relation to Poverty Proofing that was provided in schools, together with poverty proofing in maternities which was also due to commence.

### Life in Lye Project

The Director of Public Health and Wellbeing referred to the collaborative working with the Head of Regeneration and Planning to increase involvement in the regeneration of the High Street in Lye. It was also commented that the group was supporting the High Street Task Force visit to ensure the visit was effective and had also collaborated with the Waste Enforcement Manager and Street Scene Manager and Housing Enforcement Team to address ongoing issues regarding poor housing conditions and fly tipping. Collaborative working with the Romanian speaking Housing Support Officer was ongoing to develop and improve relationships and support the Romanian Community in terms of quality of housing and overcrowding.

Community litter picks continued, with further dates arranged for November 2023 and January 2024. More residents were getting involved and community cohesion had improved. Community walks had also been arranged with one event planned for 25<sup>th</sup> November, 2023.

A 6-week family learning programme for Romanian families had been established and Welcome to Lye events were well attended. The Cost of Living Hub had opened in Lye and a Street Watch group was being established.

At this juncture, Councillor M Hanif declared a non-pecuniary interest as a Member of the Life in Lye group.

In response to a question raised by Councillor M Hanif in relation to what would happen following cessation of funding in March 2024, as it was recognised that more work was required, particularly as Lye had been neglected for many years, the Director of Public Health and Wellbeing agreed to explore the continuation of the project moving forward and would look at future funding initiatives. Support would continue to be provided to communities in terms of applying for additional funding, including the Commonwealth funding, and information available on funding initiatives would be shared with Councillor M Hanif following the meeting.

Councillor P Sahota welcomed the community development work that had taken place. The need to build on capacity was recognised, as well as the importance of working with Councillors as a connection to the community and community groups, to encourage community self-sufficiency was expressed.

The Cabinet Member commended the work completed on both projects and recognised the work undertaken by fellow partners and health organisations in supporting the Local Authority and Public Health.

**Resolved**

- (1) That the verbal update be received and noted.
- (2) That the Director of Public Health and Wellbeing provide further information in relation to Poverty Proofing that was provided in schools, together with poverty proofing in maternities which was also due to commence.
- (3) That the Director of Public Health and Wellbeing provide Councillor M Hanif with details of future community funding initiatives, that could be shared with Community Groups.

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35 **Health Select Committee Progress Tracker and Future Business**

**Resolved**

That the Public Health Select Committee Progress Tracker and Future Business, be noted.

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36 **Questions under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

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The meeting ended at 8.30 pm

CHAIR

## **Minutes of the Health Select Committee**

**Monday 8<sup>th</sup> January, 2024 at 6.00 pm  
In Committee Room 2 at the Council House,  
Priory Road, Dudley**

### **Present:**

Councillor J Clinton (Chair)  
Councillor R Collins (Vice-Chair)  
Councillors A Aston, B Challenor, M Dudley, M Evans, J Foster, M Hanif, D Harley, W Little and K Westwood.

### **Dudley MBC Officers:**

Dr M Abu Affan (Director of Public Health and Wellbeing) and H Mills (Senior Democratic Services)

### **Also in attendance:**

Councillor I Bevan (Cabinet Member for Public Health)  
N Bucktin – Black Country Integrated Care Board

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### **37 Apology for absence**

An apology for absence from the meeting was submitted on behalf of J Griffiths – Dudley HealthWatch (Co-opted Member).

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### **38 Appointment of Substitute Member**

No substitute members were appointed for this meeting of the Committee.

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39 **Declarations of Interest**

Councillor A Aston declared a non-pecuniary interest due to his employment with West Midlands Ambulance Service.

Councillors I Bevan declared a non-pecuniary interest due to his employment with Dudley Group NHS Foundation Trust.

Councillor R Collins declared a non-pecuniary interest as a member of the Patient Participation Group at Russells Hall Hospital.

Councillor M Hanif in relation to agenda item no. 8 declared a non-pecuniary interest as a member of the Life in Lye core group.

Councillor K Westwood declared a non-pecuniary interest due to her employment with Dudley Group NHS Foundation Trust.

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40 **Minutes**

In referring to Minute No. 28 – Substance Misuse Commissioning and Delivery in Dudley, in particular paragraph (p), Councillor M Evans advised that he had contacted Change Grow Live following the meeting in relation to a specific case as instructed, though to no avail. The Director of Public Health and Wellbeing was of the view that this was due to patient confidentiality although would pursue the matter following the meeting.

**Resolved**

That the minutes of the meeting held on 23<sup>rd</sup> November, 2023 be approved as a correct record and signed.

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41 **Public Forum**

No issues were raised under this agenda item.



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## 42 **Director of Public Health and Wellbeing Annual Report**

Members considered the Director of Public Health and Wellbeing's Annual Report for 2022, which was a statutory requirement to demonstrate the state of health in communities within the Borough.

It was reported that the key focus for the 2022 annual report was on the challenges of the global pandemic, its impact and how Dudley had responded. The report consisted of four chapters namely Chapter 1 - Dudley's pandemic timeline, Chapter 2 – Dudley's response to the pandemic, Chapter 3 - The wider impact of COVID-19 and Chapter 4 - Looking back, moving forward, which included lessons learned and twelve recommendations that had been identified as to how public health could improve health and wellbeing of residents for the future.

Following the presentation of the report, Members made comments, asked questions, and responses were provided where appropriate as follows:-

- (a) Councillor A Aston referred to the Council and Partner response to the Covid-19 Pandemic Scrutiny Review that was undertaken by the Health and Adult Social Care Scrutiny Committee during 2020, which was received and endorsed by Full Council on 30<sup>th</sup> November, 2020 and questioned why this had not been referenced in the Director of Public Health and Wellbeing Annual Report and whether it had been used to compile the report. Clarification was also requested as to whether the recommendations included in the 2020 report had helped with Dudley's response to the pandemic in 2021 and 2022.

In responding, the Director of Public Health and Wellbeing confirmed that whilst it was not directly referred to in the report, the Scrutiny Review report and all its data had been used to support and formulate the Director's Annual Report. The Director of Public Health and Wellbeing endeavoured to review the Scrutiny Review report and respond to Members directly with regards to the recommendations.

- (b) In also referring to the omission of the Council and Partner response to the Covid-19 Pandemic Scrutiny Review, in particular the recommendations, Councillor J Foster questioned the integrity of the Director's Annual Report, as such a major piece of work had been excluded. The Director of Public Health and Wellbeing concurred with the comments in terms of the omission of the recommendations, however commented that the background to both the Scrutiny Review Report and the Director's Annual Report related to the same outbreak management plan. It was further reported that at the time of the outbreak, it had been predicted that there would be a national investigation and inquiry at some point, therefore public health ensured that all information in relation to the Covid outbreak was documented in preparation, which formed part of the Scrutiny Review report and the Annual Report.
- (c) Councillor M Hanif commented on the length and format of the report, which in his view appeared to be an account of what had happened in the past and unclear as to what was being done moving forward. It was considered that it would be clearer and more concise had the report been split into two parts.
- (d) In referring to the contribution of elected members, Councillor M Hanif commented that whilst he had attended weekly Member webinars, he had no recollection of being asked to go out into the community or to be part of the 'on the street' initiatives, although acknowledged that other community groups had been heavily involved.

The Director of Public Health and Wellbeing confirmed that all elected Members were invited to the weekly webinars. Some Members attended a system wide outbreak management group and the local Ward Councillors for those areas with the highest infection rates and low vaccination uptake were actively involved in a working group and helped shape the implementation plan and engagement with the community to promote the Covid vaccine, therefore the report was considered to be a reflection of universal involvement.

- (e) Councillor R Collins commented positively on the balanced report that had been produced and wished to acknowledge the support that had been provided by the former Cabinet Member for Health and Adult Social Care, namely, N Barlow. It was recognised that it was an unprecedented situation which no Cabinet Member, Councillor or local Public Health Directorate had any previous experience of dealing with and it was considered that overall the situation had been dealt with as well as could have been expected under the circumstances. It was acknowledged however that the pandemic had emphasised gaps with regards to the wider determinants of health within the Borough, which the recommendations and innovation tasks in terms of the Brockmoor and Pensnett Project and the Life in Lye were now addressing. It was hoped that these innovation tasks would then be conveyed to improve other areas within the Borough.
- (f) Councillor M Dudley referred to the recommendations included in the Annual Report and asked for clarification as to how these recommendations would be taken forward; how they would be monitored and achieved, and due to the current financial position were there any financial implications that would impact upon achieving positive outcomes.

The Director of Public Health and Wellbeing in responding advised that some of the initiatives that formed part of the recommendations had already commenced. The recommendation with regards to immunisation and promoting flu vaccinations formed part of the public health business plan and was used by the Integrated Care Board as an example of good practise. It was advised that the Public Health Grant was ring fenced so the team was able to manage progress within existing resources.

- (g) The Chair commented positively on the contribution by Elected Councillors during Covid and the communication received from the Council for Members to use on social media and to inform residents. He referred to the role of the Covid Champions which was considered a key attribute in ensuring vital communication and messages were communicated with local groups and residents and expressed his thanks to all those that were involved.

- (h) Arising from a comment raised by Councillor A Aston with regards to the possibility of providing a digital format or animated summary of the Annual Report in the future, the Director of Public Health and Wellbeing agreed to look into the suggestion should it add value, although recognised that this may have financial implications.
- (i) In responding to questions from Councillors A Aston and J Foster with regards to what happened to the final Annual Report and the timeframe of the report, the Director of Public Health and Wellbeing confirmed that the reports were submitted to the Local Government Association (LGA) and the Association of Directors of Public Health. In terms of the timeframe, it was anticipated that reports would usually be available from midway through the following year, although this would depend on the topic of the report. It was acknowledged that this report was significantly later than usual due to an array of contributing factors.

In concluding, the Director of Public Health and Wellbeing welcomed the comments and feedback provided, and would consider the practicalities of consulting with Members on future reports prior to publication.

### **Resolved**

- (1) That the Director of Public Health's Annual Report for 2022, be received and noted.
- (2) That the comments and suggestions in terms of style, design, layout, accessibility and dissemination for improvement for future reports, as referred to above, be taken into consideration by the Director of Public Health and Wellbeing.

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### **43 Development of Dudley's Integrated Model of Health and Care**

A report of the Dudley Managing Director – Black Country Integrated Care Board (ICB) was submitted to provide an update on the current position in relation to the future delivery of services provided by Dudley Integrated Health and Care NHS Trust and the development of integrated care pathways.

The Dudley Managing Director – ICB referred to the outstanding issue with regards to the plans for a number of primary care staff employed by Dudley Integrated Health and Care NHS Trust on behalf of the six primary care networks, as previously reported, and advised that those staff would now be employed by Dudley Group NHS Foundation Trust, together with the Additional Roles Reimbursement Scheme (ARRS) pharmacist, in order to maintain a single integrated pharmaceutical team. The arrangements in relation to the transfer of services were underway, with an expected completion date of 30<sup>th</sup> June, 2024, subject to approval by NHS England.

In referring to the work undertaken in relation to integrated care pathways, it was advised that a report would be submitted to the Health and Care Partnership Board on 12<sup>th</sup> January, 2024, in terms of plans for overseeing pathways moving forward, which would be reported back to this Committee at the next meeting.

### **Resolved**

That the position in relation to the future delivery of services provided by Dudley Integrated Health and Care NHS Trust and the development of integrated care pathways, be noted.

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#### **44 Update from the Director of Public Health and Wellbeing**

The Director of Public Health and Wellbeing gave a verbal update on national and local issues, and in doing so advised that there had been an increase in the number of measles cases reported in the West Midlands. No cases had yet been reported in Dudley, though it was considered only a matter of time. It was acknowledged that the majority of cases were amongst those that were unvaccinated.

It was further reported that there was an increase in flu cases, as well as Covid cases, although the majority of symptoms were relatively mild due to the effects of the vaccination and there were no reports of an increase in hospital admissions or Intensive Care Unit (ICU) admissions.

#### **Pensnett and Brockmoor Project**

The Cost of Living Hub opened on 28<sup>th</sup> November, 2023, in that time 400 clients have been seen and £17,000 worth of vouchers to eligible people have been issued.

Dudley HealthWatch were providing support in terms of engagement, asking residents what it was like to live in the area, what was needed more of and what support was needed, with emerging themes being in relation to safety in parks, GP practices and school placements. It was however acknowledged that a number of people that had been spoken with were not local residents and were people from outside of the borough attending events.

An engagement event had been arranged for 26<sup>th</sup> January, 2024 for stakeholders and members of the public to attend to help shape Dudley's approach and establish how to work with the community to address inequalities. Statistical information would be shared, in particular with regards to childhood obesity and inequalities.

The Public Health team were working with Birmingham University's Obesity Economic Unit to discuss how Dudley could address childhood obesity as a priority.

The Director of Public Health and Wellbeing also referred to the Net Zero Neighbourhood Project, which was funded by West Midlands Combined Authority and led by the Housing Directorate. The project had received funding to improve home warmth and would be commencing in the Pensnett and Brockmoor Ward. A company had been appointed to undertake the work on behalf of the project, whom would be invited to the engagement event on 26<sup>th</sup> January and involved in all future work.

The Director of Public Health and Wellbeing advised that an update on the Life in Lye project would be circulated to Members following the meeting.

Councillor M Hanif referred to the community group Roc Convention in Lye, and advised that the Life In Lye were intending to speak with the Chair of that Group, to ensure that there was no duplication of each other's work. The Director of Public Health and Wellbeing considered that it would be beneficial if both groups could work collaboratively to achieve objectives and aspirations for the area and agreed to discuss further with the project team.

### **Resolved**

- (1) That the verbal update be received and noted.
- (2) That the Director of Public Health and Wellbeing provide an update on the Life in Lye project following the meeting.

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45 **Health Select Committee Progress Tracker and Future Business**

In considering the progress tracker and future business report, Councillor J Foster referred to the Your Home, Your Forum agenda item scheduled to be considered on 28<sup>th</sup> March, 2024, and requested an update in respect of Community Forum Grant funding. Further clarification was also requested with regards to the work of the consultant that had been employed by the Council to contribute to the effectiveness of the meetings and what the report in March would entail.

In responding, the Director of Public Health and Wellbeing advised that the consultant who had undertaken the engagement had been Elected Members, who were currently in the process of finalising their report. In terms of the Community Forum Grant, it was advised that funding was subject to the Council's financial control measures and no applications for funding were currently being authorised in accordance with these measures. Therefore, as part of the corporate approach alternative ways in which to support Community Groups in identifying funding from other areas were being explored and led by the Public Health Community Development Team.

**Resolved**

That the Health Select Committee progress tracker and future business, be noted.

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46 **Questions under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

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The meeting ended at 6.55 pm

CHAIR

## **Minutes of the Highways and Environmental Services Select Committee**

**Monday, 27<sup>th</sup> November, 2023 at 6.00 pm**  
**In Committee Room 2, The Council House, Priory Road, Dudley**

### **Present:**

Councillor E Lawrence (Chair)  
Councillor P Miller (Vice-Chair)  
Councillors D Borley, K Denning, P Dobb, P Drake, I Kettle, J Martin and K Westwood.

### **Dudley MBC Officers:**

N McGurk (Acting Service Director – Neighbourhood Delivery), S Hunt (Highways Group Manager) and K Taylor (Senior Democratic Services Officer).

### **Also in Attendance:**

Councillor D Corfield (Cabinet Member for Highways and Environmental Services)

7 Members of the Public.

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### 19 **Apologies for Absence**

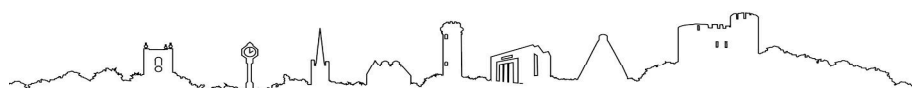
Apologies for absence from the meeting were received on behalf of Councillors K Casey and A Lees.

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### 20 **Appointment of Substitute Member**

There were no substitute Members appointed for this meeting of the Committee.

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21 **Declarations of Interest**

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

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22 **Minutes**

**Resolved**

That the minutes of the meeting held on 21<sup>st</sup> September, 2023 be approved as a correct record and signed.

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23 **Public Forum**

Councillor C Barnett, on behalf of Quarry Bank residents, made representations to the Committee and presented two petitions in relation to safer roads and speed control measures on Thorns Road, Quarry Bank and restoring access to the public footpath located between Lynval Road and Thorns Road, Quarry Bank.

Councillor C Barnett stated that footpath at Lynval Road was a public right of way and therefore access should not be obstructed, and although residents had been advised of two further routes, these were considered unacceptable.

The petition in relation to Thorns Road, Quarry Bank, requested to make Thorns Road safe for pedestrians, residents and road users by taking urgent measures to prevent further deaths and incidents by installing working speed cameras and additional traffic calming measures.

The Committee were advised of the dangerous driving demonstrated by vehicles on a regular basis and that an existing pelican crossing allowed pedestrians only seven seconds to cross the road safely, and as there was no central island, this raised further safety concerns.

In responding to a question raised by Councillor I Kettle, it was reported that approximately 28,000 vehicles travelled along the Thorns Road each day. Councillor C Barnett also stated that further responses to questions raised to the Transport and Highway Services Department was also expected.

In responding to a question raised by Councillor K Denning in relation to what safety measures had been implemented by the West Midlands Police, Councillor C Barnett confirmed that the speed camera located on the road had not been in operation for a long time and that some speed testing of vehicles had been undertaken occasionally.

Councillor D Borley supported the comments made and urgent action needed particularly of the timings of the pelican crossing and referred to a pilot scheme that had been suggested by the Transport and Highway Services Department within that area. He also suggested that West Midlands Police be requested to undertake vehicle speed tests during evenings.

In referring to comments made, the Cabinet Member for Highways and Environmental Services referred to a recent public meeting that he had attended where he assured those present of his commitment, and the deterrents needed to improve roads within the Borough. Reference was made to discussions held with Chief Superintendent Tagg from West Midlands Police in relation to two multi-agency vehicle operations, namely, Advance and Hercules, that had been implemented which could be utilised on Thorns Road. He then reiterated his commitment and support as Cabinet Member in making roads as safe as possible for users and pedestrians and shared his sincere condolences to those that had lost a relative or friend as a result of an accident, sharing his personal experience of such loss.

The Acting Service Director – Neighbourhood Delivery echoed comments made by the Cabinet Member for Highways and Environmental Services and further emphasised that the safety of users and pedestrians was paramount. He accepted the two petitions presented to the Committee and undertook to provide a response and ensure that any outstanding responses as previously referred to were actioned. He also undertook to resolve the timings of the pelican crossing as a matter of urgency.

The Chair, on behalf of the Committee, thanked Councillor C Barnett and members of public for their attendance and comments made, and requested that responses to the petitions be shared with the Chair and Vice-Chair for information.

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24 **The Environment Highways Group – Ways of Working / Work Programmes Presentation**

The Acting Service Director – Neighbourhood Delivery gave a detailed presentation to Members on the ways of working and work programmes by the Environment Highways Group over the past 12 months.

It was noted that the Highway functions were previously separated across three areas namely, Capital; Maintenance and Street Lighting with four separate Highway Managers covering individual areas and budgets divided across the network to fit the ways of working. Reference was made to the recent restructure within the Environment Directorate in which the Highways Group Manager had responsibility for all aspects of the maintenance and asset management of the Borough's highways maintenance and engineering and street lighting.

In order to identify medium and long term work programmes it was essential to fully understand all Highway assets, become performance driven and operationally efficient to enable an holistic medium and long term vision for the Dudley Borough. The service would also look to enhance through digital improvements helping inform annual programmes. Political support towards a sustainable approach to roads and improving real time communications was also needed.

Although there had been some improvement in Dudley with regard to potholes, this issue had also been recognised nationally, however, the outcomes of this approach would deliver visible and tangible differences for residents and users of the Highway and an operationally efficient workforce that would be digitally enhanced.

At this juncture, the Highways Group Manager provided an overview of the changes adopted compared to previous years including the introduction of the Road Hierarchy review categorising a highways importance to the Borough from 1-7, to help identify where focus is needed to maximise spend where the greater benefit could be made. A 5-6 year reconstruction programme to Classified and Unclassified Highways had also been developed based on the hierarchy review criteria.

It was noted that high quality materials were being utilised to extend the life of the highway / setting targets that were warrantied for 5 years. An annual programme of structural patching to areas in excess of 200m<sup>2</sup> based on the hierarchy review criteria had been developed in conjunction with reactive structural maintenance of individual or groups of highway defects to a high-quality specification to prevent repeat occurrences.

Reference was made to improvements completed in areas around the Borough, and although it was acknowledged that there were insufficient resources to improve all locations, more innovative ways of working was being explored to maximise resources and reduce Carbon footprint. Areas were continually reviewed on a risk-based approach, therefore feedback and reporting of issues by residents and Elected Members was welcomed and encouraged in order to target areas accordingly.

Photographs and statistical information in relation to the work undertaken within Highways was outlined and the Acting Service Director – Neighbourhood Delivery commented positively on the vast improvement in engagement with residents and Elected Members.

Members were advised of the three-year Gully Zonal Mapping that had been implemented, and whilst it was acknowledged that the service would continue to respond to emergency works and repairs, the mapping allowed efficiencies through each zone. It was reported that 4431 Classified Roads; 1794 Critical Locations and 5063 Unclassified Zones had been completed to date during 2023/24. It was noted that work had been undertaken to address areas that had not been maintained previously in particular around dual carriageways, town centres and old quarters.

The Acting Service Director – Neighbourhood Delivery confirmed that a software programme would be introduced to monitor all aspects of gully emptying which would be used to develop work programmes based on the information received allowing for resources to be directed to the locations on a risk-based approach and reduce running costs and provide greater accountability of the service. This would also result in operational efficiencies allowing for resources to be redirected to other areas.

It was noted that a Lining Programme had been implemented in 2022/23 which resulted in all schools across Dudley being refreshed, 63 schools had school keep clears, double yellows and hatching completed with 90% of the Boroughs Zebra crossings refreshed. The 2023/24 programme focussed on relining areas including all pedestrian crossings, major junctions, islands and roundabouts and town centres.

An overview of the Street Lighting – Phase 2 LED Program was provided and it was confirmed that streets were re-designed, as required, to ensure appropriate lighting levels and electrical testing undertaken on all lighting that had been replaced by LEDs. It was noted that the LEDs were warranted for 10 years plus, and that a sign and bollard cleaning programme would also be undertaken on the various signs located throughout the Borough, and invisible signs removed if no longer needed.

It was acknowledged that although the communications and public perception had improved, there was further work to do, in particular ensuring connectivity between Elected Members and residents.

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

- a) The Chair commented positively on the presentation given and the improvements made within the Kingswinford area.
- b) Councillor I Kettle referred to the previous structure of the highways functions and queried how capital was divided across the network to fit the ways of working.

In responding, the Highways Group Manager referred to the West Midlands Combined Authority annual funding towards Highways Maintenance in Dudley which was used in conjunction with the capital and revenue budget allocated by the Local Authority. It was also confirmed that an additional £700,000 grant had been awarded to Dudley by the Department for Transport for maintaining and improving the highway network.

- c) In responding to a number of questions raised by Councillor I Kettle in relation to the Gully Program and identified zones, the Highways Group Manager confirmed that the areas had been identified and predominately categorised by the amount of gully's within the Borough. It was emphasised that reactive maintenance continued in those areas at risk of high flooding and were addressed immediately or preventative works undertaken if available.

The Acting Service Director – Neighbourhood Delivery referred to the Neighbourhood Model approach which would be vital in implementing new ways of working to ensure better value in areas.

- d) Councillor D Borley referred to the lack of cleaning to verges in areas that could not be accessed due to vehicle parking and queried whether advanced warning could be given to ensure clear roads.

In responding, the Acting Service Director – Neighbourhood Delivery confirmed that although there were currently no advance warnings given for street cleansing, further consideration would be given to digital applications that would allow the Local Authority to improve communications in future.

- e) In responding to a question raised by the Chair in relation to a road sweeping programme, the Highways Group Manager confirmed that road sweeping was included within the street cleaning programme with four large channel sweepers and five street sweeper vehicles currently in use.
- f) In responding to a further question raised by the Chair, the Acting Service Director – Neighbourhood Delivery confirmed that all programmes were incorporated within the proposed Neighbourhood Model and whilst it was acknowledged that all areas could not be delivered, the model would help empower and improve communities dependent on need. It was noted that an event would be arranged in January, 2024 for Elected Members to meet with Town Managers.
- g) Reference was made to the long-term vision and whether this provided an opportunity for the Local Authority to work with Utility Companies to ensure a good quality of road repairs after carrying out street works. The Highways Group Manager confirmed that the meetings with Utility Companies usually occurred four times each year which included assessments of work programmes, and that notice of works proposed to classified and unclassified roads was provided 14 weeks prior. It was also confirmed that Utility Companies were now responsible in repairing roads that had deteriorated within five years of being completed.

- h) The Chair shared some examples of areas that had been left unsatisfactorily following work undertaken and sought clarification as to whether the work undertaken by contractors and utility providers were monitored by the Local Authority.

The Acting Service Director – Neighbourhood Delivery and Highways Group Manager acknowledged comments made and assured the Committee that the number of meetings with utility companies had increased and that repairs were being monitored accordingly.

- i) In referring to comments made in relation to the requirement for political support towards a sustainable approach to roads, the Acting Service Director – Neighbourhood Delivery clarified that this was not directed towards any controlling party of the Local Authority but emphasised the need for cross-party support. He also shared his appreciation of the support given by the Cabinet Member for Highways and Environmental Services.
- j) Councillor J Martin referred to comments made with regard to the move from a reactive service to committed long term plans and shared concerns that it had appeared that those that had frequently requested work to be completed was then actioned compared to requests that had been submitted in accordance with procedure.
- k) Councillor J Martin suggested that the success of the programmes would be determined by how it would be embedded and welcomed the proposed new stable way of working. The need to ensure that a right balance was maintained between medium and long term plans and short-term requests was emphasised.
- l) Reference was made to a number of estate roads and gulley's, in particular located on steep streets within the Brierley Hill Ward, that had not been maintained for some time due to accessibility and that a programmed maintenance schedule for all roads throughout the Borough would be beneficial for both Elected Members and residents to ensure that all areas were maintained accordingly.
- m) Councillor J Martin also referred to a large white sign located in Bank Street, Brierley Hill which had not been cleaned for some time and displayed some historic graffiti.

- n) Councillor J Martin queried whether winter road treatments were impacting road surfaces and whether there were any alternative options that could be utilised to prevent any further damage to existing roads.
- o) Reference was also made to the communication practices adopted by the refuse collection service and whether the same could be undertaken within Highways in order to promote programmed works.
- p) In responding to all queries raised by Councillor J Martin, the Acting Service Director – Neighbourhood Delivery emphasised that works undertaken previously were not prioritised according to individual requests and welcomed and acknowledged the comments made in relation to maintenance in estate roads and gully's that had not been undertaken. It was acknowledged that despite the large task ahead the service was now taking a methodical approach to ensure all areas had been programmed. Members were advised that there had not been a programme implemented with regard to sign cleaning and that further consideration would be given to this area ensuring the safety of employees and pedestrians was maintained.

It was further reiterated that the Neighbourhood Model would ensure engagement with communities in order to understand the priorities of each community.

With regard to communications, it was envisaged that a new digital way of working would greatly enhance processes and that despite the need for further improvement, there had been a significant change within a short period of time.

The Highways Group Manager referred to the current winter maintenance regime which included a fleet of gritters that were due to be replaced next year. It was expected that the latest vehicles contained innovative technology, which included being able to pre-programme gritters with information specific to each gritting route. This enabled salt to be spread onto the road automatically, taking into account any specific requirements of the highways network. This should minimise the level of salt used and generate savings in order to make it a more efficient service. It was also reported that rainwater exacerbated potholes causing further damage and not snow and ice.



- q) Members commented positively and expressed their appreciation on the vast improvements made within their respective ward areas.
- r) Councillor K Denning welcomed the presentation given, however requested that future presentations be produced in an accessible format.
- s) Councillor K Denning referred to repair works undertaken in Wolverhampton Street, Dudley, however there remained a deep pothole which was extremely dangerous to pedestrians and road users. He also suggested that all pedestrian crossings should be accessible and user friendly for all and not separate disabled crossings.
- t) Councillor K Denning commented positively on structural patching within areas and encouraged officers to communicate with utility companies the importance of minimising disruption and safeguarding public safety during and after programmed works.
- u) Councillor K Denning further suggested that road sweeping should be incorporated into programmes taking into account seasonal increases, in particular during the leaf fall period to ensure that roads and pavements were as safe as possible.
- v) Councillor K Denning also welcomed the replacement of street lighting to LEDs which would enable them to be more durable and reduce the likelihood of faults.
- w) In responding to all of the comments made by Councillor K Denning, the Acting Service Director – Neighbourhood Delivery undertook to ensure all future presentations were in an accessible format. He again acknowledged and echoed the frustration surrounding defects to roads that had been repaired and assured the Committee that measures were available to penalise utility companies where road works failed to meet expected standards. Further Legislation was expected in 2024 to allow Local Authorities to inspect utility companies street works and assess the quality of their road repairs.

- x) In responding to further questions raised by Councillor K Denning, the Acting Service Director – Neighbourhood Delivery confirmed that any monetary gain resulting from a penalty to the utility companies would be reallocated to Highways Assets and invested into the network.
- y) Councillor K Westwood queried whether the relining of unclassified roads had been adopted and referred specifically to the continuing parking issues around the Russells Halls Hospital and neighbouring streets. She also referred to a ‘Welcome to Brockmoor Village’ sign which had been removed and requested that this be re-installed.

The Acting Service Director – Neighbourhood Delivery and Highways Group Manager thanked all Members for their comments and undertook to investigate the specific cases raised during the meeting and again reassured the Committee that all the programmes presented today predominantly focused on the safety of pedestrians, residents and road users. Although the focus was for medium and long term plans, the department would continue to deliver a reactive service to requests.

The Cabinet Member for Highways and Environmental Services commended the excellent presentation given and the exemplary work undertaken by the Team involved and achievements made. He also confirmed that the new street team scene was now operational and encouraged Members to work together with Area Managers.

The Chair thanked all those in attendance for the informative discussions undertaken during the meeting.

### **Resolved**

That the information contained in the presentation submitted, and as reported at the meeting, on the ways of working and work programmes by the Environment Highways Group over the past 12 months, be noted.

It was noted that Dudley Transport Plan report due to be submitted to the January, 2024 would be deferred and Members was requested to e-mail the Chair with recommendations of topics, within the remit of the Select Committee, that they may wish to scrutinise for the remainder of the 2023/24 municipal year.

**Resolved**

That the Highways and Environmental Services Select Committee Progress Tracker and Future Business, as outlined in the report, be noted.

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26 **Questions Under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

The meeting ended at 8.20pm

CHAIR

## **Minutes of the Highways and Environmental Services Select Committee**

**Thursday, 4<sup>th</sup> January, 2024 at 6.00 pm**  
**In Committee Room 2, The Council House, Priory Road, Dudley**

### **Present:**

Councillor E Lawrence (Chair)  
Councillor P Miller (Vice-Chair)  
Councillors D Borley, K Denning, P Dobb, P Drake, I Kettle, J Martin and K Westwood.

### **Dudley MBC Officers:**

N McGurk (Acting Service Director – Neighbourhood Delivery), N Lissimore (Transport Strategy Manager), J Deakin (Head of Waste and Fleet Operations) and K Taylor (Senior Democratic Services Officer).

### **Also in Attendance:**

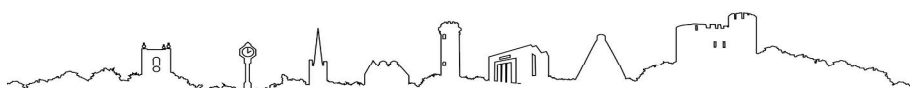
Councillor D Corfield (Cabinet Member for Highways and Environmental Services)  
Councillor C Bayton (Shadow Cabinet Member for Climate Change and Environment)

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### 27 **Apologies for Absence**

Apologies for absence from the meeting were received on behalf of Councillors K Casey and A Lees.

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28 **Appointment of Substitute Member**

There were no substitute Members appointed for this meeting of the Committee.

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29 **Declarations of Interest**

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

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30 **Minutes**

**Resolved**

That the minutes of the meeting held on 27<sup>th</sup> November, 2023 be approved as a correct record and signed.

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31 **Public Forum**

No issues were raised under this agenda item.

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32 **Dudley Highway Network Performance and Road Safety**

The Acting Service Director – Neighbourhood Delivery and Transport Strategy Manager gave a detailed presentation on an overview of the Dudley Highway Network Performance, Major Scheme Development and Road Safety, including National Data and Trends, Economic Impact and Local Data. It was suggested that Members may wish to undertake more in-depth scrutiny in relation to road safety at a future meeting if deemed appropriate.

Members were provided with statistical data on the annual traffic mileage by vehicle type in Dudley between 1993 and 2022 which identified a year-on-year growth in each year between 2011 and 2019. It was noted that a sharp decline was observed in 2020 during the COVID-19 pandemic, with traffic levels increasing during 2021 and 2022, however levels still remained lower than before the pandemic.

It was noted that the INRIX (a leading international provider of real-time traffic information, transportation analytics, and connected driver services) 2022 Global Traffic Scorecard had identified that all urban areas within the UK top 10 experienced increases in traffic congestion and delays during 2022, with London reaching above their 2019 pre-COVID level. This resulted in the typical driver losing 80 hours due to traffic congestion. It was noted that Birmingham was ranked fourth out of ten with a loss of 73 hours which accumulated into £646 cost per driver and £346m cost to the city. Although data was not available for Dudley specifically, it was anticipated that the figures would be comparable to Birmingham.

An overview of the traffic congestion experienced throughout the Borough on an average weekday was provided which highlighted significant congestion during the evening. The information allowed the Local Authority to identify the top 20 traffic delay hot spots across the Dudley Highway Network which were categorised into the following to help reduce congestion:

- Green – Locations in the pipeline and under development with both indicative funding and allocated funding confirmed in areas including A4123 Corridor; A456 Manor Way / Grange Road and A4123 Birmingham New Road / Sedgley Road.
- Amber – Locations that were affected by ongoing highways works in areas including A459 Castle Hill due to the Metro Construction Impact and A458 Colley Gate, Cradley due to a recent traffic signal upgrade.
- Red – Locations that had been identified for a future programme. Funding opportunities would be explored in areas where the Levelling Up Funding Bids were unsuccessful such as A458 Lye High Street.

It was noted that locations such as Stourbridge Ring Road, A491 Hagley Road/Ham Lane, A459 Kent Street - Burton Road, Upper Gornal and A459 Halesowen Road, Netherton would be investigated for network efficiency gains.

Reference was made to the five-year capital funding that had been agreed as part of the City Region Sustainable Transport Settlement awarded by Transport for West Midlands for local transport investment. The funding created two significant five year pipelines namely, Local Network Improvement Plans and Maintenance settlements totalling £1,760,400 and £4,486,100 per annum, respectively.

It was reported that phase two had commenced in delivering the installation of the cycle infrastructure along the A4123 Birmingham New Road from Tipton Road Junction to Castle Road Junction.

The Transport Strategy Manager referred to the Local Transport Plan developed by Transport for West Midlands which focussed on 6 Big Moves including Behaviour change; Walk, wheel, cycle and scoot; Accessible and inclusive places; public transport and shared mobility, safe, efficient and reliable network and green transport revolution.

It was noted that the Local Authority was required to consider the Bus Service Improvement Plan and Cycle Infrastructure Design (LTN 1/20) when developing designs to allow continued investment in transport. It was acknowledged, however, that Dudley's Highways Network was constrained and therefore a sensible and balanced approach was needed during scheme development.

The conditions set out within the City Region Sustainable Transport Settlement Letter required the Local Authority to promote modal shift from cars to public transport, walking and cycling and to further the objectives of the national bus and cycling strategies, including ambitious bus and cycling priority measures. It was noted that Active Travel England worked collaboratively with the Department for Transport and managed funding for dedicated walking and cycling initiatives and challenged failure by withholding funding for failure to meet standards.

Reference was made to the development of plans for multiple site specific and corridor-based transport schemes which required Department for Transport compliant business cases in accordance with the new West Midlands Combined Authority Single Assurance Framework governance processes before funding could be released. An extensive consultation exercise with Cabinet Members, Ward Members, Members of the Public and wider stakeholders would also be imbedded in scheme development.

Members were also advised that the Dudley Local Plan and an updated Transport Strategy was in development with national and regional objectives embedded. The importance of Member support was emphasised in moving forward taking into account some potentially difficult choices to be made.

The Acting Service Director – Neighbourhood Delivery then provided an overview of road safety and in doing so referred to the statutory duty of the Local Authority to promote and improve road safety by undertaking studies into collisions arising out of the use of vehicles on roads and take measures considered appropriate in order to prevent such collisions on both existing and new roads.

Reference was made to the six engineering measures adopted by the Local Authority including traffic calming and reallocation of road space. It was noted that improved pedestrian facilities that were suitable and useable was essential in order to promote active travel.

It was noted that 60% of Dudley Borough schools had adopted a 20mph speed limit as part of the Safer Routes to School programme. It was anticipated that 100% would be completed by 2025.

Members were advised of the National Road Safety Scheme of the Year Award achieved by Dudley Council in 2022 recognising the innovative use of an intelligent junction warning sign that could be tailored to the specific junction. This scheme had been implemented in Oakham Road, Dudley which had seen a dramatic reduction in injury collisions with none recorded since the work was completed.

The significant number of requests received and undertaken by the Road Safety Team was acknowledged. It was noted that the Local Authority had completed five safety schemes during 2023 with a further four schemes in progress which was expected to be completed by the end of the financial year.

The need to improve communication in particular promoting schemes that were progressing in design stages was mentioned. Further work was being undertaken in developing the first Road Safety Strategy for Dudley to evidence current projects and future planning. It was noted that 18 schemes had been planned for next year and were currently being designed to be implemented in the next financial year.



The Acting Service Director – Neighbourhood Delivery reported on the extensive Road Safety Education initiatives provided by the Local Authority including road safety training, tailored road safety presentations for all age groups delivered in schools and community settings and partnership working to enable targeted campaigns throughout the year.

It was recognised that although implementing engineering measures would work in areas, this was impacted at times upon motorists' behaviours and driving and the priority was emphasised in ensuring roads were safe for pedestrians and drivers.

The Acting Service Director – Neighbourhood Delivery also referred to the School Streets Initiative and the proposed trial of the temporary road closure within a school street during drop-off and pick-up times.

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

- a) Councillor K Denning, although welcomed the presentation and data sets, shared his disappointment that the presentation given had not been included in the agenda pack or circulated prior to the meeting and considered that this significantly impacted his ability to prepare pertinent questions in advance of the meeting. Councillor J Martin supported the comments made and suggested that this had not met the requirements of the Equality Act 2010 and concurred that this approach should not be repeated moving forward.

The Chair acknowledged comments made and shared the reasoning why the presentation was not previously shared and undertook to consider accessible formats moving forward.

- b) Councillor K Denning referred to the new traffic crossing and average speed cameras installed on Birmingham New Road between Dudley Canal Trust and Priory Road, and whilst acknowledging that traffic had slowed down, queried what other measures could be implemented to further improve road safety.
- c) Reference was made to the temporary one lane traffic restrictions for both directions in Castle Hill, Dudley and the impact this would have on the congestion and regeneration around the Town Centre and surrounding roads.

- d) Councillor K Denning welcomed the ambition of all Dudley Borough Schools adopting the 20mph speed limit but queried how this would be achieved for schools that were located near busy roads such as Bishop Milner Catholic College.
- e) Although welcoming the School Streets Initiative, Councillor K Denning suggested that improvements were needed in educating motorists given the delays that were likely to occur once streets were temporarily closed. He therefore queried what measures could be implemented by the Council and whether staggered start times for Dudley employees had also been considered.
- f) In responding to comments made by Councillor K Denning, the Transport Strategy Manager welcomed the safety measures implemented on the Birmingham New Road and acknowledged the restrictions introduced around Castle Hill, Dudley which were adopted to facilitate works safely to the Midland Metro Extension. Further consideration was also being undertaken to support regeneration within the Town Centre.

The Acting Service Director – Neighbourhood Delivery confirmed that the Local Authority had been successful in being awarded powers to enforce a range of driving offences by the Department for Transport in order to improve road safety, tackle congestion and improve air quality, with initial locations being identified. With regard to the 20mph speed limit around schools, it was confirmed that the temporary restrictions would only apply during peak school times. A review of the pilot on the School Streets Initiative would also be undertaken to consider whether this was acceptable moving forward. It was also agreed that changing behaviours and educating children at schools was essential to ensure road safety. It was suggested that as an organisation, it had adapted well to hybrid working, however further consideration could be given to staggering operational shift times in order to try and alleviate traffic congestion during peak times.

- g) The Cabinet Member for Highways and Environmental Services thanked officers for the excellent presentation and overview given and acknowledged comments made by Members. It was stated that the presentation was intended to give a detailed oversight of work undertaken and to allow Members the opportunity to consider including a further in-depth scrutiny in the future work programme. Reference was made to the dramatic improvements to areas including Oakham Road, Dudley and the reduction in the number of collisions since the introduction of the intelligent junction warning sign. The significant improvements along the A4123 commuter route throughout the Black Country designed to encourage more people to walk, cycle or use public transport was also mentioned.
- h) Councillor D Borley welcomed the presentation given and referred specifically to the traffic delay hot spots throughout the Dudley Highway Network which was likely to increase further and therefore queried what measures would justify the need to implement further steps in order to reduce traffic congestion. He also supported the need for speed enforcement and excessive penalties in order to send a clear message to potential perpetrators.

In responding, the Transport Strategy Manager confirmed that a criterion would need to be met in order to allocate funding for schemes on a local level with initial consideration needed to sustainability modes. The difficulties associated with reducing two-lane traffic lanes to one within a constrained highways network was referred to and that a balanced approach was needed to ensure there was no detriment to the existing infrastructure.

The Acting Service Director – Neighbourhood Delivery emphasised that despite measures being implemented, traffic congestion would continue and that the nature of Dudley's Highways was difficult to quantify, therefore it was necessary to maximise skills and resources in order to improve and implement all aspects in accordance with criteria.

- i) With regard to the School Streets Initiative, Councillor D Borley referred to the planned pilot for roads near Peter's Hill Primary School which was welcomed by residents. He also suggested that the Thorns Primary School should be considered due to the premises being located on the Thorns Road, Quarry Bank, taking into account the ongoing safety concerns that had been raised.

- j) Further to comments made by Councillor D Borley, Councillor J Martin queried whether there was any pressure by the Local Authority in maintaining traffic flow in a safely manner against the need to work within the limited resources available.
- k) Reference was made to a statement within the Government's Transport Decarbonisation Plan in relation to taking steps in order to avoid a "*car-led recovery*". Councillor J Martin queried whether this would impact traffic flow and whether this would be deemed acceptable by users. He also queried whether the proposed measures were anti-motorist and counter productive for business recovery and potentially impact visitors to the Borough financially.
- l) Councillor J Martin also requested an update on the Local Authority's position in relation to traffic enforcement. He considered that fines should not be given in order to change behaviour however in some circumstances acknowledged that harder enforcement was needed for those that break the law and caused tragic consequences. It was anticipated however that the introduction of fines could be negatively received by members of the public in particular those that were commuting to work and that the success of the scheme would be determined by the outcomes.

In responding, the Acting Service Director – Neighbourhood Delivery stated that the areas consulted on were largely governed by Highways Legislation and that it was part of the Local Authority's criteria to consider whether these continued to be fit for purpose. Road safety for all was paramount and the introduction of the enforcement powers was considered a deterrent to users.

- m) It was also noted that a School Street Initiative pilot was also proposed around The Brook Primary School, Brierley Hill.
- n) Councillor J Martin welcomed the proposal to undertake further scrutiny in relation to road safety.

- o) In responding to comments made with regard to congestion, the Cabinet Member for Highways and Environmental Services acknowledged that a significant reduction in traffic congestion was not anticipated however the focus was to offer additional and improved pedestrian facilities such as cycling lanes. He also considered the enforcement powers to be a deterrent. Reference was made of the work undertaken with 'RoadPeace', a national charity for road crash victims, providing information and support services to people bereaved or seriously injured in road crashes.
- p) Councillor J Martin referred to a previous consultation undertaken in relation to the banned right turn located at the Northfield Road, Netherton junction, in particular that the option to install a controlled signal was rejected due to expenditure, however it had been agreed that fines would be issued to drivers that continued to drive through banned turns. He therefore queried why fines were preferable rather than investing in additional traffic calming measures.

In responding, the Cabinet Member for Highways and Environmental Services emphasised that the Local Authority was not focused on penalising motorists and that there were more funding options available now to consider alternative measures. Although acknowledging comments made, it was considered that enforcement was justified in certain areas.

- q) Councillor P Dobb referred to the traffic restrictions and poor road markings located in Castle Hill, Dudley and the significant impact this caused to traffic congestion in particular during peak times. Concerns were also raised on the lack of consultation of the introduction of the one-way traffic system introduced in Ednam Road, Dudley between The Broadway and Priory Road.

In responding, the Cabinet Member for Highways and Environmental Services confirmed that media releases and communications were circulated following confirmation of the Traffic Regulation Order.

- r) In referring to the statistics in the INRIX 2022 Global Traffic Scorecard which identified that the typical driver in the UK lost 80 hours due to traffic congestion last year, Councillor I Kettle suggested that consideration should be given to the excessive average number of vehicles driven within each constituency each week and the need to travel for employment.

- s) In responding to a request by Councillor P Drake for an update on the ongoing car parking issues near train stations, the Transport Strategy Manager referred to regular meetings that were undertaken bi-monthly with the Transport for West Midlands who were responsible for train station car parks. Statistics identified that areas such as Stourbridge Car Park were underutilised, however it was accepted that Coseley Train Station was reaching a critical point and would therefore continue to be monitored. The number of Traffic Regulation Orders within the vicinity of Coseley Train Station was acknowledged, and it was noted that Transport for West Midlands would be reviewing their existing Park and Ride Strategy. Various options could be considered moving forward including the disposal of assets or additional park and ride capacity being explored.

The Chair thanked officers for the presentation given and the informative discussions undertaken during the meeting.

### **Resolved**

- (1) That the information contained in the presentation on an overview of the Dudley Highway Network Performance, Major Scheme Development and Road Safety, be noted.
- (2) That a presentation on road safety together with a review of the draft Road Safety Strategy be submitted to a future meeting of the Select Committee.

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### **33 Corporate Quarterly Performance Report – Environment Directorate – Quarter 2 (1<sup>st</sup> July, 2023 to 30<sup>th</sup> September, 2023)**

A report of the Acting Service Director – Neighbourhood Delivery was submitted on the Quarter 2 Corporate Quarterly Performance report of the 2023/24 financial year covering the period 1<sup>st</sup> July, 2023 to 30<sup>th</sup> September, 2023, which was aligned to the new 3-year Council Plan. Further data relating to the directorate service delivery was included as appendices to the report submitted, focusing on the Environment Directorate.

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

- a) Councillor K Denning referred to the breakdown of the number of Fly-Tip Investigations undertaken by ward during Quarter 2 in particular that the highest number of fly-tips having been reported were located in the Brierley Hill area, and queried what strategies were in place to reduce those areas that were impacted the most.

In responding, the Head of Waste and Fleet Operations confirmed that it was evident that the issues in Brierley Hill predominately related to residential and commercial waste on the High Street. It was noted that the Local Authority would be undertaking duty of care checks within areas in order to identify the perpetrators.

In responding to a further query from Councillor K Denning, the Head of Waste and Fleet Operations undertook to discuss with the Head of Planning to emphasise the need to allocate sufficient and safe places for waste disposal once applications had been submitted for larger developments including houses in multiple occupation (HMO).

The Cabinet Member for Highways and Environmental Services referred to the significant increase in fines faced by fly-tippers which sent a clear and strong message to perpetrators. Reference was also made to Dudley's 'You've Been Shamed' campaign on the Dudley Council website displaying images collected from Closed-Circuit Television systems of fly-tipping perpetrators.

- b) With regard to fly-tipping, Councillor D Borley referred to the ongoing work in Lye in order to mitigate the number of investigations and incidents including reminding landlords of their responsibilities and options available and installing appropriate signage within the vicinity in consultation with the Assistant Team Manager, Neighbourhood Services and West Midlands Police.
- c) In responding to a question raised by Councillor D Borley relating to PI. 1499 - % municipal waste land filled, the Head of Waste and Fleet Operations confirmed that other waste that had been prioritised over the Household Waste and Recycling Centre waste by the operator of the Energy from Waste controls was associated to other contractors. Members were advised however that the Energy from Waste contractor had been requested to consider receiving more waste from the Household Waste and Recycling Centre over other commercial waste which was expected to reduce the outturn moving forward.

- d) Following a suggestion made by Councillor D Borley, the Head of Waste and Fleet Operations undertook to consider the reduction of the allotted slot time at the Household Waste and Recycling Centre to allow for additional appointments to be made available.
- e) In responding to a question raised by Councillor I Kettle in relation to PI.2390 - % of gullies cleansed as per annual programme, the Cabinet Member for Highways and Environmental Services confirmed that fixed penalty notices for the offences of fly-posting also included graffiti.

The Acting Service Director – Neighbourhood Delivery confirmed that the reduction in the number of gullies cleansed during Quarter 2 resulted from the in-house tanker being unavailable for approximately six weeks due to a technical breakdown. Further investigation would be undertaken to address the delays; however assurance was given that work was now progressing. It was also noted that the target percentage had doubled compared to last year and it was important to recognise that ambitious targets had been implemented and were being met.

- f) Councillor J Martin referred to the historic issues of machines being un-operational for extended period of times, and emphasised that Elected Members and residents expected a longer and sustainable solution.

In responding, the Acting Service Director – Neighbourhood Delivery acknowledged comments made and confirmed that the cleansing of gullies had not been undertaken for a period of time due to financial constraints. It was accepted that a vehicle being unavailable for six weeks was unacceptable and assurance was given that this was not a regular occurrence. Further consideration was being given to the type of vehicles that would be included in the fleet and it was expected that changes would be made over the next 12 months.

## **Resolved**

- (1) That the information contained in the report submitted, and as reported at the meeting, on the Quarter 2 Corporate Quarterly Performance report of the 2023/24 financial year covering the period 1<sup>st</sup> July, 2023 to 30<sup>th</sup> September, 2023, be noted.



- (2) That the Head of Waste and Fleet Operations be requested to emphasise the need for sufficient and safe places for waste disposal once applications had been submitted for larger developments with the Head of Planning.
- (3) That the Head of Waste and Fleet Operations be requested to consider the reduction of the allotted slot time at the Household Waste and Recycling Centre to allow for additional appointments to be made available.

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34 **Highways and Environmental Services Select Committee Progress Tracker and Future Business**

It was noted that an update on Delivering the Neighbourhood Approach would be considered for inclusion on the agenda for the next meeting of the Select Committee in March, 2024.

**Resolved**

That the Highways and Environmental Services Select Committee Progress Tracker and Future Business, as outlined in the report, be noted.

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35 **Questions Under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

The meeting ended at 8.15pm

CHAIR

## **Minutes of the Housing and Safer Communities Select Committee**

**Monday 20<sup>th</sup> November, 2023 at 6.00 pm  
In Committee Room 2  
At the Council House, Dudley**

### **Present:**

Councillor A Davies (Chair)  
Councillor S Bothul (Vice-Chair)  
Councillors J Cowell, T Creed, P Drake, I Kettle, K Lewis, J Martin, C Reid,  
D Stanley and M Webb

### **Officers:**

K Jones – Director of Housing and Communities, M Lyons – Interim Lead – Compliance and Building Safety, A Maqsood – Head of Housing Strategy (Directorate of Housing and Communities) and K Malpass - Democratic Services Officer (Directorate of Finance and Legal)

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### 18. **Opening Remarks of the Chair**

In view of the recent membership changes, the Chair welcomed Councillor C Reid to her first meeting of this Committee.

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### 19. **Apology for Absence**

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



## 20. **Appointment of Substitute Member**

It was reported that Councillor D Stanley had been appointed as a substitute Member for Councillor D Bevan, for this meeting of the Committee only.

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## 21. **Declarations of Interest**

Councillor J Cowell declared a non-pecuniary interest in relation to Agenda Item No. 6 (Quarterly Housing Performance Report – Quarter 1 (1<sup>st</sup> April – 30<sup>th</sup> June, 2023)), Agenda Item No. 7 (Tenant Satisfaction Measures – Tenant Perception Survey) and Agenda Item No. 8 (Customer Engagement and Involvement) as a Council tenant.

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## 22. **Minutes**

Councillor J Cowell referred to Minute number 14(m) – Corporate Quarterly Performance Report – Housing and Communities Directorate – Quarter 1 (1<sup>st</sup> April – 30<sup>th</sup> June, 2023), line two stating that the word Tenant be deleted to read Housing Board.

### **Resolved**

That subject to the above amendment, the minutes of the meeting held on 13<sup>th</sup> September, 2023, be approved as a correct record and signed.

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## 23. **Public Forum**

The following questions were raised by a member of the public who was unable to attend the meeting due to health issues.

- (1) In referring to the minutes of the meeting held on 13<sup>th</sup> September, 2023, which referred to the Tenant Housing Board and Dudley Housing Board, clarification was requested on what the Board was now called?
- (2) What was happening to high-rise forums? There did not appear to be a group that focused on the needs of high-rise properties.

- (3) In referring to information contained in the Quarterly Corporate Performance reports, the number of properties awaiting investment decisions had increased from 50 to 95 properties. A number of questions in relation to the matter were raised, as follows:
- (a) What was happening to those properties?
  - (b) What was required to bring the properties back into use?
  - (c) Out of the 95 properties awaiting investment decisions, what type of properties were they? The significant financial implications relating to the properties for the Local Authority was questioned as they were in high demand so why were they being held back?
  - (d) What had been spent on properties awaiting investment decisions over the last 20 years.

### **Resolved**

That the Director of Housing and Communities be requested to provide a written response to the member of the public.

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24. **Quarterly Housing Performance Report –Quarter 1 (1<sup>st</sup> April – 30<sup>th</sup> June, 2023)**

A report of the Director of Housing and Communities was submitted on the Housing quarterly performance figures following the presentation of the Quarter 1 Corporate Quarterly Performance report submitted to Overview and Scrutiny Committee on 19<sup>th</sup> October, 2023.

The Director of Housing and Communities indicated that the report provided progress against the delivery of the corporate key performance indicators (KPIs) and a service improvement plan of actions which provided Members with the opportunity to discuss performance directly relevant to the work programme of the Committee.

Dashboard summaries highlighted four corporate quarterly measures for Housing and Community Services, one highlighting “on or exceeding target” with the other three highlighting “below target”. Further information was included in the appendix to the report submitted to the meeting.

In terms of PI 1191 – Average re-let time for standard re-let, it was reported that the average re-let times for standard voids had decreased from 60.23 days in Quarter 4 2022/2023, to 49.26 days in Quarter 1 2023/2024, compared to 61.7 days for the same period last year. The positive progress had been driven by an ongoing review of the end-to-end void process, however, there had been a slight impact on void turnaround times as a result of the ongoing stock condition survey. Properties that appeared empty, but still had a legal tenancy agreement in place, required a mutual agreement or Court order to end an agreement and figures for this type of property had not been included in the void figures.

In terms of PI 1899 – Rent loss, the KPI was linked to PI 1191 above in that the quicker void properties were brought back into use, the lower the rent loss associated with the void. The cumulative rent loss in Quarter 1 2023/24 was 2.28% which equated to £338k, of which £311,555 was attributable to routine voids. The reduction of average re-let times had a positive impact on void loss which had been evidenced by the reduction of rent loss attributed to routine voids from 70% to 65%. The remaining rent loss of £247,043 in Quarter 1 2023/24 was made up of £119,219.62 due to improvement programmes in sheltered stock or decanting people to facilitate them, £19,243.43 attributed to properties used for decanting or held for future decant, and £108,580.04 attributed to ninety-five properties awaiting an investment decision. A report would be submitted to a future Cabinet meeting outlining recommendations on the disposal of homes currently held pending an investment decision.

In referring to PI 2027 – Satisfaction on how anti-social behaviour complaints were handled, it was reported that whilst figures had increased through 2022/23, satisfaction with anti-social behaviour (ASB) complaint handling had decreased in Quarter 1 2023/24. The target of 70% had been set as a stretched target and was almost 10% higher than the benchmarking median of 60.7%. When compared to the benchmarking median, the Quarter 1 2023/24 performance was only marginally lower at 59.8%, however, the Quarter 1 2023/24 performance was lower than throughout 2022/23 which was an area of concern and required further consideration.

Following the review of the ASB service in 2022/23, initial issues relating to staffing levels and processes within the service had been addressed leading to improvement in customer satisfaction. However, following reduced staff resources due to successful promotion and development opportunities and sickness absence, the service had again been impacted negatively on customer satisfaction. A full review of staffing, systems and processes was now being undertaken and would lead to improvements being observed moving forward. Progress on improving service delivery and customer satisfaction would be included in the report on Community Safety and Anti-Social Behaviour Services programmed for 22<sup>nd</sup> January, 2023.

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

- (a) Councillor J Cowell expressed concern that the key performance indicators (KPIs) outlined in the report submitted referred to the Quarter 1 period, which had been provided and discussed at the meeting held on 13<sup>th</sup> September, 2023. Whilst acknowledging that the figures related to Quarter 1 from the period 1<sup>st</sup> April to 30<sup>th</sup> June, 2023, the Director of Housing and Communities indicated that performance information had been presented to the Overview and Scrutiny Committee on 19<sup>th</sup> October, 2023 and given the number of concerns raised, it was considered that Members of the Housing and Safer Communities Select Committee be provided with a further opportunity to discuss areas that required improving. Members were advised that Quarter 2 KPIs would be submitted to the Committee on 22<sup>nd</sup> January, 2023.

- (b) In referring to PI 2027 – satisfaction – the way anti-social behaviour complaints were handled, Councillor J Cowell indicated, that whilst acknowledging the rationale of transferring the lower-level anti-social behaviour (ASB) cases to the Housing Team, concern was expressed at the historic high levels of staff turnover within the service, which could negatively impact the potential for improvement. In responding, the Director of Housing and Communities explained the logic relating to the restructure and being more proactive in effectively dealing with low-level ASB and neighbour nuisance issues. Members were advised that following the recent restructure of the Directorate of Housing and Communities, a number of staff within the Anti-Social Behaviour Service had successfully obtained a position within the Housing Management Team which provided a range of expertise and knowledge into front line Housing Services. In responding to a question raised by Councillor J Cowell in relation to concerns regarding the changes taking place within the Directorate of Housing and Communities and the likelihood of impacts on tenants, the Director of Housing and Communities indicated that the Housing Management Team was fully resourced and staffed, however, the Service would be monitored frequently to maximise improvement opportunities.
- (c) In responding to a question from Councillor I Kettle, the Director of Housing and Communities indicated that whilst the service had not encountered any staffing issues, the challenges relating to recruitment was acknowledged. It was noted that specific skills and expertise were essential in certain roles within the Local Authority to ensure services were delivered in line with customer expectations. Significant competition within the employment market was acknowledged, particularly as officers' salaries within the Authority were lower in comparison to neighbouring Local Authorities and private sector organisations.
- (d) Councillor D Stanley complimented the Director of Housing and Communities on the successful recruitment of a specific officer within the Anti-Social Behaviour Team.
- (e) Councillor C Reid referred to the high level of ASB in Wolverhampton Street and surrounding areas and queried the level of responsibility of Housing Officers and at what stage Police involvement was requested.

The Director of Housing and Communities explained the various stages of ASB referrals from Housing Officers dealing with low-level ASB, to cases being transferred to the Police and Court system. Reference was made to the role of Housing Officers which required them to be visible and recognisable to tenants, placing them in an ideal position to deal with low-Level ASB cases more effectively and in a timely manner. Cases that were considered more complex or continued to escalate were referred to the ASB Specialist Team for appropriate negotiation, mediation or legal action, which may involve collaborative working with the Police should matters escalate outside the responsibility of the Local Authority. Complex ASB cases were referred to the Court for appropriate legal action as a last option in cases where the Local Authority and Police had exhausted all options available to them, however, extensive evidence was required prior to the Court system being involved.

- (f) In responding to a question from Councillor C Reid, the Director of Housing and Communities indicated that Members and tenants would not need to contact the ASB Specialist Team directly. Housing Officers would be required to deal with any reported incidents in the first instance and refer to the ASB Specialist Team should the matter continue to escalate. Should Members or tenants be dissatisfied in the way Housing Officers were dealing with a case, complaints should be made to the appropriate Housing Team Manager to review the incident and consider whether more specialist intervention was required.
- (g) Councillor D Stanley and Councillor C Reid expressed their disappointment at the void turnaround times given the number of people waiting for properties in the Borough. It was queried whether there was scope to speed up the re-letting process to enable properties to be made available in a more appropriate timeframe, given the significantly lower void turnaround times in the private section. Concern was raised in relation to void properties that remained empty due to the asset being used as storage, and it was considered that it would benefit the Local Authority financially should consideration be given to using storage organisations rather than losing rent on a property.



Whilst it was reported that void turnaround times varied depending on property type, the Director of Housing and Communities acknowledged that significant improvement was required in that specific area. A more collaborative approach was required with all services involved in the void process to reduce delays. Members were advised that whilst a property may appear empty, in some cases, a legal tenancy agreement was still in place which must be ended by mutual agreement or through the Court process before it could be turned around and relet. Whilst more work was required to reduce void turnaround times, progress had been observed compared to the same period last year due to the ongoing review of the end-to-end point void process. It was considered that targets had not been reached during Quarter 1 due to the significant work being undertaken around the stock condition survey (SCS) for all assets in the Borough.

- (h) In responding to questions raised by Councillor A Davies in relation to next steps following the completion of the SCS, the Director of Housing and Communities indicated that the current KPI targets for the average re-let times had been agreed in February 2022. Targets for 2024/25 would be considered in the near future with the aim to reducing targets further. Whilst it was anticipated that further progress would be observed moving forward, it was acknowledged that this would take some time but the service was confident that the improvements identified would rectify historic issues. The Interim Lead for Compliance and Building Safety reported that whilst there had initially been delays delivering the required improvements due to the work around the SCS, it was envisaged that following surveys being carried out on all Council assets, it would provide important data on properties in relation to condition and planned maintenance/repair work when a property became vacant moving forward.

The Interim Lead for Compliance and Building Safety reported that every void was being considered in a strategic manner and addressing the long-term viability of properties as assets became vacant. A more robust approach had been developed which had identified a significant number of void properties that required considerable investment and were beyond economic repair. Housing standards required improvement and assets identified as not being suitable for customers were disposed of, however, in order to maintain stock levels, the income generated from the sale of void properties would allow properties to be purchased from the open market which were readily adapted to aid the additional needs of some of the Council's customers.

- (i) Councillor D Stanley queried the reasons why properties were being allowed to go into disrepair and requiring significant investment to bring them back into use. It was considered that home checks should be carried out frequently to identify any maintenance/repair work in homes which should be carried out immediately to ensure the quality of the property remained satisfactory.

The Interim Lead for Compliance and Building Safety indicated that properties identified for disposal would be replaced by better quality accommodation. Intelligence had highlighted that some customers securing a tenancy with the Local Authority were short-term due to the condition of the property. The lack of historical investment in properties could be attributed to customers refusing access to properties to carry out assessments and required maintenance/repair work over a significant period of time. It was reported that historically, access, maintenance and repair work refusals had been accepted, however, the Local Authority had now adopted a no refusals policy to ensure the Council's assets were appropriately maintained moving forward.

- (j) Councillor J Martin queried whether there were any alternative market solutions to improve the service around void properties rather than disposal.

The Interim Lead for Compliance and Building Safety indicated that alternative market solutions available to the Council which would allow assets to be retained by the Local Authority were currently being investigated. There were a number of models available such as ownership models, models where the Local Authority worked collaboratively with an outside private organisation but ultimately the housing stock would be retained within the Council's housing portfolio or sold to the open market, however the sale of housing assets to the open market was not an option the Local Authority would like to consider. The preferred option would be to work collaboratively with a private sector housing provider who would manage some of Dudley's housing stock. A number of options were available and were currently being explored and a report on available options on how to manage housing stock more effectively and any financial impact would be presented to a future meeting of the Committee.

- (k) Councillor J Cowell expressed concern that the models being explored would result in increased rent for Council house tenants, which was considered unacceptable as council housing was considered a "last resort" accommodation, when customers were unable to afford private sector housing. The Director of Housing and Communities acknowledged the concern raised, however, indicated that they were committed to protecting Council tenants, keeping rent low and affordable whilst providing opportunities to meet customer housing needs and aspirations.
- (l) Councillor D Stanley referred to the potential challenges relating to the budget ringfenced for Housing in the event of increased interest rates due to the significant debt charge associated with the Council's housing stock.

## **Resolved**

That the Quarter 1 Quarterly Housing Performance report covering the period 1<sup>st</sup> April to 30<sup>th</sup> June, 2023, and the comments made by Members, be noted.

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## 25. **Tenant Satisfaction Measures – Tenant Perception Survey**

A report of the Director of Housing and Communities was submitted to provide an overview on the introduction and implementation of Tenant Satisfaction Measures (TSM), examining specifically the Baseline Tenant Perception Survey 2023 element of the research, which was attached as an appendix to the report submitted to the meeting.

The Director of Housing and Communities and Head of Housing Strategy referred to the requirements of the social housing landlords in England in providing good quality homes and services for tenants. TSM's had been developed to:-

- Make landlords' performance more visible to tenants;
- Help tenants hold landlords to account; and
- Point the Regulator to landlords that might need to improve services.

Following a consultation exercise during 2022, it had been agreed that there would be twenty-two TSM's, covering five themes namely, keeping properties in good repair, maintaining building safety, respect and helpful engagement, effective handling of complaints and responsible neighbourhood management. Ten TSM's would be measured by landlords directly and twelve would be measured by landlords through carrying out tenant perception surveys. TSM's were outlined in the report submitted to the meeting. The Regulator had provided clear guidance on how perception surveys should be undertaken and published comprehensive technical documents to ensure a consistent approach was taken by social landlords.

Social landlords would be required to record measures during 2023/24 and submit a report to the Regulator at the end of the financial year where performance would be benchmarked and published to enable tenants to view how all landlords were performing.

The Local Authority commissioned Acuity Research and Practice (Acuity) to carry out a procurement exercise on baseline and actual Tenant Perception Surveys. The baseline results would be included in Quarter 2 2023/24 with the actual results being included in Quarter 4 2023/24. The Baseline Perception Survey was conducted through telephone contact between 3<sup>rd</sup> July and 12<sup>th</sup> August, 2023, which had proven to be a more popular method with tenants. An analysis of the Baseline Tenant Perception Survey was included in the report submitted to the meeting with the full report being attached at Appendix 1.

The Baseline Tenant Perception Survey provided a valuable starting point for understanding tenants and key areas of improvements for Housing and related services.

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

- (a) In referring to the complaints procedure, Councillor J Cowell expressed concern at the lack of engagement officers had with complainants. It was considered that complaints would be addressed more effectively with improved communication techniques. In responding, the Head of Housing Strategy acknowledged the concern raised and indicated that improved strategies were an essential requirement to ensure that the service was delivered effectively. Historically, complaints had been dealt with in line with Council policies and procedures, however, a more modernised approach was required, which had been identified following the recent Tenant Perception Survey which had been carried out. It was acknowledged that the working relationship between the Local Authority and the Housing Ombudsman had improved significantly which had created learning opportunities which had been adopted to improve efficiencies. A Learning Group had been established to consider complaints received during a period of time to ascertain any underlying themes that may not have been identified by dealing with individual complaints.
- (b) Councillor J Cowell expressed concern around the proposal to introduce a service charge for the maintenance of communal areas. Reference was made at the lack of communal maintenance in various locations of the Borough and indicated that should charges be introduced, it was essential that the service was being provided.

The Director of Housing and Communities acknowledged that some tenants had raised concerns relating to the condition of communal areas. It was reported that housing providers were legally able to apply a service charge to homes with shared facilities or open areas that required maintenance that contributed to the Housing Revenue Account (HRA). Proposals had been approved as part of the 2022/23 budget setting process and would be revisited with a view to introducing a nominal service charge from 2023/24. Further consideration was required to ensure that the scheme adopted was fair moving forward, which would provide tenants with the opportunity to hold the Council to account should services not be delivered effectively. More work was required to ensure that the right level of service was delivered with improved opportunities for tenants to engage with the Council and provide feedback. Members were assured that should service charges be introduced moving forward, services would be delivered across all housing with communal areas.

- (c) Councillor J Cowell referred to the additional areas of concern raised by customers, outlined on pages 59 and 60 of the Appendix submitted. The level of concerns raised were troubling and improved strategies were required to enhance service delivery and improve customer perception.
- (d) Councillor D Stanley referred to the level of performance carried out by contractors and indicated that it was essential to review all service contractors to ensure that the level of service was being delivered consistently across the Borough. Frequent concerns had been raised by constituents regarding the process for utility repairs/maintenance and appropriate annual service requirements of facilities, which had left vulnerable people without heating and hot water, which was considered unacceptable. In responding, the Director of Housing and Communities reported that a review was currently being undertaken of all external contractors with a view to adopting a new contract management arrangement to improve the level of service offered and provide tenants the opportunity to engage more effectively with contractors.

The Interim Lead for Compliance and Building Safety acknowledged that underperformance of some external and internal contractors was a concern and various improvement techniques had been adopted to address the ongoing issues. Whilst it was acknowledged that performance improvements had been observed with the Council's heating contractor, further improvements were necessary, particularly moving towards the winter period, however, assurances had been provided that additional resources had been secured to ensure that there was adequate staff to cover the increased demand expected for the service. Incidents of poor performance from contractors had not been referred to Senior Officers and Members were encouraged to contact the Interim Lead for Compliance and Building Safety to provide further information of incidents for investigation and appropriate action.

- (e) In responding to a question from Councillor C Reid, the Interim Lead for Compliance and Building Safety acknowledged the concerns in relation to the service provided within the remit of Green Care and confirmed that the services provided were from Council resources. Discussions were ongoing with Green Care colleagues to review service requirements and identify improved strategies to ensure a more consistent service was provided.

Councillor D Stanley referred to the historic arrangements of the Green Care Service when the Borough was divided into five townships, however, problems occurred when the areas reduced to three townships creating additional pressure on officers to manage a larger area of the Borough. There was a proposal to increase the townships back to five which would significantly improve the service moving forward. Members were reminded that a number of employees covering some of the Green Care Services were employed on a casual basis, as and when the service was required.

- (f) Councillor T Creed referred to the current arrangement the Council had with specific suppliers to provide materials to carry out replacement, repair and maintenance work in properties. Concern was raised at the lack of suppliers that officers could approach to restock materials in vehicles, which had caused delays to programmed work. It was considered that should more local suppliers be offered contracts to supply materials for the Council, it would significantly improve efficiency. The Interim Lead for Compliance and Building Safety indicated that a review was being undertaken in relation to housing maintenance to identify improvements and efficiencies with a view to assessing and agreeing a more attractive cost arrangement. The requirement to use central stores provided the ability to retain appropriate material on vehicles, control the cost of materials, guarantee that materials were available when required and to prevent potential fraud.
- (g) Councillors T Creed and P Drake referred to the lack of communication between officers and Councillors as it was noted that it was difficult to contact appropriate officers, particularly during periods of staff leave and sickness. Frequent complaints were also received from members of the public unable to contact Housing Officers. A number of queries were raised in relation to the level of staff employed across the service and whether employment bases were local, as well as concern in relation to officer response times to Councillors.

The Director of Housing and Communities referred to the presentation provided to Members at a previous meeting of the Committee on key priorities of the Neighbourhood Model that had been developed to reconnect and engage with tenants more effectively. Members' concerns were acknowledged in relation to the lack of communication and assurances were provided that all Housing Officers would predominantly be visible in communities and understanding tenants' concerns and delivering the service expected by customers with a view to reducing Councillor enquiries, complaints and improve satisfaction. The Service would continuously review the Neighbourhood Model to ensure that key aspirations were delivered in line with customer expectations and any feedback from Members would be welcomed.



Posters detailing photographs and central contact numbers of Housing Officers covering each area of the Borough were available online and copies would be re-circulated to Members of the Committee.

In responding to a question from Councillor C Reid, the Director of Housing and Communities indicated that a number of fixed Community Hubs would be provided in the imminent future and located in various areas of the Borough, including a hub in Halesowen and one in Chapel Street, Brierley Hill, where tenants would be able to attend and raise issues with Housing Officers. Whilst it was accepted that Community Hubs could not be provided in all areas of the Borough, in communities where tenants were unable to attend any of the fixed Community Hubs, it was intended that surgeries would be held in public buildings at various locations within the Borough, including the Dudley Council Plus building for Central Dudley tenants and possibly using the main office of the Dudley Federation of Tenants and Residents Association (DFTRA). Members were advised that previously, residents had to attend the Council officers located at the Harbour Building in Brierley Hill, so offering Community Hubs within the Borough was considered progress. Frequent monitoring of the Community Hubs would be taking place to ascertain usage and consideration of changing locations should it be necessary.

Whilst it was acknowledged that opening times of Council buildings varied and providing resources to staff a building for the duration it was open was considered an inefficient use of resources. It was envisaged that drop-in surgeries be arranged initially at certain times of the day on numerous days with frequent reviews taking place to identify whether improvements were required.

- (h) In responding to a question from Councillor T Creed, the Director of Housing and Communities referred to the refreshed responsibilities of Housing Officers. Officers were required to communicate with Councillors and the community more frequently and deal with the day-to-day issues rather than working from a static location. Regular monitoring of work-related messages would be carried out with officers responding when they became available, and any concerns should be raised with Team Managers in the first instance for appropriate investigation and action.

- (i) In responding to a question from Councillor A Davies, the Director of Housing and Communities confirmed that on average Housing Officers were responsible for approximately 600 properties.
- (j) Councillor I Kettle queried the number of respondents to the Tenant Perception Survey. It was reported that 1001 customers had responded, however, on page 61 of the Appendix submitted, the number reduced to 12 respondents. In responding, the Head of Housing Strategy confirmed that the survey had been circulated randomly to a number of customers across the Borough. It was confirmed that the survey captured different elements of housing groups and whilst it was confirmed that 1001 responses had been received, only twelve customers in the category of housing for older people had provided feedback.
- (k) Councillor J Cowell queried when letterheads, e-mail signatures and other documentation would be altered as it was still recording the Harbour Building as the base location of the Housing Services and was causing confusion to customers. In acknowledging the comment made, the Director of Housing and Communities indicated that the PIMMS system was currently in the process of being updated by Human Resources (HR), however, due to resource issues in (HR) and the significant number of employees within the Directorate of Housing and Communities, the process had been delayed.

### **Resolved**

- (1) That the content of the report submitted to the meeting and comments made by Members, be noted.
- (2) That “Know Your Community Housing Officer” posters for each of the six areas of the Borough be re-circulated to Members of the Committee.

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## 26. **Customer Engagement and Involvement**

A report of the Director Housing and Communities was submitted on an update on the Council’s approach to customer engagement and involvement, outlining progress to date, to provide Members with the opportunity to ensure that plans were robust, met customer needs and supported the delivery of high quality, value for money services.

In presenting the report, The Director of Housing and Communities indicated that in November, 2020, the UK Government published “The Charter for Social Housing Residents: social housing white paper”. The White Paper outlined new regulatory arrangements for social landlords, including local authorities. The Regulator of Social Housing (RoSH) would be responsible for a more proactive consumer regulatory regime that would strengthen the formal standards against which the Council was regulated. The requirements and commitments of the Charter that the Council would be judged on were outlined in the report submitted to the meeting. The Council would be implementing appropriate services and standards and performance measures in order to deliver the key commitments within the Charter.

A review of the Customer Involvement and Engagement Strategy was currently being carried out with the revised strategy being co-produced with key customers, partners and Members. The strategy would provide a robust framework for listening and responding to feedback from customers to continuously improve customer experience and satisfaction. All existing customer involvement groups were being reviewed to identify what services were already in place and any potential gaps with refreshed Terms of Reference being drafted for consultation. Proposals were being developed to establish an overarching Customer Involvement Board to oversee the delivery of the revised Strategy, to lead on the publication of the Customer Annual Report and to scrutinise performance against the RoSH consumer standards, TSM’s, Ombudsman Complain Handling Code and other customer related activity.

The Council had engaged TPAS, a not-for-profit organisation to undertake a Smart Review of the Council’s housing services. The process included a review of key documents and processes, together with listening to feedback from staff and tenants to capture and understand experience of resident engagement. Actions arising out of the review would be incorporated in the new Customer Engagement and Involvement Strategy.

Information on key customer communication strategies and events were outlined in the report submitted at the meeting.

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

- (a) In responding to a question from Councillor J Cowell in relation to the level of engagement with both tenants and residents, the Director of Housing and Communities indicated that there was a requirement to engage with both housing groups to ensure that the key obligations of the Customer Engagement and Involvement Strategy were met. It was noted that excluding customers would disadvantage the desired outcome of the Strategy and create obstacles when tackling issues that affect the whole community effectively.
- (b) Councillor J Cowell queried other than DFTRA and the Housing Group, what other involvement groups had been reviewed. Reference was made to the TPAS Smart Review of housing services, and it was queried whether individual Tenants and Residents Associations (TRAs) or the wider housing organisations had been approached. It was considered that communicating with tenants would provide a better understand of the housing issues within the Borough.

The Director of Housing and Communities confirmed that all groups currently working with the Council were being reviewed, including the constitution of the Housing Board and the service level agreement (SLA) with DFTRA. It was acknowledged that it was an essential part of the Strategy to engage with customers to identify any gaps within the service that needed to be addressed moving forward to improve the services provided. Whilst TPAS had approached DFTRA as the representative body of TRAs, the focus was to encourage all customers to get involved and not just specific groups, to provide the service with a more community view.

- (c) Councillor J Cowell referred to the Safety Matters Event where approximately twelve customers attended. It was considered that around 50% of attendees were residents, and the themed workshops that focussed on communal areas, did not affect that group of people.
- (d) Councillor A Davies emphasised the importance of involving residents in issues affecting the Borough. He referred to cases where issues had arisen where private landlords had been approached and keen to rectify problems identified, however, a resident had resisted the need to pursue required resolutions. It was essential that the Council fulfilled its obligations and improve customer perception.

## **Resolved**

- (1) That the aspirations and commitments of the Housing White Paper and its impact upon the Council, be noted.
  - (2) That the activity in progress to review and refresh the Council's approach to engaging with tenants to improve customer experience and facilitate consumer regulation, be noted.
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### **27. Progress Tracker and Future Business**

In providing an update on the Action Tracker, the Chair indicated that all outstanding responses had now been actioned. He expressed his appreciation to all officers for the work carried out, however requested that responses were circulated promptly.

In responding to a question from Councillor J Cowell, it was agreed that responses provided to Members of the public be circulated to all Members of the Committee.

Councillor J Cowell raised concern in relation to the number of gas service appointments being cancelled at the last minute. It was an ongoing issue that needed to be addressed moving forward. In responding, the Interim Lead for Compliance and Building Safety indicated that tenant concerns had not been raised with appropriate officers. Intelligence received had been in relation to the lack of customer engagement with the contractor to arrange appointments. The Council adopted a sixty-five day access process prior to the expiration of gas certificates. Members were advised that the service had a robust approach to annual gas safety checks and numerous engagement methods were carried out towards the expiry of a certificate. The difficulty was the wide appointment banding times provided to customers and whilst consideration had been provided to reducing appointment banding times, it was not considered appropriate. Whilst it was acknowledged that improved communication between tenant and contractor was essential, the Interim Lead for Compliance and Building Services urged Members to contact him directly with any concerns raised by tenants for investigation and appropriate action.

Councillor C Reid referred to a personal issue within her ward regarding an infestation of bedbugs affecting a low-rise block of flats and whilst it was not considered an issue for the Council, one resident had a leak in his bedroom, however, the contractor had refused to access the property because of the infestation. The Director of Housing and Communities requested that further information be supplied, and appropriate action would be taken.

In referring to minute no 15(2), Councillor D Stanley indicated that it was not his responsibility to contact officers to provide further information, however, indicated that whilst personal contact details would not be provided due to data protection and the individual being a vulnerable person, the e-mail received regarding the matter would be submitted to the Interim Lead for Compliance and Building Safety for appropriate action.

### **Resolved**

- (1) That the information contained in the Action Tracker and Future Business for the Committee, be noted.
- (2) That responses provided to Members of the public be circulated to all Members of the Committee.

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### 27. **Questions Under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

The meeting ended at 7.50pm

CHAIR

## **Minutes of the Housing and Safer Communities Select Committee**

**Monday 22<sup>nd</sup> January, 2024 at 6.00 pm  
In Committee Room 2  
At the Council House, Dudley**

### **Present:**

Councillor A Davies (Chair)  
Councillor S Bothul (Vice-Chair)  
Councillors D Bevan, J Cowell, T Creed, P Drake, I Kettle, K Lewis, J Martin,  
C Reid and M Webb

### **Officers:**

K Jones – Director of Housing and Communities, R Cooper – Head of Financial Services, M Jones – Senior Principal Accountant and K Malpass - Democratic Services Officer (Directorate of Finance and Legal)

### **Also in attendance:**

M Smith – Local Democracy Reporting Service

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### 28. **Apology for Absence**

No apologies were submitted for this meeting of the Committee.

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29. **Appointment of Substitute Member**

No substitutes were appointed for this meeting of the Committee.

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30. **Declarations of Interest**

Councillor J Cowell declared a non-pecuniary interest in relation to Agenda Item No. 7 (Community Housing Services – The Neighbourhood Approach) and Agenda Item No. 8 (Review of Housing Finance), as a Council tenant.

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31. **Minutes**

**Resolved**

That the minutes of the meeting held on 20<sup>th</sup> November, 2023, be approved as a correct record and signed.

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32. **Public Forum**

No issues were raised under this agenda item.

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33. **Annual update on the Safe and Sound Partnership priorities and update on improvements to managing neighbour disputes and anti-social behaviour**

A report of the Director of Housing and Communities was submitted on the Safe and Sound Board (Dudley's Community Safety Partnership) providing an update on the Community Safety Partnership and the ongoing work to improve the management of neighbour disputes and anti-social behaviour.

The Director of Housing and Communities indicated that the Safe and Sound was Dudley's Community Safety Partnership, which was required in statute by the Crime and Disorder Act 1998, its subsequent amendments and other relevant legislation. A list of Responsible Authorities and statutory requirements of the Partnership were referred to and outlined in the report submitted.



The work of the Dudley Community Safety Partnership was directed by the Safe and Sound Strategic Board. The structure and Membership of the Board were referred to, together with key priorities identified. The Board had sub-groups which focused on a number of specific priority areas. The Safe and Sound Structure Chart was outlined in Appendix 1 to the report submitted.

Priorities were identified through Dudley Borough's Strategic Assessment and through engagement with communities through "Dudley: Have Your Say", an annual public meeting, surveys and through online consultation. Feedback received from Dudley: Have Your Say" was outlined in the report submitted to the meeting, however, it had highlighted that anti-social behaviour, house burglaries and dangerous driving were the main concerns. Members were informed that the 2023/24 public meeting would be taking place on Monday 19<sup>th</sup> March, 2024 at Stourbridge Town Hall.

Views obtained from last year's survey had informed the current year's priorities which were outlined at paragraph 11 of the report submitted.

The work of the Board was delivered through its sub-groups and those sub-groups were held to account for their contribution to the Board's aims, purpose and performance. There were currently fourteen sub-groups highlighted below with detailed information on progress and highlights over the last twelve month provided at paragraph 17 of the report submitted. The performance of the sub-groups was reported in to and monitored by the Safe and Sound Board. Work would take place in advance of the 2024/25 annual report to the Committee to ensure that the outcomes and direct impact of the sub-groups was presented within the report.

- Dudley domestic abuse local partnership board (and its Sub-groups which include the MARAC Governance Group (Multi-Agency Risk Assessment Conference for high risk victims of Domestic Abuse), Domestic Homicide Governance Group and the Domestic Abuse and Violence Against Women and Girls Forum);
- Violence Against Women and Girls (VAWG) Strategic Group
- Violence Prevention Group
- Dudley Combatting Drug and Alcohol Misuse Partnership
- Modern Slavery Strategic Group
- Rogue Landlord Operational Group
- CONTEST Board – currently being developed
- Prevent Delivery Group
- Protect Delivery Group – currently being developed
- Channel Panel

- Community Cohesion / Tension Monitoring Group (including Hate Crime)
- Road Safety Group – newly developed
- Safer Places
- Youth Justice Services (YJS) Management Board

An overview of the crime data for the 2023/24 period was referred to which highlighted that Dudley remained the safest Community Safety Partnership within the West Midlands Police Force area, with the total recorded crime decreasing during Quarter 2, compared to last year.

Training linked to partnership priorities was available on relevant “help hub” topic pages and information was shared on local services, accessibility, various campaigns throughout the year, advice and reporting requirements. The safe and sound website was updated as appropriate and included specific “help hub” pages.

Funding ringfenced for the Safe and Sound Partnership was referred to, however, the 2024/25 budget was yet to be confirmed. Funding was used to progress work around the partnership priorities. A list of projects funded by the Partnership during 2023/24 were outlined at paragraph 21 of the report submitted.

The Director of Housing and Communities indicated that the restructure of the Housing Service was now complete. During 2023/24 the Anti-Social Behaviour Team had relocated to the Safer Communities section from the Community Housing area of the Housing and Communities Directorate. The move aimed to bring together the work across the overlapping service areas and improve relationships and information sharing with key partners.

It was envisaged that the work would link in, where appropriate, with the work of the Community Safety Team in relation to Public Space Protection Orders (PSPOs) and would be the base for the new street officer team, a team of four officers working across Dudley’s hotspot areas to prevent, disperse and enforce against anti-social behaviour.

During 2023, the Anti-Social Behaviour Team had worked to clear the backlog of cases within the service and responded to feedback on the services delivered by the Team. Up until September, 2023, the Team continued to struggle due to low staff resources caused by sickness absence and vacant posts, however, following a recruitment exercise, the Team was now starting to move on to a more stable position.

The Team had begun to develop and improve service delivery with a revised policy in place and a new working procedure in progress that would improve service delivery moving forward.

The Anti-Social Behaviour Team and the Community Housing Team had worked collaboratively to develop and agree a new model for managing anti-social behaviour and neighbour nuisance, with Community Housing Officers dealing with the day-to-day issues on estates and the Anti-Social Behaviour Officers managing more complex/higher risk cases. The Anti-Social Behaviour Team had secured a set number of hours of advice from an external independent anti-social behaviour expert. The hours had been used to undertake independent case reviews, in particularly complex cases, to provide advice and training to the Team and to advise on any changes in policy and practice which would improve or enhance service delivery and outcomes.

Community triggers were now known as case reviews and significant work had been undertaken throughout 2023 to update and amend the case review process, which had led to improvements in data capture and information on websites had been revised to reflect the new terminology of Anti-Social Behaviour Case Reviews. A slight increase in Anti-Social Behaviour Case Reviews had been observed during the current year, however, it was predicated that it was due to the publicity around anti-social behaviour legislation from the Government and from additional publicity.

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

- (a) Councillor C Reid referred to the ongoing issues associated with the lack of presence of Housing Officers responsible for the Wolverhampton Street area and raised concern by the limited support provided which resulted in housing issues being dealt with by Ward Members. Police contact had improved, and a meeting had been arranged towards the end of January to discuss issues around substance and alcohol misuse, rubbish and fly tipping in the area, which had been reported to the Local Authority. It was essential that Housing Officers were present in communities and recognised by Members and tenants. The Director of Housing and Communities indicated that she would identify appropriate Housing Officers and circulate the information to the Member.

- (b) Councillor I Kettle referred to the volume of litter that was scattered around the Borough, particularly from fast food restaurant packaging. Graffiti remained an issue and it was queried when notices would be erected around the Borough notifying perpetrators of the intention to introduce penalty notices of up to £500. Strategies to educate the public on the impact and consequences of anti-social behaviour and graffiti were essential. The Director of Housing and Communities indicated that whilst matters associated with littering and graffiti did not fall within the remit of the Anti-Social Behaviour Team within the Local Authority, she undertook to raise the issues with appropriate colleagues and provide a response to Members of the Committee.
- (c) Councillor A Davies referred to the implications of litter being left unattended in certain areas of the borough which usually escalated to fly tipping. Reference was made to the lack of Estate Caretakers which had contributed to increased littering and fly tipping and whilst contractor caretakers were employed, additional resources were required to tackle the issues. It was requested what strategies were being considered to improve staffing issues within that service.

The Director of Housing and Communities indicated that the responsibility of litter, graffiti and fly tipping were shared across the Directorate of Housing and Communities. Estate Caretaker roles were currently being covered by agency staff in the short term whilst proposals were being considered to look at redirecting internal resources in the long term. Whilst it was recognised that the role of Estate Caretaker was important and beneficial for communities within the Borough, reference was made to the spending restrictions placed on the Local Authority in terms of recruitment.

- (d) In referring to incidents involving online harm, re-offending and serious organised crime, Councillor I Kettle indicated that investigation and action had previously been slow, which had been unacceptable and worrying. He queried what strategies had been put in place to address online harm and support victims as it was considered that the consequences could potentially be fatal.

The Director of Housing and Communities advised Members that the online harm element of the function was the responsibility of the Community Safety Partnership and would raise the concerns at the next meeting of the Safe and Sound Board at the end of January and request appropriate officers provide more detail in terms of the types of online harm being fed through the Community Safety Partnership and what was being done to tackle the issues. A written response would be provided to all Members of the Committee.

- (e) Councillor J Cowell, in her role as Shadow Cabinet Member for Housing, Communities and Leisure, queried whether she would be invited to future Community Safety Partnership Board meetings as it stated in the Membership structure that the member holding that position was a Member of the Board, however, she had not been invited to any meetings. The Director of Housing and Communities indicated that she would liaise with Police colleagues and ensure that future meeting invites were circulated.
- (f) In referring to the Anti-Social Behaviour Team, Councillor J Cowell queried whether the team was operating at full capacity. The Director of Housing and Communities indicated that Hayley Rowley had been appointed to the position of Head of Service and had reviewed team structures, policies and processes to identify efficiencies. With the new structure now in place and resources suitably positioned to roles to avoid duplication of work, improvements would be observed moving forward. In referring to the exceptional work provided by the Head of Service and her Team, Members requested that their appreciation be provided to the Team.
- (g) In referring to Public Space Protection Orders, Councillor J Cowell queried where those Orders were located, and the impact associated with them. The Director of Housing and Communities indicated that the information should be available online, however, she undertook to investigate the matter and circulate the information to all Members of the Committee. In responding to a question from Councillor J Cowell, the Director of Housing and Communities indicated that the Council's Community Safety Officers, in partnership with the Police were responsible for the delivery of the service. Members were advised that the Community Safety Team were based at Brierley Hill Police Station.

- (h) In referring to the Council's budget position, Councillor P Drake queried the realistic measures that could be put in place to address the anti-social behaviour associated with family breakdown, drug and substance misuse and mental health issues. In responding, the Director of Housing and Communities indicated that as a result of the current spending control's and budget pressures, significant work had been carried out on prioritising statutory and core duties to ensure that the Local Authority was fulfilling its responsibilities. Providing services around the Adult Social Care and Children's Social Care were considered a priority and budgets had been shaped around those services to ensure that appropriate services continued to be delivered at the level expected. Members were advised that Housing Officers supported families with various types of anti-social behaviour issues, however, certain aspects required specialist intervention and complex cases would be referred to appropriate services for professional advice and action.
- (i) Councillor P Drake queried what strategies had been considered around tackling burglaries and to ensure properties were safe, which had been highlighted as a priority for tenants. Reference was made to historical provisions that had been put in place to keep homes safe, however, those provisions had now creased. The Director of Housing and Communities confirmed that any discretionary spend from a housing approach would not be offered whilst spending restrictions to control Council's budgets were in place. Focus would be on the delivery of core duties under various legislation.
- (j) In responding to questions from Councillor K Lewis, the Director of Housing and Communities indicated that the Local Authority had a strong and professional working relationship with the Police, particularly on delivering the community safety agenda and duties delivered by the fourteen sub-groups outlined in the report submitted to the meeting, which all reported back to the Community Safety Partnership. Whilst Members were advised that the Safe and Sound Partnership provided an annual update to the Select Committee, a Police representative would be invited to attend for the next update to respond to specific questions raised by Members.

- (k) In referring in particular to the Road Safety Partnership sub-group, Councillor A Davies queried the requirements of measuring key performance indicators to establish performance and whether the services were being delivered effectively. In responding, the Director of Housing and Communities indicated that the Road Safety Partnership sub-group had been established recently as a result of the increased issues and anti-social behaviour associated with car cruising. Members were advised that all fourteen sub-groups were required to provide quarterly updates on performance of action plans in place and were monitored through the Community Safety Partnership Board.
- (l) Councillor A Davies referred to the importance of collaborative working with external partnerships to ensure that the key objectives of the Safe and Sound Partnership were delivered effectively. Concern was raised that the annual community safety fund received from The Office of Police and Crime Commissioner had not yet been confirmed and queried whether the funding was guaranteed. The Director of Housing and Communities confirmed that whilst the funding had not yet been confirmed, the grant would be provided, and Members would be advised of the details once the grant had been secured.
- (m) In referring to the set number of hours of advice secured for the Anti-Social Behaviour service from an external independent anti-social behaviour expert and the requirements of the additional advice, Councillor A Davies queried whether there were any policy changes required following the training provided. The Director of Housing and Communities indicated that a full review had taken place of appropriate policies and procedures and relevant up to date training had been provided to the team. The intention behind securing expert independent advice was for the expert to advise the service on any updated policies moving forward.

## **Resolved**

- (1) That the content of the report submitted to the meeting and comments made by the Members be noted.
- (2) That the Director of Housing and Communities identify appropriate Housing Officers for the Wolverhampton Street area and circulate the information to Councillor C Reid.

- (3) That the Director of Housing and Communities be requested to investigate timescales involved in erecting notices notifying the public of the consequences of graffiti and associated matters and provide a response to all Members of the Committee.
  - (4) That the Director of Housing and Communities be requested to raise Member issues in relation to online harm at the next meeting of the Safe and Sound Board and arrange for a response to be provided to all Members of the Committee on the types of online harm being fed through the Community Safety Partnership and what was being done to tackle the issues.
  - (5) That the Director of Housing and Communities be requested to forward Members' appreciation to the Head of Anti-Social Behaviour and her Team for the exceptional work provided in communities.
  - (6) That the Director of Housing and Communities be requested to investigate location and impact of Public Space Protection Orders and circulate the information to all Members of the Committee.
  - (7) That the Director of Housing and Communities be requested to invite a Police representative to attend the next meeting of the Select Committee where an update on the Safe and Sound Partnership was provided to respond to specific questions raised by Members.
  - (8) That the Director of Housing and Communities be requested to provide information to all Members of the Committee following the confirmation of the annual community safety fund received from The Office of Police and Crime Commissioner.
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#### 34. **Community Housing Services – The Neighbourhood Approach**

A report of the Director of Housing and Communities was submitted on the work underway to restructure and improve the tenancy and estate management services provided to Dudley Metropolitan Borough Council tenants.



The Director of Housing and Communities indicated that the Neighbourhood model and associated restructure of the Housing Management Services had been implemented to improve services and ensure that Housing teams reconnected with customers, Members and communities. The principles of the Model was to strengthen Dudley's approach to neighbourhood management through an increased presence, with greater local involvement of customers, Ward Members and partner organisations.

The restructure of the Community Housing Team had now been completed, with a new structure and roles focused on delivering the neighbourhood model. The team consisted of thirty-six Community Housing Officers, supported by a team of eight Community Housing Assistants, with six Team Managers. Know Your Community Housing Team posters were outlined in Appendix 1 to the report submitted.

Community Hubs and surgeries were being introduced across the Borough as part of the Council's commitment to improve communication with tenants. The Brierley Hill and Halesowen Housing Hubs were now open to the public and were located on Chapel Street Estate, Brierley Hill and Highfields Estate, Halesowen. The offices would be open for surgeries on Tuesdays, Wednesdays and Thursdays between 10.00am and 2.00pm for pre-booked appointments or walk-in enquiries.

Options were being considered for a permanent Housing Hub in Stourbridge, however, surgeries were currently taking place weekly at Stourbridge Library and Baylie Court at a variety of times to meet the needs of tenants with different commitments. Surgeries for North Dudley tenants would be held at North Dudley Family Centre, initially for three hours each week, however, the service would be reviewed and time increased should it be required. Tenants that lived in the central Dudley area, surgeries were held on Tuesdays and Thursdays between 10.00am and 3.00pm at Dudley Council Plus.

For tenants that resided in the south Dudley area, it was planned that a Housing Hub would be located within the office of the Dudley Federation of Tenants and Residents Associated (DFTRA). Further information would be published once arrangements had been finalised.

Since the implementation of the Neighbourhood Model, the Community Housing service had developed a different approach to improve high rise estates by completing four High Rise Living events targeting six high-rise buildings across the Borough. The High-Rise Living Events had been successful and had involved other service areas and key partners. Further events were currently being planned at Chapel Street, Brierley Hill and Highfields, Halesowen.

The Team had also supported the work of other service areas, including door knocking, awareness raising and advice in relation to access for compliance visits and tackling tenancy fraud.

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

- (a) Councillor J Cowell referred to the high-rise living events that had recently taken place and indicated that low-rise accommodation and areas within larger estates would also benefit from similar events which would increase and improve customer involvement. The Director of Housing and Communities indicated that the intention of the report was to provide details on initiative and events that had occurred to improve customer engagement. A review of the customer involvement strategy was currently being developed which would focus on improving customer engagement, eliminating duplication and filling any gaps within the service.
- (b) Councillor J Cowell raised concern in relation to the cost involved in producing the Know Your Community Housing Team posters. Whilst the information was considered beneficial, the Team frequently altered and continuously updating and producing posters would create financial strain on the Council's budget. The Director of Housing and Communities acknowledged that there may be changes within the Team from time to time, however, whilst the posters would be reviewed and updated periodically, the intention was to make them available to the public online and only circulated in exceptional circumstances.

- (c) Councillor A Davies referred to the importance of regular updates to the Select Committee on customer involvement and feedback. It was essential that the Strategy was delivering on its key aspirations and customers were seeing improvements. The Director of Housing and Communities reported that the performance impact would be measured frequently and reported as necessary.

## **Resolved**

That the content of the report submitted to the meeting and comments made by Members be noted.

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### **35. Review of Housing Finance**

A joint report of the Director of Housing and Communities and Director of Finance and Legal was submitted on the Review of Housing Finance.

In presenting the report, the Head of Financial Services highlighted key paragraphs within the report, and referred in particular to the proposals considered by Cabinet at its meeting on 13<sup>th</sup> December, 2023, as outlined below:-

- a draft Housing Revenue Account (HRA) budget for 2024/25 in the light of the latest government announcements on housing finance and latest spending and resource assumptions.
- a revised Public Sector Housing capital programme for 2023/24 to 2026/2027.
- rents for council homes with effect from 1<sup>st</sup> April 2024.

The report provided an update on the position for the current financial year in terms of the HRA and the latest variations expected against the original budget as outlined in Appendix 1 to the report submitted. In line with Government guidance, it was proposed that a rent increase of 7.7% be introduced to partly mitigate the impact of inflationary increases on pay, utilities and the cost of borrowing along with the outcomes of the Stock Condition Survey (SCS). The impact of the proposed increase was outlined in paragraph 16 of the report submitted. Inflationary pressures were expected to continue into 2024/2025, with assumed pay awards of 4% for 2024/2025 and 2% thereafter. Borrowing costs were expected to remain high in the short term and utility prices were assumed to increase in line with inflationary increases.

In February, 2023, Council approved the introduction of service charges at a nominal rate of £5.20 per week. It was now proposed that service charges be introduced at full cost recovery, resulting in a charge on average of £12.46 per week for tenant in homes with communal areas.

The proposed draft HRA budget for 2024/25 to 2026/27 was outlined in Appendix 2 to the report submitted. The budget had been based on implementing the maximum allowed of 7.7% rent increase and service charges at direct cost recovery, which would take effect from 1<sup>st</sup> April, 2024, building in additional resources to meet inflationary pressures. A number of savings and growth proposals had been prepared and prioritised and had been presented to the HRA budget summit on 22<sup>nd</sup> November, 2023. Details of the proposals were outlined at paragraph 20 of the report submitted. Proposals had been based on a number of estimates, assumptions and professional judgements, which were subject to continuous review.

In February 2023, a five-year housing public sector capital programme was agreed, which reflected enhanced investment using the HRA's new borrowing flexibility. The five-year capital programme was developed based upon the themes set out within the Council's ten-year Housing Asset Management Strategy (HAMS) approved by Cabinet in October 2019. In light of budget pressures, the five-year programme had been reviewed and the amended approach and options were approved by Cabinet at its meeting in February, 2023.

The proposed capital programme outlined at Appendix 3 of the report submitted summarised current anticipated spend for 2024/25. 2025/2026 and 2026/2027 had been based on what was currently known about investment needs. However, the five-year capital programme would need to be further reviewed following the completion of the SCS, which could inform a change in programmed spend in the first three years. The programmed spend had not currently been profiled for 2027/2028 and 2028/2029 as it would need to be informed by longer term investment needs and the robust and up-to-date property information that the surveys would provide.

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

- (a) Councillor C Reid raised concern with the proposal to introduce a £12.46 per week service charge for tenants in homes with communal areas, together with a proposed 7.7% rent increase and 4.99% Council Tax increase, particular during a cost-of-living crisis and feared that an increase in arrears in housing payments would be observed as a result.

The Director of Housing and Communities indicated that decisions in relation to increases in housing services and rent were not taken lightly, however, difficult decisions were essential to manage the HRA. The £12.46 service charge was an average figure and the actual charge applied would depend on the eligible services provided in communal areas, including grounds maintenance, communal clearing and all communal health and safety checks. Eligible service charges would be covered by housing benefit and universal credit payments for those people that were in receipt of full or partial support, which was estimated at 70%. It was predicted that approximately 30% of customers were not eligible for financial support towards their rent and service charge and would potentially struggle to pay the increased housing costs. Initiatives were being considered to provide a transition fund from the 2024/25 financial year where customers that were not eligible for any financial support and were struggling significantly could apply for funding towards service charges. Whilst still in its initial planning stages, Members were advised that the fund would be available for customers to apply for at the start of the 2024/25 financial year.

- (b) In responding to a comment by Councillor C Reid, the Director of Housing and Communities indicated that Dudley was the only housing provider in the area that currently did not charge for eligible service charges in communal areas. However, due to the Council's serious financial pressures, introducing charges for eligible services was essential. In responding to questions from Councillor A Davies, the Head of Financial Services confirmed that approximately £4.8m would be generated each year from service charges and assured Members that tenants in homes with communal areas would see improved services due to the additional investment being provided to maintenance programmes in communal areas outlined in paragraph 20 of the report submitted.

- (c) Councillor J Cowell queried when service charges on different property types would be clarified. The Director of Housing and Communities confirmed that charges would vary from property type and services operated in communal areas. Collaborative work with the Income Team was being carried out and it was assumed that tenants would be notified of the service charge applied and rent increase at the same.
- (d) Councillor J Cowell queried the impact on the HRA as a result of non-payment of service charges and the requirement to go through legal and court action. Whilst accepting that unexpected costs would be unavoidable, the Head of Financial Services stated that consideration was being given to a financial allowance which would be included in the budget to offset against such costs, however, regular monitoring was essential to address any issues arising from the introduction of service charges.
- (e) Councillor J Cowell referred to the difficult process involved when apply for discretionary housing payments and queried whether the method adopted when applying for financial support for service charges would be a simpler process. The Director of Housing and Communities indicated that discretionary housing payments were administered through the Revenues and Benefits Team and adhered to appropriate legislation. Consideration on the model, requirements and eligibility used to support customers that were not eligible for any full or partial benefit was currently being considered, however, the financial support would be available for customers to apply for at the start of the 2024/25 financial year.
- (f) Councillor C Reid expressed concern at the historical failures that had occurred, particularly the costs associated with void turnaround times, which had resulted in increased rent, Council Tax and service charge proposals for tenants. In responding, the Head of Financial Services acknowledged that it was a difficult financial position, part of the budget pressures had been attributed to increased inflation costs, materials, compliance issues, borrowing costs and the national living wage.

The Director of Housing and Communities indicated that traditionally housing rent for Dudley tenants had been low in comparison to neighbouring Local Authorities and with the four-year rent decrease introduced in 2016 for all housing providers, Dudley had accumulated a significant financial loss. Whilst the impact of the proposals on tenants was acknowledged, difficult decisions were essential to maintain the HRA budget moving forward.

- (g) In responding to a question raised by Councillor J Martin, the Head of Financial Services confirmed that work associated with the SCS had created significant expenditure from the HRA account which had not previously been budgeted for, however, it was an essential programme to bring the Local Authority's housing stock in line with Government requirements. Councillor J Martin referred to the budget forecasts of £24.8m for responsive and cyclical repairs (maintenance) and queried why the costs associated with the SCS, management and expertise had been charged under that budget. In responding, the Head of Financial Services indicated that the work delivered on the SCS incorporated management support and whilst it could be perceived as £24.8m would be focused on just repair work, the required costs would need to be covered from the HRA budget.

Councillor J Martin expressed concern that tenants were now required to pay increased housing fees to manage the HRA budget as a result of the previous negligence of management around the requirements of the SCS. Whilst the Director of Housing and Communities acknowledged that Dudley had been behind in carrying out SCS which had resulted in a decision being made to carry out surveys on 100% of housing stock, which had created a significant financial pressure on the current HRA, she indicated that SCS were required to be carried out annually. It was expected that housing providers carried out SCS on approximately 10% of stock annually and costs to the HRA would be spread across a ten-year period.

- (h) In responding to a question raised by Councillor A Davies, the Head of Financial Services confirmed that the costs associated with the requirements to carry out 10% of SCS on housing stock would have been included in the responsive and cyclical repairs (maintenance) budget.

- (i) In responding to a question raised by Councillor J Martin, the Director of Housing and Communities indicated whilst most housing providers followed a 10-year SCS programme, Dudley established that there was a number of properties within the Borough that required a survey being carried out to establish the condition of those properties. Following the announcement of the Secretary of State asking all housing providers to assess housing stock and identify any concerns around damp and mould, Dudley used the opportunity to carry out a more robust assessment of each property and obtain new Energy Performance Certificates to ensure data was up-to-date which would inform robust investment programmes moving forward.
- (j) Councillor J Martin referred to the £98.4m of income generated from rent which was expected to increase to £110.6m by 2026/2027 which would accumulate reserves to the HRA. It was considered that the proposed rent and Council Tax increases and the introduction of services charges was not affordable to the 30% of customers not in receipt of full or partial financial support and would create financial pressure to that category of customers, particularly should the increase impact negatively on the percentage paid for tax payments.

The Head of Financial Services indicated that the figure of £110.6m by 2026/2027 was an estimated figure based on assumptions and professional judgements. The full extent of any remedial work associated with the SCS would not be confirmed until the programme had been completed. The Local Authority had traditionally been a low reserves authority and whilst the impact of increased costs on tenants were acknowledged, it was essential that the HRA budget was financially sustainable. In responding to a question from Councillor A Davies, the Head of Financial Services indicated that any reserves in the HRA budget would be focused on remedial work associated with the SCS.



The Director of Housing and Services outlined the advantages of having robust and up-to-date data on all of the Local Authority's housing stock which would provide accurate and proactive investment programmes moving forward and Members were assured that improvements would be observed by members of the public. Part of the SCS would look at the Local Authority's compliance around the decent homes standard where more robust requirements for landlords would be issued by Government in the near future. It was essential for the Local Authority to be in a position where investment could be provided on any unexpected cost arising from the updated version of the Decent Homes Standard.

- (k) Councillor J Cowell queried whether Savills were fulfilling the requirements of their contract given the insufficient time operatives were present in properties to carry out SCS. The Director of Housing and Communities indicated that Savills were experts in stock condition surveys, however, they were not contracted to report routine repairs or maintenance issues and would request tenants to report such issues through the normal repair/maintenance reporting procedure. Savills specialised in targeted work around housing health and safety rating systems, decent homes standard, Energy Performance Certificate (EPC) and damp and mould assessments. Intelligence received from Savills had highlighted that any issues observed around safeguarding, vulnerability, hoarding and sub-letting, whilst it did not cover the requirements of the contract, operatives would refer such issues back to the Housing Team for appropriate action. In responding to a concern raised by Councillor J Cowell in relation to damp and mould issues not being reported appropriately, the Director of Housing and Communities requested that any concerns received from customers be referred to appropriate officers to enable independent checks to be carried out.
- (l) Councillor T Creed referred to the significant costs associated with the SCS and queried whether housing assessments could be carried out by Community Housing Officers as part of their role. The Director of Housing and Communities indicated that the SCS was a specialist project carried out by operatives that required a surveyor qualification and specific training and expertise.

- (m) In responding to a question raised by Councillor T Creed, the Director of Housing and Communities outlined the role of Housing Officers indicating that officers were responsible for tenancy and neighbourhood management including providing support and advice to tenants on adhering to tenancy conditions, managing noise and neighbour nuisance and maintaining tenancies. Housing Officers would refer concerns associated with damage and property condition to appropriate officers but did not specialise in the requirements of SCS.
- (n) In responding to a question raised by Councillor T Creed, the Director of Housing and Communities indicated that the 10% annual stock condition programme would be reinstated following the completion of the full SCS and the obligations to carry out SCS every 10 years would be fulfilled.
- (o) In responding to a question raised by Councillor I Kettle, the Head of Financial Services confirmed that whilst the Local Authority had entered into a Lender Option Borrower Option (LOBO) that was split between the General Fund and the HRA, the majority of the budget of £17.7m on payable interest was through the Public Works Loan Board, with an interest of between 3% and 5% depending on when the loans were taken out.
- (p) Councillor A Davies queried whether the SCS would be completed by March 2024 as advised. The Director of Housing and Communities reported that the completion date was on target, however, it was envisaged that a number of customers would refuse access to properties which would delay the process whilst legal processes were followed. The process around accessing properties had been refined and reduced to three access attempts following which an Abatement Notice would be served under the Environmental Protection Act around Statutory Nuisance. The requirements of the Notice were referred to, together with the definition of the emergency access procedure where any cases considered as an emergency, operatives were allowed to access the property without permission. Non-urgent cases would be referred to the Court for a warrant. Members were advised that twenty-seven Abatement Notices that expired over the Christmas period had been served which had resulted in all customers allowing operatives access to properties to carry out gas service checks.

## Resolved

- (1) That the latest Housing Revenue Account outturn forecast for 2023/24, outlined in paragraphs 5 – 9 and Appendix 1 of the report submitted, be noted.
  - (2) That the proposals considered by Cabinet at its meeting held on 13<sup>th</sup> December, 2023, relating to the Housing Revenue Account budget for 2024/25 onwards, as detailed above, be endorsed.
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36. **Quarterly Housing Performance Report –Quarter 2 (1<sup>st</sup> July – 30<sup>th</sup> September, 2023)**

A report of the Director of Housing and Communities was submitted on Quarter 2 of the Corporate Quarterly Performance report for the financial year 2023/24 covering the period 1<sup>st</sup> July to 30<sup>th</sup> September, 2023, specifically referring to services within the Housing and Communities Directorate. Further detail relating to directorate service delivery were outlined in the Service Summary Sheets attached as appendices to the report submitted.

The Director of Housing and Communities indicated that the report provided progress against the delivery of the three-year Council Plan priorities and the Future Council Programme.

Dashboard summaries highlighted four corporate quarterly measures for Housing and Community Services, one highlighting “on or exceeding target” with the other three highlighting “below target”. Further information was included in the appendix to the report submitted.

In referring to PI 2027 – Satisfaction on how anti-social behaviour complaints were handled, it was reported that satisfaction had reduced compared to figures reported during Quarter 1. There had been a large turnover of staff and sickness levels had caused concern, which had affected service delivery. A full review of resources, skills, policies and procedures was ongoing to develop a more responsive, customer focused service moving forward. Members were informed that anti-social behaviour cases had been transferred to other officers to manage during the interim period.

In terms of PI 913 – Proportion of homes that did not meet the Decent Homes Standard. It was reported that performance figures in previous years had been based on stock data which may have been incomplete or inaccurate. Data concerns had been the subject of a self-referral to the Regulator of Social Housing and significant progress had been made following the Regulatory Notice issued in April, 2023. An ongoing programme of Stock Condition Surveys (SCS) was currently taking place on all Dudley's housing stock and actual decency levels would be confirmed following its completion during Quarter 1 2024/25.

In terms of PI 1191 – Average re-let time for standard re-let, it was reported that the average re-let times had increased from 49.26 days in Quarter 1 to 56.74 days in Quarter 2, compared to 65.91 days for the same period last year. However, the re-let time for standard voids continued to vary between property types. Performance for houses identified a decrease from 56.33 days in Quarter 1 to 45.88 days in Quarter 2. For bungalows, there had been a decrease from 51.85 days to 48.84 days, for maisonettes, there had been a decrease from 59.13 to 53.31 days, for all flats excluding sheltered there had been an increase from 41.89 days to 47.05 days and for bedsits, excluding sheltered housing, there had been a significant increase from 28.33. days to 45.1 days. The increase had been most significant across the sheltered housing properties with sheltered flats increasing from 89 days to 186 days and sheltered bedsits increasing from 36 days to 105.8 days, which was attributed to the ongoing review and refurbishment of the sheltered housing stock.

In terms of PI 1899 – Rent loss, it was reported that the cumulative rent loss due to voids remained the same as Quarter 1 at 2.28% which was an increase from 1.95% compared to the same period last year. A breakdown of rent loss for various property types was outlined in the report submitted to the meeting. Whilst improvement programmes were currently being identified to improve figures, rent loss associated with strategic voids would continue and managed through efficient decision making and project management. The end-to-end review on voids continued and current focus within the services was on stock condition, which could potentially see an impact on void loss in the short term as additional checks were undertaken at void stage. Investment decisions had been made on a number of voids during Quarter 2.

Directorate Service Plans featured service improvement actions and were updated each quarter and presented to Members. Directorate Service Summary documents provided a detailed account of services delivered and were highlighted in paragraph 10 and Appendix 2 of the report submitted.

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

- (a) In referring to PI 1191 – average re-let for standard re-lets, Councillor A Davies raised concern at the level of time it had taken to re-let various property types, particularly referring to Jack Newell Court. The Director of Housing and Communities acknowledged the concern raised and assured Members that a review to refine procedures to minimise rent loss and void turnaround times was ongoing. In referring particularly to Jack Newell Court, delays to the refurbishment programme had been caused due to issues associated with the Covid pandemic followed by greater demand for contractors and increasing costs of materials and labour.
- (b) In referring to PI 2027 – satisfaction – way anti-social behaviour complaint was handled, Councillor J Martin sought clarification on the number of residents that had been dissatisfied with the service provided. The Director of Housing and Communication indicated that following feedback received from residents, sixty customers had responded to either being dissatisfied or neither satisfied nor dissatisfied.

Councillor J Martin indicated that customer perception was important especially with a number of housing service charges increasing. It was essential that the Local Authority delivered an efficient service that benefited tenants, communities, Council Officers and Members, however, it was clear that a high percentage of residents had been either dissatisfied or neither satisfied nor dissatisfied with the service received.

- (c) Councillor J Martin expressed concern with the high level of staff turnover and long-term sickness absence within the Anti-Social Behaviour Team, which had been a long-term issue and required action to address the issues. The manner in which cases had been transferred from Community Housing Officers to the Anti-Social Behaviour Team remained an issue, which had led to staff leaving the Local Authority or commencing sick leave due to the high level of stress caused. It was essential that Community Housing Officers were supported to feel empowered within their role and deal with low level anti-social behaviour cases earlier in the process rather than matters escalating to more serious and complex cases and it was queried what support was available to maintain staffing levels and deliver services at a standard expected by customers.

The Director of Housing and Communities acknowledged the issues raised and indicated that work to address and improve services had commenced. Services were being redesigned to ensure Community Housing Officers were visible in communities and had capacity to address low level anti-social behaviour complaints allowing more complex cases to be referred to the Anti-Social Behaviour Team for a more specialist approach. The Anti-Social Behaviour Team also dealt with wider resident issues such as neighbour disputes between various types of property ownership and referred to the significant work associated to manage complaints which could potentially escalate to Court action and possibly eviction.

- (d) In referring to the significant improvement required to ensure the effective delivery of the service, Councillor J Martin suggested that neighbouring Local Authorities be approached with a view to adopting best practice initiatives to maximise improvement opportunities. The Director of Housing and Communities confirmed that intelligence sharing exercises did take place with colleagues in neighbouring Local Authorities to establish best practice and together with the support secured from an independent anti-social behaviour expert, and policy and process reviews taking place, Members were assured that improvements would be observed moving forward. In responding to a question from Councillor J Martin, the Director of Housing and Communities indicated that whilst mediation was offered to tackle neighbour disputes, a more robust approach was required to promote the service in a more effective manner.

- (e) In responding to a question from Councillor A Davies, the Director of Housing and Communities confirmed that whilst the Anti-Social Behaviour Team was located within the Safer Communities Service area, the Team was not a sub-group of the Safe and Sound Board and performance and impact would be reported through appropriate corporate quarterly performance indicators.
- (f) Councillor C Reid referred to the 46% of the properties that were attributed to rent loss and queried strategies to improve figures. The Director of Housing and Communities provided a breakdown of the type of properties that contributed to the 46% of rent loss, including high investment need properties, properties that were being held for decant and properties that were being refurbished for sheltered accommodation. It was reported that a decision sheet process had commenced for approval to dispose of properties awaiting investment decision and it was anticipated that the Decision Sheet would be approved in the near future and the positive effect of the decision would be evidenced in future performance figures.
- (g) Councillor I Kettle complimented the Director of Housing and Communities on the work associated with retaining five properties due to issues of fraud and queried the figures associated with fraud within the Borough. The Director of Housing and Communities indicated that whilst the Local Authority was one in a small group of authorities to have retained their Housing Fraud Team, the Team operated with very few officers. The role of the Housing Fraud Team was outlined, with the majority of fraud assessments being carried out following the receipt of Right to Buy applications to ensure tenants were not applying to purchase a council house by deception. The Team also relied on referrals from Members/members of the public reporting possible fraud and also issues being identified through the SCS. Reference was made to a Housing Fraud event that had taken place during October 2023 to raise awareness of housing fraud and encourage customers to report suspicious activity to ensure the Council's housing stock was utilised effectively and by customer need. Members were advised that figures associated with fraud were low, however, accurate figures for the 2023/24 financial year would be circulated to all Members of the Committee.
- (h) Councillor I Kettle requested that appreciation be provided to the Housing Team for the work, support and expertise in tackling homelessness and begging in the Stourbridge area.

- (i) Councillor J Cowell queried the 2.28% attributed to rent loss for Quarter 2 and whilst the information suggested that the figure remained stable compared to Quarter 1, the cash equivalent displayed a significant increase. The Director of Housing and Communities indicated that figures presented in each performance quarter was the total cumulative of rent loss and whilst the percentage figure remained stable, the cost equivalent varied for each quarter depending on the rent collected each month. The indicator was a national performance indicator and used for benchmarking purposes and the Local Authority was unable to change the wording or method of calculation, however, further information would be included in future reports to provide clarity.
- (j) In referring to PI 1191 – average re-let for standard re-lets, Councillor J Cowell queried the impact of damp and mould in void properties. The Director of Housing and Communities indicated that SCS would be carried out on void properties that had not had a survey carried out and should damp or mould issues be identified, work would be completed whilst the property was at void stage unless to undertake the work would cause a significant delay to the re-let process.
- (k) In referring to the four key performance indicators outlined in the report submitted, Councillor A Davies queried when improvements would be observed. Whilst it was accepted that PI 913 – Proportion of homes that do not meet Decent Homes Standard relied on the outcome of the SCS, the Director of Housing and Communities was optimistic that improvements would be observed by the end of the 2023/24 financial year. Improvements around PI 1899 – rent loss would be determined on when the decision sheet was approved and signed, and the timescales involved in selling the properties. In responding to a further question from Councillor A Davies, the Director of Housing and Communities indicated that the properties awaiting investment decision, once disposed of, would not contribute to the performance figures. It was anticipated that those properties awaiting an investment decision would be offered to an external partner as a package to market and sell, which would avoid any unnecessary delays. Delays may be observed around conveyancing, however, it was expected that improvements would be highlighted during Quarter 4.



## **Resolved**

- (1) That the Quarter 2 Corporate Quarterly Performance report covering the period 1<sup>st</sup> July to 30<sup>th</sup> September, 2023, and the comments made by Members, be noted.
  - (2) That the Director of Housing and Communities be requested to provide Members of the Committee with an accurate figure of cases associated with housing fraud for the 2023/24 financial year.
  - (3) That the Director of Housing and Communities be requested to forward Members' appreciation to the Housing Team for the work, support and expertise in tackling homelessness and begging in the Stourbridge area.
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### **37. Progress Tracker and Future Business**

In providing an update on the Action Tracker, the Chair indicated that all outstanding responses had now been actioned. He expressed his appreciation to all officers for the work carried out.

## **Resolved**

That the information contained in the Action Tracker and Future Business for the Committee, be noted.

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### **38. Questions Under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

The meeting ended at 8.05pm

CHAIR

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**Minutes of the Audit and Standards Committee  
Wednesday 6<sup>th</sup> December, 2023 at 6.00pm  
In Committee Room 3, The Council House, Dudley**

**Present:**

Councillor A Lees (Chair)

Councillor D Borley (Vice-Chair)

Councillors S Ali, T Creed, J Cowell, M Evans, J Foster, D Stanley and W Little.

**Dudley MBC Officers:**

B Heran (Deputy Chief Executive), I Newman (Director of Finance and Legal Services), G Harrison (Head of Audit and Risk Management Services) and K Taylor (Senior Democratic Services Officer).

**Officers in Attendance via Microsoft Teams:**

M Farooq (Monitoring Officer and Lead for Law and Governance), E Newman (Principal Auditor) and A Taylor (Senior Principal Auditor)

**Also in Attendance:**

H Martin (Director of Regeneration and Enterprise) – for Agenda Item No. 6 – Risk Management;

J Martin (HR Delivery Manager – Employee Relations) – for Agenda Item No. 9 – Suspensions under the provisions of the Employee Improvement and Disciplinary Procedure or relevant Schools Disciplinary Procedure;

M Bowsher (Director of Adult Social Care – via Microsoft Teams), C Driscoll (Director of Children’s Services), M Abuaffan (Director of Public Health and Wellbeing), C Blunn (Corporate Performance and Programme Manager) and J Whyley (Strategic Partnership Manager) – for Agenda Item No. 10 – Annual Audit Report for the Chief Executive.

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23. **Apology for Absence**

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

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24. **Appointment of Substitute Member**

It was noted that Councillor D Stanley had been appointed as a substitute Member for Councillor S Henley for this meeting of the Committee only.

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25. **Declarations of Interest**

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

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26. **Minutes**

In referring to Minute No. 15 – Minutes, paragraph 1, Councillor J Foster referred to the significant discussion undertaken during the meeting and considered that this should have been reflected in the minutes. In responding to a request, the Chair agreed to circulate a copy of the e-mail he had sent outlining concerns and comments raised by the Committee in relation to the External Audit Grant Thornton Annual Audit Plan 2022-23 and Annual Risk Assessment 2022-23 and response to Members for information.

Councillor S Ali sought clarification as to whether any feedback had been received following discussions held by the Strategic Executive Board into a proposed restructure, following the Committee's recommendation to the Chief Executive to give further detailed consideration to the External Auditor's recommendation concerning the position of the Monitoring Officer.

(At this juncture, the Director of Finance and Legal Services withdrew from the meeting)

The Deputy Chief Executive advised that an organisational redesign was being considered as part of Phase 2 of the Improvement and Sustainability Plan, and although there had been some initial discussions held by the Strategic Executive Board, there was still some further work to undertake. The Deputy Chief Executive agreed to provide an update at a future meeting of the Committee once proposals had been confirmed, which was expected to be within the next quarter.

(The Director of Finance and Legal Services then returned to the meeting)

**Resolved**

That the minutes of the meeting held on 25<sup>th</sup> September, 2023 be approved as a correct record and signed.

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27. **Change in Order of Business**

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

**Resolved**

That the order of business be varied and the agenda items be considered in the order set out in the minutes below.

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28. **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 of the likely disclosure of exempt information relating to any individual(s) and to the financial or business affairs of any particular person (including the authority holding that information) as defined under Part I of Schedule 12A to the Local Government Act 1972, as amended.

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29. **Annual Audit Report of the Chief Executive**

A report of the Director of Finance and Legal Services was submitted summarising the audit work undertaken in relation to the Directors and Heads of Service who reported directly to the Chief Executive for the financial year 2022/2023.

In presenting the report submitted, the Head of Audit and Risk Management Services advised that eleven assurance audits had been undertaken, of which nine had received minimal or limited assurance ratings. It was noted that these ratings had been given due to either a critical finding being raised or a number of high findings. Further information in relation to the critical and high priority findings were outlined in Appendices 2 and 3, respectively, attached to the report submitted.

In addition to the eleven assurance audits, eight other reviews were undertaken and in total 158 actions were raised. A full list of the audits, including the number of actions raised and assurance ratings, were detailed in Appendix 1 to the report. Mention was also made of the number of unimplemented actions from the previous reviews. It was further noted that the information included in Appendices 2, 3 and 4 had previously been agreed with Directorate Management and that due to the size of the report, it was agreed that a summary of the main points raised would be included rather than the audit findings. The format of the report would be reviewed in advance of the next municipal year.

It was noted that the comment recorded under Implementation Update was the current status of the actions that had been raised, and Critical and High priority actions would be followed up by Audit and Risk Management Services accordingly.

The Head of Audit and Risk Management Services further commented on the 12 areas of audit activity undertaken relating to Schools, the findings of which would be considered by the appropriate School Governing Body/Committee.

The implementation status of the Critical, High and Unimplemented findings for each audit was outlined in paragraph 9 of the report submitted.

Members were informed of the performance in relation to the issuing of final reports and management responses to the audit, and it was noted that 70% of management responses were provided within the 4 week target and 40% of final reports issued within 6 weeks of the draft report.

Reference was made to post-audit questionnaires issued on completion of an audit, in that nine of the ten returned stated they had received a very good or good service and one satisfactory service.

In concluding, the Head of Audit and Risk Management Services advised that the Deputy Chief Executive and a number of Directors and Officers from within the Directorates were present at the meeting, either in person or virtually on Teams to answer any questions that Member's may wish to raise.

Arising from the presentation of the report, Members made comments and raised questions on individual audits, which were responded to at the meeting. The Committee would be provided with written responses to the following questions:

- a) Further details in relation to the current number of Foster Carers within Dudley and the numbers needed to deliver the required level of Foster Carers.
- b) A briefing note updating Members on progress made on the development of the Air Quality Action Plan.

Further to comments made in relation to employees working remotely and concerns surrounding performance, the Deputy Chief Executive agreed to submit a report to the Committee in February, 2024 outlining future plans for employees returning to the workplace where possible, how performance was managed for agile workers together with the pressures that the Local Authority was facing as a workforce.

In responding to a question raised by Councillor T Creed, the Deputy Chief Executive explained that the Directors and Officers had been in attendance today to provide mitigation to audit findings detailed in Appendix 3 of the report submitted, which had evidenced that several actions were progressing. The importance of ensuring the best service to residents was emphasised however whilst acknowledging the limited resources, priorities and challenges that were faced, the Local Authority continually strived for improvement.

### **Resolved**

- (1) That the information contained in the report and Appendices to the report submitted on audit work undertaken for those Directors and Heads of Service who reported directly to the Chief Executive for the financial year 2022/23, be received and noted.
- (2) That Officers provide Members with detailed responses to questions raised at the meeting.
- (3) That the Deputy Chief Executive be requested to submit a further report to the Audit and Standards Committee in February, 2024 in relation to hybrid working and future plans.

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(At this juncture the meeting returned to public session)

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## **30. Annual Report of the Committee on Standards in Public Life**

A report of the Monitoring Officer was submitted on the annual report of the Committee on Standards in Public Life for the period July, 2022 to June, 2023 and was attached as an Appendix to the report submitted.

In presenting a summary of the report, the Monitoring Officer advised that the remit of the Committee on Standards in Public Life was wide-ranging but broadly covered the standards of conduct of all holders of public office whether elected or appointed, including West Midlands Police, the NHS and Parliament.

Reference was made to the Local Government Ethical Standards review undertaken in 2019 where the government in their response, rejected the majority of the recommendations made. It was noted that the Audit and Standards Committee had previously written to the Government Minister reinforcing the frustration felt by Members in relation to the limitations on sanctions that could be enforced by Standards Sub-Committee. The response to the letter stated that the sanctions regime implemented was pursuant to the Localism Act, and that the Government had not agreed to update or enhance the locally based standards regime in Local Government.

Councillor J Foster, in her role as Shadow Deputy Leader and Champion for Standards of Public Life, stated that as this was an annual report, the Committee were reviewing the work that had already been undertaken and suggested that it would be beneficial to receive an overview of future work programmes. This may enable the Audit and Standards Committee to have the opportunity to contribute and offer views for the Committee on Standards in Public Life to consider as part of their work programme. An indication of the work may also help inform the Audit and Standards Committee work programme moving forward.

Councillor J Foster also commented on the composition of the Committee on Standards in Public Life in particular that the membership was very light on Local Authority experience and diversity given that a number of complaints that were handled within the local government sector were related to race and other protective characteristics. It was therefore proposed that the Audit and Standards Committee send a letter to the Chair of the Committee on Standards in Public Life outlining the suggestions and comments made.

In responding to comments made, the Monitoring Officer confirmed that the Committee on Standards in Public Life had undertaken wider consultation on public service ethics and to improvements to the standards system, including the Ethical Standards review in 2019. It was also noted that the Independent Chair and members of the Committee were appointed by Central Government.

Following further discussion, the Chair, on behalf of the Committee and in consultation with the Monitoring Officer, agreed to write a letter to the Chair of the Committee on Standards in Public Life in relation to the lack of local government experience and diversity within the membership of the Board, re-emphasising the frustration of the limitations on sanctions that could be enforced by Standards Sub-Committees and an indication of upcoming work within the next 12 months.

### **Resolved**

- (1) That the Annual Report of the Committee on Standards in Public Life, be noted.
- (2) That the Chair, in consultation with the Monitoring Officer, write a letter to the Chair of the Committee on Standards in Public Life outlining the comments made by Members above.

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### 31. **Risk Management Report**

A report of the Director of Finance and Legal Services was submitted on the risks reported to Strategic Executive Board (SEB) and the status allocated by the Risk Owner. Appendix A to the report, outlined full details of risks reported to SEB, and in addition to risks tabled in Appendix A, the Committee were requested to identify any additional risks that it considered should be included on the SEB risk report and identify any particular risk for detailed scrutiny at the April, 2024 meeting of the Committee.

In presenting the report, the Head of Audit and Risk Management Services stated that there were seventeen risks rated very high at the gross level and five rated very high at net level which related to budget, regeneration benefits, programme management, funding for the proposed METRO route and breach of the Homes Standard regarding building safety and compliance.

It was noted that following a review of the SEB Risks by the Strategic Executive Board on 15<sup>th</sup> November, 2023, it was agreed that an additional SEB Risk was to be identified which was defined, and ratings agreed in relation to the Council's failure to deliver the actions raised within the Corporate Peer Review Action Plan, failing to address actions raised to improve the budget position, governance arrangements and management controls across the organisation.



Further details in relation to the five directorate Net risks that were rated Very High was outlined in Appendix C of the report submitted. All risks that were rated Very High are above the Council's risks appetite, are generally unacceptable and where possible to manage the risk down to acceptable levels, immediate action should be taken.

At this juncture, the Director of Regeneration and Enterprise gave a detailed presentation on Risk R.408 relating to the failure to seize the opportunities and exploit the benefits that are envisaged from the huge regeneration programme investment that impacts on the council's vision for 2030. It was stated that this was a broad risk encompassing several elements which could involve the failure to take opportunity to bid for funds when available and bring forward development as well as failure to realise the benefits that could come from those investments if the Local Authority were able to capitalise upon them. Additional factors including project timescales made the risk difficult to measure.

An audit of Regeneration was undertaken in 2023 which included consideration of this risk and related Directorate risk on recruitment and retention in key skill areas. The findings highlighted issues in relation to recruitment, retention, capability, and capacity, together with the resources required to deliver programs. Although there was not a dedicated Regeneration Team within the Local Authority, there were a number of Officers within the directorate to assist in developing and delivering bids.

Members were advised that there were currently 50 projects that were in the pipeline in various different stages of development and range of complexities and scales. The main mitigations related to ensuring resources to accommodate the ambitious program either through growth or realigning resources and strategically prioritising activity.

A number of controls had been implemented including the introduction of Corporate Performance Management Office forms that captured the potential benefits of each project at the beginning of the process. It was also noted that any bidding for external funding from the Government required the Local Authority to develop an economic business case that determined whether to approve the funds based on a Benefit Cost-Ratio assessment. This enabled the Local Authority to prioritise projects that would yield the greatest rate of return.

It was reported that bids were also subject to a theory of change model to identify the social, economic or environmental issues that an area faced and how the investment and project would address those issues moving forward.

The Director of Regeneration and Enterprise referred to the work undertaken on the draft Economic Regeneration Strategy and the emerging themes identified including investing in people and skills, reinventing town centres, creating vibrant, creative and cultural environments and unlocking enterprise and innovation. It was anticipated that the final Economic Regeneration Strategy would be submitted to the Cabinet for approval in March, 2024.

A Strategic Framework would be developed outlining which projects and bids should be prioritised and progressed which would require robust governance processes and procedures, therefore to support this, a Capital Programme Board had been established to review all major capital programmes.

It was noted that an Interim Regeneration Lead had been appointed to help drive forward the development of the Strategy together with an action plan and commercial plan outlining how sites could be brought forward individually. Regular engagement was also undertaken with key funding bodies including Homes England and the West Midlands Combined Authority to identify how funds could be accessed.

Further consideration was also being given to increase staffing resources through temporary staff that were funded through capital grants wherever permissible.

Reference was made to further controls that would be undertaken including implementing all actions identified from the Regeneration Audit, adopting the Economic Regeneration Strategy and strategically aligning the workplan in accordance with priorities and resources. The need to re-establish the Dudley and Brierley Hill Town Boards to ensure they reflected local communities was emphasised together with introducing additional Boards in areas that had emerging regeneration programs such as Lye and Halesowen.

Interim appointments within the Directorate would be capitalised to upskill existing officers to ensure sustainability and work would also continue with the West Midlands Combined Authority on a place-based approach to funding.

In concluding, the Director of Regeneration and Enterprise acknowledged that further work was needed but that she was reassured that a number of projects had been completed and a number that were in successful delivery. A number of significant funding bids that were successful was reported including £20m under the Longer-Term Deal for Towns, £20m for Brierley Hill and £20m for Halesowen as part of the Levelling Up Fund Round 3. Members were assured that the Local Authority would continue to work to ensure that there was a strategic and robust pipeline so that funding opportunities could be capitalised on as appropriate.

Arising from the presentation, Members asked questions, made comments and responses were provided where necessary as follows:-

- a) Councillor D Stanley referred to R.580 Withdrawal of the funding for the METRO route between Dudley Town Centre and Brierley Hill and the proposed extension to the Waterfront and requested a map outlining the proposed indicative route from Cottage Street, Brierley Hill to the Waterfront. He also sought assurance as to whether the funding of the METRO route had been secured.

In responding, the Director of Regeneration and Enterprise undertook to provide Councillor Stanley with the indicative route as requested. Although the West Midlands Combined Authority had confirmed that the route was fully funded, it was noted that some of the allocation was subject to business case approval by the Department of Transport.

In responding to comments made, Councillor S Ali considered that there was still some uncertainty as to whether the route between Dudley Town Centre and Brierley Hill was fully funded.

- b) Councillor S Ali referred to staffing capacity within the Directorate in particular that the right skills were missing in order to actively identify potential funding and developing high quality bid applications rather than resourcing externally and sought clarification as what the gaps and priorities were.

In responding, the Director of Regeneration and Enterprise although acknowledging that there were a number of strategic skill gaps internally, considered there was some benefit for external support and experience for funding bids on occasions. Reference was also made to the challenges faced with recruitment and retention and the difficulty in competing with the private sector in terms of salary and number of positions available. It was noted that specific bid writing qualifications was not held within the current staffing, however the recently appointed Head of Regeneration Projects did have that skill set which would be capitalised to upskill existing officers.

In responding to comments made, Councillor S Ali emphasised that successful awarding of funding was dependent on the quality of the bids submitted, and although there was some merit in external support, the knowledge of staff that were already embedded within the local authority was essential.

The Director of Regeneration and Enterprise clarified that although external consultants had been engaged, internal Council Officers were still needed to support the process and consultants to provide them with local information and knowledge.

- c) Councillor M Evans referred specifically to regenerating town centres and the proposed infrastructure following the implementation of the METRO route and sought clarification as to what measures had been proposed to address the decline in quality shops and markets in Town Centres in particular in Dudley.

The Director of Regeneration and Enterprise acknowledged the comments made and confirmed that this area was referenced within the emerging Economic Regeneration Strategy and that there were a number of steps that were needed to be taken, including setting an overarching vision and strategic direction for Town Centres. With regard to Dudley Town Centre, the vision of the Local authority was to link with attractions and improve local facilities and housing in order to increase footfall within Town Centres by undertaking a multi-faceted approach to revitalise and rejuvenate areas. The challenges faced in accommodating individual operating models of potential businesses within Town Centres was also referred to.

- d) Councillor S Ali referred to the establishment of Town Fund Boards in particular that it had appeared to be impinged by Members of Parliament and emphasised the importance of Local Elected Members involvement once re-established.

In responding, the Director of Regeneration and Enterprise acknowledged the need for local Ward Councillor involvement in all existing and emerging boards. It was stated that with regard to the Brierley Hill Town Fund Board, the membership of a Member of Parliament was in accordance with national policy and funding criteria. It was essential that the Town Fund Boards reflected the communities that were being represented to ensure that the regeneration programmes were driven by the communities that reside and work there.

Councillor D Borley referred to the Town Fund Board in Lye in which he had been heavily involved with together with his ward colleagues and emphasised the need for regeneration in Lye and agreed that improvements to housing was necessary to increase footfall.

- e) In referring to recommendation 2 of the report submitted for the Committee to identify any additional risks that should be included on the SEB risk report, Councillor S Ali suggested that a Section 114 explicit risk should be included on the risk register and monitored in terms of the current position and direction and any actions that were being taken.
- f) In responding to a question raised by Councillor D Stanley as to whether a similar programme to the Halesowen BID initiative could be established within the other townships, the Director of Regeneration and Enterprise confirmed that some feasibility work had been commissioned to consider areas specifically Dudley and Stourbridge and would provide further feedback on progress made once available.
- g) Councillor J Cowell referred to the significant number of risks within the report with a target end date of 1<sup>st</sup> January, 2009 and requested that the Deputy Chief Executive encourage Directors and officers to consider a more realistic and meaningful date on all action points with that target date.

Further to the recommendation by Councillor S Ali in relation to an additional SEB risk relating to Section 114 of the Local Government Act 1988, the Committee recommended the following amendment to risk R. 392:

“The Council is unable to meet its commitment to deliver savings (including services funded from the HRA and other ring fenced funds) as they fall due because annual income is insufficient and reserves have been fully depleted, thus triggering a requirement to issue a report under Section 114 of the Local Government Finance Act 1988”

Councillor J Foster referred to recommendation 2 of the report submitted and the difficulties faced by Members in identifying any additional risks that it considered should be included on the SEB risk report, without receipt of quality data. The Director of Finance and Legal Services stated that it was hoped that officers had already identified significant risks however this was an opportunity for the Committee to suggest any other risks as appropriate. Further consideration would be given to rewriting the recommendation for future reports.

## **Resolved**

- (1) That the information contained in the report and Appendix A to the report submitted detailing the SEB risks, be noted.
- (2) That the information contained in the presentation on risk R.408 relating to the failure to seize the opportunities and exploit the benefits that are envisaged from the huge regeneration programme investment that impacts on the council's vision for 2030, and comments made by Members as outlined above, be noted.
- (3) That the Director of Regeneration and Enterprise be requested to provide a map outlining the proposed indicative METRO route from Cottage Street, Brierley Hill to the Waterfront to Councillor D Stanley for information.
- (4) That risk R.392 be identified as the specific risk for in-depth scrutiny at the April, 2024 meeting of the Committee for consideration.
- (5) That risk R.392 be recommended to be amended to The Council is unable to meet its commitment to deliver savings (including services funded from the HRA and other ringfenced funds) as they fall due because annual income is insufficient and reserves have been fully depleted, thus triggering a requirement to issue a report under Section 114 of the Local Government Finance Act 1988.

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### **32. Questions Under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

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### **33. Exclusion of the Public and Press**

## Resolved

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

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### 34. **Suspensions under the provisions of the Employee Improvement and Disciplinary Procedure or relevant Schools Disciplinary Procedure**

The Committee considered a report of the Chief Executive on the number of employees who were suspended pending an investigation into allegation(s) of gross misconduct during the period 1<sup>st</sup> October, 2022 to 30<sup>th</sup> September, 2023, inclusive.

In presenting the report, the HR Delivery Manager – Employee Relations reported on the number of suspensions for Council Directorates and Schools, which had slightly increased compared to the previous year, together with the average length in working days of the suspensions and the subsequent outcomes. A conclusion of cases that were carried forward from the previous year were also outlined.

The HR Delivery Manager – Employee Relations advised that suspension would not be the first resort and temporary reassignment would be considered in the first instance whilst an investigation was undertaken. However, this would be dependent upon the nature of the allegation. It was also noted that costs of suspensions would vary significantly dependent upon the salary level and type of contract.

Arising from the presentation of the report and a suggestion made by Councillor J Foster, it was agreed that a breakdown of protected characteristics would be included in future reports.

## Resolved

- (1) That the information contained in the report submitted on Suspensions under the provisions of the Employee Improvement and Disciplinary Procedure or relevant Schools Disciplinary Procedure, be noted.
- (2) That a breakdown of protected characteristics be included in future reports.

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### 35. **Audit and Risk Management Services Interim Performance Report**

The Committee considered a report of the Director of Finance and Legal Services on the performance of Audit and Risk Management Services.

In presenting a summary of the report submitted, the Head of Audit and Risk Management Services provided an overview of the work and performance achieved by the end of September, 2023. Further details of the 18 audits undertaken were outlined in Appendix A of the report submitted.

Members were also advised of the follow up work undertaken on audits that had previously been reported to the Committee as receiving a 'Minimal' assurance rating.

An update was provided on a prosecution case in particular that following the Council Proceeds of Crime Act Hearing, the perpetrator was ordered to repay criminal gains and court costs to the Local Authority. It was also noted that good progress had been made on the Fraud Action Plan.

Arising from the presentation of the report, the Committee commended the report submitted which demonstrated the excellent work undertaken by the Audit and Risk Management Services Team.

Members made further comments and raised questions which were responded to at the meeting.

Following a request by the Chair, the Head of Audit and Risk Management Services agreed to present a demonstration of the Spectrum Audit System at a future Committee meeting.

Following comments made in relation to the valuable service and lack of resources available, the Chair, on behalf of the Committee, agreed to write to the Leader requesting that the Audit and Risk Management Services staff were ringfenced in any future restructuring proposals.

Following a suggestion made by Councillor J Foster, further consideration would be given to a standard agenda item on future work programmes for the Committee to assist with forward planning and allow for any emerging threats or opportunities to be discussed by the Committee.

#### **Resolved**

- (1) That the information contained in the report submitted on the performance of Audit and Risk Management Services, be noted.



- (2) That a demonstration of the Spectrum Audit System be presented to a future Committee meeting.
- (3) That the Chair, on behalf of the Committee, write to the Leader requesting that the Audit and Risk Management Services staff be ringfenced in any future restructuring proposals.
- (4) Further consideration be given to a standard agenda item on future work programmes for the Committee.

At this juncture, the Deputy Chief Executive reflected on comments made during the agenda item on the Annual Audit Report for the Chief Executive and clarified that the report submitted were exception reports showing those items which were uncompleted, and that a significant number of audits had been undertaken and completed across the Directorates.

The meeting ended at 8.05pm

CHAIR

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**Minutes of the Audit and Standards Committee  
Monday 18<sup>th</sup> December, 2023 at 6.00pm  
In Committee Room 3, The Council House, Dudley**

**Present:**

Councillor A Lees (Chair)

Councillor D Borley (Vice-Chair)

Councillors S Ali, T Creed, J Cowell, M Evans, J Foster, S Henley and W Little.

**Dudley MBC Officers:**

B Heran (Deputy Chief Executive – via MS Teams), I Newman (Director of Finance and Legal Services), M Farooq (Monitoring Officer and Lead for Law and Governance), R Cooper (Head of Financial Services), L Jones-Moore (Finance Manager), J McGregor (Senior Principal Accountant), and K Taylor (Senior Democratic Services Officer).

**Also in Attendance:**

Councillor P Harley, Leader of the Council

Councillor S Clark, Cabinet Member for Finance, Legal and Human Resources

A Smith – External Auditor (Grant Thornton)

36 **Comments of the Chair**

The Chair welcomed everyone to the meeting and everyone introduced themselves.

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37 **Apology for Absence**

There were no apologies submitted for this meeting of the Committee.

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38 **Appointment of Substitute Member**

There were no substitute Members appointed for this meeting of the Committee.

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39 **Declarations of Interest**

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

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40 **Grant Thornton Auditor's Annual Report**

The Committee considered a report of the Director of Finance and Legal on Grant Thornton's draft Auditor's Annual Report combined for both 2021-22 and 2022-23.

In presenting a summary of the report, A Smith confirmed that the report contained a combined commentary on the local authority's arrangements for both 2021/22 and 2022/23 to ensure that work was as timely as possible and of relevance to the management of the Council.

Significant weaknesses had been identified in the Councils arrangements in relation to financial sustainability, governance and improving economy, efficiency and effectiveness. In addressing these concerns, four key recommendations had been made including those relating to the Council's financial position and the need to replenish reserves and rebuild them to become financially resilient moving forward. The urgent action required from members to support officers in setting a balanced budget, identifying new sources of income and delivering savings plans was emphasised.

A reset in relationship between officers and members was also recommended to help restore trust and respect, which could be achieved through the development of a charter, setting out the expected standards of behaviours together with a joint statement from the Leader and the Leader of the Opposition Group calling out previous behaviour and a commitment to improving standards of conduct going forward.

A further recommendation related to the Council settling the requirements of the Regulatory Notice issued by the Regulator of Social Housing with respect to the identification of a failure to meet minimum service standards. The External Auditors would continue to review progress made against the key recommendations through their audit work plan and should sufficient progress not be made during the year, consideration would be given to the use of wider powers, including statutory recommendations. Additional improvement recommendations were also contained within the Appendix to the report submitted.

In concluding, Members were advised that of the 16 recommendations raised during previous audit work, 10 had made sufficient progress and had since been subsequently closed. The remaining six recommendations remained in progress, some of which were linked back to the key recommendations raised within the report submitted.

Arising from the presentation of the report, Members asked questions, made comments and responses were provided where necessary as follows:-

- a) Councillor J Cowell referred to concerns expressed by the External Auditors on the extent to which Members were engaged with the financial challenges and queried whether wider basic financial training could be considered for Members. Although accepting comments made regarding poor member and officer relationships, consideration should also be given to bad practice and poor relationships between officers.

Reference was also made to the five key performance indicators referred to within the Auditor's Annual Report relating to the Housing and Communities Directorate that had not been met. Councillor Cowell expressed concern about the varied targets each year and whether the purpose of this was to ensure targets were delivered rather than trying to address the challenges.

It was also considered that service areas should be required to add their contracts to the contracts register to ensure procurement had oversight and more emphasis was needed in this area.

With regard to the information concerning the review by the independent monitoring officer of the management arrangements for MIPIM, it was clear that comprehensive training and support was needed for all staff.

- b) In responding to a question raised by Councillor J Cowell as to whether figures for properties, plant and equipment as part of the valuation reports could be collated in a timely manner for future reports, the Director of Finance and Legal acknowledged that this was not as timely as desired however, the Local Authority was in the position that the accounts should be signed off imminently as all valuation information had now been received. Further work would be undertaken with colleagues in Regeneration to confirm an appropriate timetable to ensure that the information was available in advance for 2023/24.

The Head of Financial Services also stated that improvements had been made compared to previous years by introducing contract management and key performance indicators. It was noted that a 5-year contract relating to valuations would be explored once the 2023/24 valuations had been received.

The Deputy Chief Executive acknowledged that although the Local Authority was in a better position and good progress had been made to enable the accounts to be signed off, issues surrounding capacity both internally and externally had impacted on the delivery by the Local Authority.

- c) In responding to comments made and questions raised by Councillor J Cowell, the Deputy Chief Executive referred to the report received by the Committee in September, 2023 in relation to the action plan that had been developed to address governance and lessons learnt following the Council's attendance at MIPIM. As part of the action plan, increased training on contract management and budget management would be provided to assist managers with project management.
- d) Councillor S Ali welcomed the report submitted which he considered reflected negatively on the administration and highlighted incompetence in managing finances which had resulted in there being a significant risk to the Council's financial sustainability. Urgent action was needed to address the issues raised. Reference was made to the executive summary which referred to the urgent review of the Medium-Term Financial Strategy; implementation of a credible plan and use of reserves that he suggested had now been depleted. Whilst it was acknowledged that the budget had been set for a number of years, savings had not been delivered.

Councillor Ali further stated that despite proposals and risks being put forward by Officers, these had not been accepted or considered by the administration. It was further reported that concerns had been raised by this Committee about governance and decision making in July 2023 where it was agreed that the Chair would write to the Leader and the Cabinet Member for Finance, Legal and Human Resources outlining the concerns raised and comments made. However, the response received was not considered acceptable or substantial given the position faced by the Council, therefore it was evident that the issues relating to governance and lack of consideration of the risks highlighted had not been taken seriously.

Councillor Ali acknowledged comments made by External Auditors in relation to inappropriate behaviour which was unacceptable and would hopefully be resolved between both Group Leaders. He also considered that the Council's financial position posed a significant risk to regeneration projects which did not instil confidence in investors.

With regard to Housing finances, Councillor Ali recommended that this should be better managed and centralised under the Director of Finance and Legal and the Cabinet Member for Finance, Legal and Human Resources portfolio moving forward.

Reference was made to the review of settings of saving schemes to ensure decisions were based on robust analysis and the use of realistic evidence-based targets rather than optimistic ones that may be achievable in practice. It was suggested that despite risks being highlighted at budget meetings, these continued to be implemented.

Although the External Auditor's Report suggested that the matters in relation to MIPIM had been addressed, Councillor Ali still considered that there remained various outstanding issues including members involvement with the decision-making process which had still not been investigated. As this remained unresolved it was therefore requested that this matter be investigated and a report submitted to a future meeting.

- e) Councillor S Ali sought a substantive response to previous questions raised in relation to the External Auditor's recommendation concerning the position of the Monitoring Officer

(At this juncture, the Director of Finance and Legal and the Monitoring Officer withdrew from the meeting)

Councillor J Cowell considered the current position to be fundamentally flawed in that the Monitoring Officer position was reporting directly to the Section 151 Officer which she considered to be two separate fields and disciplines. Despite a number of questions raised, a definitive response had still not been received.

The Deputy Chief Executive referred to the organisational redesign which was being considered as part of the Improvement and Sustainability Plan, reflecting the Council's challenging financial position and future sustainability of the organisation. The redesign would consider the future design for every service area taking into account the needs of communities and businesses, together with the senior management restructure, which included both the Section 151 Officer and Monitoring Officer. This work was being treated as a matter of urgency and the recommendation made by the External Auditors was acknowledged. Members were also advised that the link between the three statutory officers was reflected in the current structure and that meetings were undertaken on a regular basis to discuss statutory issues.

(At this juncture, the Director of Finance and Legal Services and the Monitoring Officer returned to the meeting)

- f) In referring to comments made by Councillor S Ali, the Chair considered the term 'incompetence' to be inappropriate due to the extenuating circumstances faced at this time. It was suggested that procurement and housing had been considered in detail by the Committee this municipal year and again reiterated that the Committee could make recommendations, raise concerns and recommend a particular area for more in-depth review to any Select Committee as appropriate.

With reference to comments made relating to MIPIM, the Chair referred to the detailed report presented to the Committee in September, 2023 on the improvements to programme, project and contract management.

- g) In responding to comments made, the Leader of the Council then referred to the actions agreed by the Appointments Committee in April, 2023. The Committee had considered the findings of the Independent Monitoring Officer on the review of arrangements for the Dudley MBC MIPIM Delegation 2019-23. The Leader expressed his disappointment that there had been no opposition group members in attendance at that meeting which would have provided an opportunity for Members to suggest alternative proposals and recommendations.

With regard to comments made relating to Housing, the Leader commented positively on the work undertaken by the Director of Housing and Communities and Cabinet Member where significant improvements had been made. It was anticipated that the Statutory Notice would be removed in the near future. Reference was also made to the measures approved by the Cabinet which would increase the Housing Revenue Account reserves to the national average of approximately £11m within the next three years. The need for realistic and achievable savings proposals by Officers was also emphasised.

With regard to comments concerning officer proposals not being accepted by the administration, the Leader refuted the claims and referred to the subsequent decisions made in particular areas including green waste. There was a general consensus across the political groups that steps were needed to improve the base rate in terms of Council Tax. Reference was also made to the significant investment from the private sector on major regeneration projects, including the Metro, Very Light Rail and the Entertainment Quarter in Dudley. It was also noted that a £500k capital receipt had also been achieved following the disposal of three buildings that were surplus to requirements.

It was also suggested that appropriate behaviour and respect should be demonstrated by both Elected Members and Officers recognising the pressures faced by Members and it was suggested that further training was needed for new Councillors and Officers. It had also been proposed by both Group Leaders that, in future, any complaints should be considered by the Group Whips and Leaders in the first instance prior to consideration by the Monitoring Officer.

- h) In responding to comments made, Councillor S Ali suggested that he had raised a number of concerns previously, alongside his colleagues, which were reflected within the minutes and again reiterated that the report was negative and should be acknowledged and addressed. Regeneration was welcomed by the Opposition Group, however, the External Auditors had raised a significant risk within this area in view of the financial position.

With regard to the MIPIM report, there were two issues identified relating to the Officers recommendations and the decision-making process by Officers and Elected Members separately. The report in terms of MIPIM failed to present a conclusive outcome. At the time of the Appointments Committee, the Opposition Group Members had outlined their views and the reasons for not attending the meeting.



Whilst acknowledging comments made by the Leader in relation to improving reserves in the Housing Revenue Account, this was as a result of implementing a maximum rise in rents and service charges at a particularly difficult time faced by residents financially. Councillor Ali also disagreed with comments in that the Opposition Group Leader had accepted the need for a high increase in Council Tax, but that in considering the current position of the Council there were limited options available.

- i) The Chair confirmed that the scope of the Audit and Standards Committee in considering the MIPIM report had considered the chronology of events and subsequent failings which resulted in the Committee formulating recommendations for next stages. The Chair also referred to the significant financial pressures faced within the Adult Social Care directorate which had been reported during the Autumn.
- j) Councillor J Foster welcomed the External Auditor's Report and considered there to be some parallels with the Local Government Association Peer Review Report that had recently been published. She also confirmed that a cross-party Member/Officer Charter had previously been developed and that it had appeared that this had not been reviewed for some time and therefore a mechanism was needed to re-establish this document across the authority.

Councillor Foster agreed with comments made concerning new Member training in terms of the expectations, however, she also emphasised the need to include political nous training in the Council induction training sessions for Officers, to highlight how the role of the Councillor fits into the overall democracy picture.

Reference was made to the standards regime, reflected within the LGA Peer Review Report, particularly that this area was not monitored effectively within the Local Authority or by Key Performance Indicators. It was considered that there was an insufficient range of structured options to deal with matters appropriately as they arise, therefore more structure was needed to ensure that matters were dealt with at the earliest opportunity before escalating.

Councillor Foster therefore suggested that the External Auditors consider reviewing the Local Authority's Standards and Scrutiny regime and make recommendations accordingly. Both functions within the Local Authority were under-resourced which may have impacted on the way in which they were currently performing, and concerns were raised that these did not meet the threshold for investment or expenditure in view of the financial measures implemented.

- k) In responding to comments made by Councillor J Foster in relation to training, the Deputy Chief Executive referred to recent discussions held in relation to improved scrutiny training and the Member Training and Development Programme for the next Municipal Year. Further consideration would be given to the support available from the Local Government Association. Members were advised that training was considered as part of the Improvement and Sustainability Plan. This aimed to ensure a sustainable Council going forward, assist local democracy and decision-making processes and to ensure effective scrutiny. It was suggested that a cross-party Member/Officer Working Group may be beneficial to review this area further.
- l) A Smith acknowledged the publication of the LGA Peer Review Report and confirmed that the areas highlighted within the report would be considered in more depth during the External Auditors work plan in 2023/24.
- m) In responding to a question raised by Councillor M Evans, A Smith confirmed that Grant Thornton had audited approximately 40% of the Local Authorities based in England.
- n) Councillor M Evans considered the points on relationships between Members and Officers to be incorrect and reflected on the process involved whereby Members considered savings proposals made by Officers which were either accepted or rejected as a collective. The need for further training and cross-party collaborative working was also emphasised.
- o) The Leader of the Council confirmed that a Budget Summit meeting had been arranged for Friday 22<sup>nd</sup> December, 2023 to which the Opposition Leader and Deputy Leader had been invited to discuss the current financial position and proposals to be considered by both Political Groups.

- p) Councillor J Cowell reiterated previous comments concerning the decline in officer relationships and how this impacted on services and personal health and wellbeing. She also sought clarification as to whether there was an indicative timetable for the implementation of the Improvement and Sustainability Plan.

The Deputy Chief Executive confirmed that the Improvement and Sustainability Plan was an ongoing piece of work to be implemented in three phases as a direct response to the LGA Peer Review and External Auditor's Report. This would be addressing the urgent financial challenges, organisational redesign and revisiting the corporate strategy.

There would be a need to maintain the continuous improvement needed. It was noted that the Strategic Executive Board met twice per week to develop the Improvement and Sustainability Plan, which would be considered and approved by the External Assurance Board. The Plan would also be considered by the Overview and Scrutiny Committee to provide any feedback or comments on the robustness of the plan.

Although it was acknowledged that this was a lengthy plan, the proposals would change the way the organisation was structured to enable the Local Authority to operate within available resources and focus on the needs of residents and identify key areas where vulnerable customers required support.

## **Resolved**

That the information contained in the report submitted on the Grant Thornton draft Auditor's Annual Report for 2021/22 and 2022/23, attached as Appendix 1, be received and noted.

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## 41 **External Audit Findings Report 2022/23**

The Committee considered a report of the Director of Finance and Legal on the external auditor's Audit Findings Report 2022/23, together with the draft Letter of Representation, as set out in Appendix 2, to be submitted by the Council to external auditors.

A Smith expressed his sincere thanks for the engagement and cooperation by the Finance Team and presented a summary of the appendix of the report submitted, advising that the materiality of the audit of the Council's financial statements was £10.6m. An overview of the significant audit risks contained within the audit plan was provided, particularly in relation to the presumed risk on the management override of controls. Additional work had been undertaken on the authorisation of journals, where it was confirmed that no issues had been identified. It was noted that one technical adjustment was required in relation to the valuation of pension fund net liability.

Further details on issues identified in relation to property valuations was outlined on page 76 of the report submitted.

In conclusion, the External Auditor anticipated that the revised accounts would be completed imminently for final sign-off of the Financial Statements following receipt of the signed Statement of Accounts and Letter of Representation.

### **Resolved**

- (1) That the information contained in the report submitted on the Council's External Auditor's audit findings 2022/23, attached as Appendix 1, be received and noted.
- (2) That the draft Letter of Representation, as set out in Appendix 2 to the report submitted, be noted and the Chair, following consultation with the Director of Finance and Legal Services be authorised to sign and date the final version of the Letter of Representation in due course.

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## 42. **Statement of Accounts 2022/23**

The Committee considered a report of the Director of Finance and Legal on the Statement of Accounts 2022/23. The Statement of Accounts, and the audit of them, was the main formal and public report on the financial standing of the local authority. A copy of the Statement of Accounts 2022/23 had been circulated separately to Members. Officers of the Finance Team were commended for the work undertaken in producing the Statement of Accounts.

The Director of Finance and Legal gave a brief presentation, outlined the authority's funding basis and clarified that the presentation of the accounts was from two perspectives. These were funding and spending (governed by statutory regulations) and external reporting (governed by the Code of Practice/International Financial Reporting Standards (IFRS)). It was stated that both views were reconciled together in one statement known as the Movement in Reserves Statement (MiRS) detailed on page 25 of the accounts submitted. A simplified version of the MiRS table was presented to the Committee.

The Director of Finance and Legal reported on the Audit progress and confirmed that some queries were outstanding in relation to the payroll system and Pensions. Members were also advised of the proposed recommendation of the Committee in that the Chair of the Audit and Standards Committee, following consultation with the Director of Finance and Legal, would be authorised to approve any changes to the Statement of Accounts arising from audit work, provided there was no impact on useable reserves at 31<sup>st</sup> March, 2023.

Arising from the presentation, the Chair commented positively on the report and the outstanding growth demonstrated. Councillor M Evans also expressed his appreciation for the excellent work undertaken and presentation given.

## **Resolved**

- (1) That the information contained in the report on the Statement of Accounts 2022/23, be approved and the Chair of the Audit and Standards Committee be authorised to sign and date the Statement of Accounts.
  - (2) That the Chair of the Audit and Standards Committee, following consultation with the Director of Finance and Legal, be authorised to approve any changes to the Statement of Accounts arising from audit work, following this Committee meeting, provided there is no impact on useable reserves at 31<sup>st</sup> March, 2023.
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## 43 **Annual Governance Statement**

The Committee considered a report of the Director of Finance and Legal on the Council's Annual Governance Statement for 2022/23. This was required to be included as part of the Annual Statement of Accounts and detailed how the Council had complied with the local Code of Corporate Governance, the effectiveness of the governance framework and described any significant governance issues and how these would be addressed.

In presenting the report, the Director of Finance and Legal confirmed that the proposed Annual Governance Statement had incorporated areas and reflected comments that had previously been discussed by the Committee including housing compliance and improvement in processes following lessons learnt from MIPIM.

The Director of Finance and Legal referred specifically to paragraph 5.3.2 of the Annual Governance Statement which had been updated to reflect the latest forecast in terms of the financial position for the current year and risks that been highlighted to Cabinet in October, 2023. Paragraph 6.2 had been included to reflect the LGA Peer Review; the seriousness of the recommendations made by Grant Thornton Annual Auditor's Report and the creation of the externally chaired Improvement and Assurance Board.

Arising from the presentation, Members asked questions, made comments and responses were provided where necessary as follows:-

- a) Councillor J Cowell expressed concern and the need for action on paragraphs 4.7.3 and 4.7.4, in particular of the increase in sickness figures associated to work-related stress and turnover rate which had seen 420 new starters and 580 leavers, which highlighted low morale and lack of support to staff.

Reference was also made to the wording in paragraph 4.11.5 in relation to the Dudley Housing Board which suggested that it provided a community-based scrutiny function of the housing service to help ensure that services meet residents' needs and were of the highest standard. However, this was not representative of the current format of the Board. The Regulator of Social Housing Tenant Involvement Standard referred specially to tenants and not residents generally, therefore steps were needed to ensure the views of tenants were obtained.

With regard to paragraph 4.12.5, in that the Local Authority was not providing satisfactory remedy in advance of complaints being considered by the Ombudsman, Councillor Cowell emphasised the importance of improving the existing complaints process and suggested initial work with the complainant and involving them in investigations at an early stage.

- b) In responding to a question raised by Councillor J Cowell in relation to the representation of the Shadow Cabinet Member for Housing on the new overarching Customer Board, the Deputy Chief Executive agreed with comments made and undertook to review accordingly.
- c) In responding to comments made by Councillor J Cowell, the Deputy Chief Executive confirmed that with regard to the Dudley Housing Board, an action plan was being developed on the voice of customers and tenants; how that could be delivered and how they were represented in community meetings including the Housing Board. There were two external non-executive directors with customer backgrounds so that they could challenge the Local Authority to ensure that improvements were being made for tenants. Members were also advised of a Community Housing Base pilot in Halesowen, potentially co-hosted with external partners including the Police and NHS. If successful, it was proposed that this would be implemented across the Borough. The Community Bases would allow more face-to-face interaction with tenants to address any issues before they become formal complaints and would help build relationships.

With regard to staff morale, as part of the organisational redesign, Heads of Service, Service Managers and all staff across the organisation would be invited to contribute towards the process. It was acknowledged that further work was needed to improve staff morale and motivation recognising that staff delivered valuable services and were an asset to the Local Authority. The Committee was assured of the importance to the senior management team that staff would be engaged in any organisational redesign process.

## **Resolved**

- (1) That the Annual Governance Statement, as set out in Appendix A to the report submitted, be approved and referred to the Leader of the Council and Chief Executive for signature.

- (2) That the Annual Governance Statement be re-presented to Audit and Standards Committee for approval should there be any significant changes in governance between the date of this Committee and the date of signing of the accounts.
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44 **Questions Under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

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45 **Comments of the Chair**

The Chair thanked all those present for their attendance and contributions during the meeting and wished everyone a Happy Christmas.

The meeting ended at 7.35pm

CHAIR



**Minutes of the Planning Committee  
Wednesday 14<sup>th</sup> December 2023 at 6.00pm  
in the Council Chamber, The Council House,  
Dudley**

**Present:**

Councillor D Harley (Chair)  
Councillor M Webb (Vice-Chair)  
Councillors H Bills, S Bothul, B Challenor, P Drake, P Miller, K Razzaq and  
E Taylor.

**Officers:**

J Mead (Principal Planning Officers), J Todd (Development Manager) – Both  
Directorate of Regeneration and Enterprise, G Breakwell (Solicitor) and K Buckle  
(Democratic Services Officer) - Both Directorate of Finance and Legal Services.

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35. **Apologies for Absence**

There were no apologies for absence submitted to the Committee.

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36. **Appointment of Substitute Members**

There were no substitute members appointment for this meeting of the  
Committee.

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37. **Declarations of Interest**

Councillor P Drake declared an interest in Agenda Item No. 6 – Planning  
Application No. P21/0912 – Former Coseley Baths, Peartree Lane,  
Coseley – Erection of 34 no. Dwellings with Associated works as he had

previously raised an objection to the application when originally considered by the Planning Committee on 12<sup>th</sup> September 2022 and it was confirmed that he would take no part in the debate or the decision making process in relation to the application.

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38. **Minutes**

**Resolved**

That the minutes of the meeting held on 13<sup>th</sup> November 2023, be approved as a correct record, and signed.

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At this juncture Councillor P Drake left the meeting.

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39. **Plan and Application to Develop**

A report of the Director of Regeneration and Enterprise was submitted on the following plan and application to develop. Details of the plans and application were displayed by electronic means at the meeting.

**Planning Application No. P21/0912 – Former Coseley Baths, Pear Tree Lane, Coseley – Erection of 34 no. Dwellings with Associated Works.**

**Resolved**

That the application be approved subject to conditions numbered 1 to 42 inclusive.

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Councillor P Drake returned to the meeting.

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40. **Planning Services Fees 2024**

Members considered a report of the Director of Regeneration and Enterprise on proposals regarding the setting of the Council's Planning Fees to take effect from 1<sup>st</sup> January 2024, non-statutory Development Management Charges; updated Community Infrastructure Levy (CIL) Charging; Schedule (effective from 1<sup>st</sup> January 2024 to 31<sup>st</sup> December 2024); fees for the Local Development Order (LDO); and charges for Pre-Application advice to customers.

The Development Manager presented the report and as part of that Members noted the need to amend the text identified by the asterisk on the table within Appendix A to state that the charges would be updated in line with the Consumer Price Index (CPI) in April.

In relation to the table in Appendix D the charges for administration /monitoring Section 106/unilateral agreements should be included as identified in paragraph 4.3 of the report submitted.

### **Resolved**

That subject to the amendments outlined above, the Planning Services Fees for 2024 be approved.

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#### 41. **Questions Under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

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#### 42. **Closing Remarks of the Chair**

The Chair wished those present at happy Christmas and New Year.

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The meeting ended at 6.17pm.

CHAIR

**Minutes of the Planning Committee  
Wednesday 10<sup>th</sup> January, 2024 at 6.00pm  
in the Council Chamber, The Council House,  
Dudley**

**Present:**

Councillor D Harley (Chair)  
Councillor M Webb (Vice-Chair)  
Councillors H Bills, S Bothul, B Challenor, P Drake, P Miller, K Razzaq and  
E Taylor.

**Officers:**

J Mead (Principal Planning Officers), J Todd (Development Manager) – Both  
Directorate of Regeneration and Enterprise, G Breakwell (Solicitor) and L Jury  
(Democratic Services Officer) - Both Directorate of Finance and Legal Services.

**Observers:**

S Everton – Senior Planning Officer.

Approximately 6 members of the public.

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43. **Apologies for Absence**

There were no apologies for absence submitted to the Committee.

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44. **Appointment of Substitute Members**

There were no substitute members appointment for this meeting of the  
Committee.

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45. **Declarations of Interest**

Councillor P Drake declared an interest in Agenda Item No. 6 – Planning Application No. P23/1139 – Land between Upper Ettingshall Methodist Church and 56 Upper Ettingshall Road, Coseley – Erection of 1 no. Dwelling with associated works, as he had previously raised an objection to the application when the application had been submitted and it was confirmed that he would take no part in the debate or the decision making process in relation to the application.

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46. **Minutes**

**Resolved**

That the minutes of the meeting held on 14<sup>th</sup> December 2023, be approved as a correct record, and signed.

At this juncture, Councillor P Drake left the meeting.

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47. **Plan and Application to Develop**

A report of the Director of Regeneration and Enterprise was submitted on the following plan and application to develop. Details of the plan and application were displayed by electronic means at the meeting.

The following persons were in attendance at the meeting, and spoke on the planning application as indicated: -

<b><u>Application No.</u></b>	<b><u>Objectors/supporters who wished to speak</u></b>	<b><u>Agent/Applicant who wished to speak</u></b>
P23/1139	Councillor S Ridney – Ward Councillor	
P23/1139	Honourable Alderman M Mottram (speaking on behalf of Upper Ettingshall Methodist Church)	

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**Planning Application No. P23/1139 – Land between Upper Ettingshall Methodist Church and 56, Upper Ettingshall Road, Coseley, WV14 9QS – Erection of 1 no. Dwelling with associated works.**

In considering the application, Members considered speakers comments.

A local Ward Councillor and a representative of the Upper Ettingshall Methodist Church speaking against the proposal reported on a number of concerns that had been raised by residents in relation to the proximity of coal mining and mine shafts in the specific area, and the potential risks related to ground disturbance and stability during the necessary construction work that will need to be carried out in relation to the proposed dwelling. Specific reference was made to the potential risks to the adjacent Methodist Church and the concerns of residents in relation to the recommendations from the Coal Authority that intrusive ground investigation work be carried out, in the form of drilling bore holes, and the serious concern that the vibration could be sufficient to cause ground movement which could seriously compromise all the surrounding buildings. A concern was also raised as to why this land, subject to the planning application, had been left undeveloped when the surrounding estate had been built.

Following the speakers, Members raised questions with answers provided by both the Principal Planning Officer and Development Manager.

**Resolved**

That the application be approved subject to conditions numbered 1 to 16 inclusive.

Councillor P Drake returned to the meeting.

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48. **Planning Services Fees 2024**

Members considered a report of the Director of Regeneration and Enterprise on proposals regarding the setting of the Council's Planning Fees which took effect from 1<sup>st</sup> January 2024, non-statutory

Development Management Charges; updated Community Infrastructure Levy (CIL) Charging; Schedule (effective from 1<sup>st</sup> January 2024 to 31<sup>st</sup> December 2024); fees for the Local Development Order (LDO); and charges for Pre-Application advice to customers.

In presenting the report, the Development Manager advised that the report had been considered by the Committee at its meeting held on 14<sup>th</sup> December 2023, where Members had considered and approved the recommendations. However, the CIL Indexation table had been omitted and, therefore, for clarity, the report had been resubmitted for consideration together with the CIL Indexation table submitted as Appendix A.

### **Resolved**

That subject to the amendments outlined above, the Planning Services Fees for 2024 be approved.

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#### 49. **Questions Under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

The meeting ended at 6.30pm.

CHAIR

**Minutes of the Meeting of the Taxis Committee  
Monday 11<sup>th</sup> December, 2023 at 6.00 pm  
in Committee Room 2 at the Council House, Dudley**

**Present:**

Councillor A Hopwood (Chair)  
Councillor B Challenor (Vice -Chair)  
Councillors M Aston, K Denning, D Harley, M Howard, W Little, J Martin and  
A Taylor

**Officers:**

N Slym (Assistant Team Manager - Licensing and Waste Enforcement),  
S Ahmed-Aziz (Solicitor) and K Malpass (Democratic Services Officer)

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79 **Apologies for Absence**

There were no apologies for absence for this meeting of the Sub-Committee.

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80 **Appointment of Substitute Member**

There were no substitute Members appointed for this meeting of the Sub-Committee.

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81 **Declarations of interest**

No Member made a declaration of interest, in accordance with the Members Code of Conduct, in respect of any matters considered at the meeting.



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82 **Minutes**

**Resolved**

That the minutes of the meeting held on 6<sup>th</sup> November, 2023, be approved as a correct record and signed.

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83 **Questions Under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

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84 **Exclusion of the Public and Press**

**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 an individual(s) as defined under Part 1 of Schedule 12A to the Local Government Act 1972, as amended.

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85 **Review of a Private Hire Driver's Licence – Mr MS**

A report of the Interim Service Director of Environment Directorate was submitted to consider the review of the Private Hire Driver's Licence issued to Mr MS.

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

The Assistant Team Manager, Licensing and Waste Enforcement outlined the report submitted to the meeting and reported that Mr MS's vehicle had been booked in for a vehicle test on 31<sup>st</sup> July, 2023 which had passed with a number of advisory adjustments.

Both Mr Schiller and Mr MS explained the circumstances following the breach of Section 73 of the Local Government (Miscellaneous Provisions) Act 1976 following the failure to report to appropriate Council premises to carry out an inspection of a vehicle following a request by an authorised officer during a Safety Operation on 7<sup>th</sup> July, 2023. Mr MS explained the mitigating factors in relation to his failure to follow Police instructions and to contact the service immediately to explain his non-attendance indicating that he had severe stomach issues, arising from Type 2 Diabetes, which he was required to take medication for, that needed addressing immediately. Mr MS apologised for not contacting the Licensing Office immediately, however, he indicated that he was not issued with any contact details and unsure who to contact.

Mr MS further responded to a series of questions asked by the Committee and whilst it was confirmed that he had contacted the Licensing Office between 17<sup>th</sup> and 19<sup>th</sup> July, 2023 to arrange a vehicle safety test, it had not been in relation to the incident that occurred on 7<sup>th</sup> July, 2023. Mr Schiller expressed concern at the significant delay in requesting Mr MS to attend the Licensing Office at Blowers Green Road on 23<sup>rd</sup> October, 2023 to be interviewed under caution relating to the breach of Section 73 of the Local Government (Miscellaneous Provisions) Act 1976.

Mr MS confirmed that there were no further matters pending that needed to be brought to the Committee's attention.

The Committee's Solicitor provided a legal summary in relation to the case, following which all parties withdrew from the meeting to enable the Committee to determine the application.

## **Resolved**

That following careful consideration of the information contained in the report submitted, the evidence provided at the meeting and having regard to the Committee Guidelines and Statutory Standards, the Committee determined that given the explanation provided, Mr MS's long history of having an unblemished taxi licence and his understanding of his requirements should a similar incident occur in the future, they were satisfied that Mr MS was a fit and proper person to hold a licence and a strong warning be issued regarding his future conduct.

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86 **Review of a Private Hire Driver's Licence – Mr SK**

At the request of Mr SK and with agreement of the Committee, this item of business was deferred to a future meeting.

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87 **Application for Grant of a Private Hire Driver's Licence – Mr AM**

A report of the Interim Service Director of Environment Directorate was submitted to consider the application of the grant of a Private Hire Driver's licence to Mr AM.

Mr AM was in attendance at the meeting and responded to a series of questions asked by the Committee explaining the circumstances surrounding his failure to disclose his previous convictions when applying for a private hire driver's licence which had been outlined on his Enhanced Disclosure and Barring Service Certificate. Whilst he accepted that all driving disqualifications, revocations, endorsements, convictions and cautions should have been disclosed in the correct sections of the form, he indicated that at the time he applied for a private hire driver's licence, he did not fully understand the requirements of completing the form.

Mr AM confirmed that there were no further matters pending that needed to be brought to the Committee's attention.

The Committee's Solicitor provided a legal summary in relation to the case, following which all parties withdrew from the meeting to enable the Committee to determine the application.

**Resolved**

That following careful consideration of the information contained in the report submitted, the evidence provided at the meeting and having regard to the Committee Guidelines and Statutory Standards, the Committee were satisfied that Mr AM was a fit and proper person to hold a licence given the explanation provided and that sufficient time had lapsed since his previous convictions, therefore, the private hire driver's licence to Mr AM be granted.

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88 **Comments by the Chair**

The Chair wished everyone a Merry Christmas and a prosperous New Year.

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The meeting ended at 7.44pm.

CHAIR

**Minutes of the Meeting of the Taxis Committee  
Monday 15<sup>th</sup> January, 2024 at 6.00 pm  
in Committee Room 2 at the Council House, Dudley**

**Present:**

Councillor A Hopwood (Chair)  
Councillor B Challenor (Vice -Chair)  
Councillors D Harley, M Howard, J Martin, C Sullivan and A Taylor

**Officers:**

N Slym (Assistant Team Manager - Licensing and Waste Enforcement),  
S Ahmed-Aziz (Solicitor) and K Malpass (Democratic Services Officer)

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89 **Apologies for Absence**

Apologies for absence were received on behalf of Councillors M Aston,  
K Denning and W Little.

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90 **Appointment of Substitute Member**

It was reported that Councillor C Sullivan had been appointed to serve as  
a substitute Member for Councillor W Little for this meeting of the  
Committee only.

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91 **Declarations of interest**

No Member made a declaration of interest, in accordance with the  
Members Code of Conduct, in respect of any matters considered at the  
meeting.

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92 **Minutes**

**Resolved**

That the minutes of the meeting held on 11<sup>th</sup> December, 2023, be approved as a correct record and signed.

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93 **Questions Under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

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94 **Exclusion of the Public and Press**

**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 an individual(s) as defined under Part 1 of Schedule 12A to the Local Government Act 1972, as amended.

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95 **Review of a Private Hire Driver's Licence – Mr SK**

A report of the Interim Service Director of Environment Directorate was submitted to consider the review of the Private Hire Driver's Licence issued to Mr SK.

Mr SK was in attendance at the meeting.

The Assistant Team Manager, Licensing and Waste Enforcement outlined the report, referring to specific witness statements outlined at Appendix 1 of the report submitted to the meeting. At the request of Members, dashcam footage provided to Licensing Officers by the complainant displaying footage of the incident was presented.

Following the presentation, Mr SK confirmed that the content of the report and the footage presented was a true reflection of the incident that had occurred on 4<sup>th</sup> August, 2023.

Mr SK responded to a series of questions raised by the Committee in relation to the incident which had resulted in police intervention and an interview under police caution resulting in a warning being issued under Section 59 of the Police Reform Act 2002. Whilst Mr SK indicated that he had been running late for a job and the customer had contacted him on numerous occasions to check his estimated time of arrival, he accepted that his behaviour during the incident had been unacceptable and should not have occurred and apologised profusely indicating that it had been a “mistake”. Mr SK accepted full accountability for his behaviour and manner of driving which involved a nervous student whilst participating in a driving lesson. Mr SK indicated that he was an experienced taxi driver, with no previous driving issues and relied on his job to enable him to provide for his family and assured the Committee that he had learned a valuable lesson from the incident, and it would not happen again.

Mr SK then answered further questions in relation to his driving behaviour which the Committee deemed dangerous and could have potentially caused a road traffic accident involving a cyclist and confirmed that there were no further matters pending that needed to be brought to the Committee’s attention.

The Committee’s Solicitor provided a legal summary in relation to the case, following which all parties withdrew from the meeting to enable the Committee to determine the application.

The Assistant Manager Team Manager, Licensing and Waste Enforcement and Mr SK were requested to re-join the meeting to answer a further question in relation to the circumstances that had resulted in Mr SK having to attend a Taxis Committee when first being issued with a private hire driving licence. Following the response received, all parties again withdrew from the meeting to enable to the Committee to determine the application.

## **Resolved**

That following careful consideration of the information contained in the report submitted, the evidence provided by all parties at the meeting and having regard to the Committee Guidelines and Statutory Standards, the Committee determined that the circumstances surrounding the incident, as outlined in the report submitted, and the potential serious consequences of dangerous driving, amounted to reasonable cause to show Mr SK was not a fit and proper person to hold a licence and therefore, the private hire driver’s licence issued to Mr SK be revoked with immediate effect in the interests of public safety.

96 **Review of a Private Hire and Hackney Carriage Driver's Licence – Mr RA**

A report of the Interim Service Director of Environment Directorate was submitted to consider the review of the private hire and hackney carriage driver's licence issued to Mr RA.

Mr RA was in attendance at the meeting together with his son-in-law as a supporter.

The Assistant Team Manager, Licensing and Waste Enforcement outlined the report submitted to the meeting indicating that the review was issued as a result of his DVLA licence being endorsed with eight penalty points.

Mr RA responded in detail to a series of questions asked by the Committee explaining the circumstances surrounding the offence dated 16<sup>th</sup> June, 2023. Mr RA indicated that whilst he was not working at the time of the incident, an altercation had occurred with another driver on a store car park, which had resulted in the other driver pursuing him, using aggressive hand gestures, flashing his headlights and sounding his horn causing Mr RA to become very distressed and frightened resulting in him disobeying a red light to enable him to drive to a safe location. Mr RA advised the Committee that he had not reported the incident to the police because he did not have information about the driver or the vehicle. Mr RA apologised for his behaviour at the time of the incident and indicated that he was an experienced taxi driver and relied on his job to enable him to provide for his family.

Mr RA then answered further questions in relation to the circumstances of the offence committed on 30<sup>th</sup> August, 2022 and the complaint received in 2006 concerning the way in which he had transported a disabled passenger. Mr RA then referred to his customer rating on Uber which highlighted a 5-star rating with good customer reviews.

Mr RA then confirmed that there were no further matters pending that needed to be brought to the Committee's attention.

The Committee's Solicitor provided a legal summary in relation to the case, following which all parties withdrew from the meeting to enable the Committee to determine the application.



## Resolved

That following careful consideration of the information contained in the report submitted, the evidence provided at the meeting and having regard to the Committee Guidelines and Statutory Standards, the Committee determined that the Private Hire and Hackney Carriage Driver's Licence issued to Mr RA be suspended for a period of one month in view of the nature of his convictions causing his DVLA licence to be endorsed with eight penalty points.

Mr RA was informed of his right to appeal the decision of the Committee to the Magistrates' Court.

During the adjournment, Mr RA advised the Assistant Team Manager, Licensing and Waste Enforcement that a further incident had occurred on an Asda car park in June/July 2023 which the police had been investigating for a possible pedestrian collision with Mr RA's vehicle. Following no response from the police in relation to the incident and advice from the Committee's Solicitor, the Committee determined that the decision remain as above, however, Mr RA was reminded of his responsibility to report any future incidents to the Licensing Office.

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### 97 **Review of a Private Hire Driver's Licence – Mr SL**

At the request of Mr SL, following a conversation with the Assistant Team Manager, Licensing and Waste Enforcement to ascertain non-attendance, and with the agreement of the Committee, this item of business be deferred to a future meeting of the Committee to enable Mr SL to provide the Licensing Office with further information.

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The meeting ended at 7.15pm.

CHAIR

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1.

**Delegated Decision Summary**

Exempt

Yes No

**Decision Made By** Councillor Phil Atkins

**Authorised By** Councillor Phil Atkins, Cabinet Member for Corporate Strategy  
Councillor Paul Bradley, Deputy Leader (Communities and Economic Delivery)

**In Consultation With** Helen Martin, Director of Regeneration and Enterprise  
Helen Martin, Director of Regeneration and Enterprise

**Ward(s) Affected** All

**Date of Decision** 20 December 2023 **Reference** DRE/26/2023

**Fees and Charges for 2024-26 for Culture, Leisure and Bereavement Services - Amendments**

1.1 That the scale of charges attached as appendices documents be approved for the following services:

- Bereavement
- Leisure Centres
- Borough Halls
- Himley Hall

For Museums, we are not currently in the position to set fees and charges due to renovation works and unknown cost increases. Prices will remain the same as 2023/24 until they can be reviewed.

That the Head of Culture, Leisure and Bereavement Services and Service Managers be authorised to allow variations to the approved list of fees and charges to cover incidents of reduced service levels, block bookings, sales, promotions, social inclusion programmes and charitable events.

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2.

**Delegated Decision Summary**

Exempt

Yes No

**Decision Made By** Councillor Paul Bradley

**Authorised By** Councillor Paul Bradley, Deputy Leader (Communities and Economic Delivery)

**In Consultation With** Helen Martin, Director of Regeneration and Enterprise

**Ward(s) Affected** Cradley and Wollescote

**Date of Decision** 04 December 2023 **Reference** DRE/22/2023

**Redevelopment at 122 – 128 Colley Gate – withdrawing from Compulsory Purchase Order process**

1.1 Approval for the Director of Regeneration to inform the Secretary of State, via the Planning Case Unit that the Council is withdrawing from the Compulsory Purchase Order (CPO) process at 122 – 128 Colley Gate

### 3.

#### Delegated Decision Summary

Exempt

Yes No

**Decision Made By** Councillor Paul Bradley

**Authorised By** Councillor Paul Bradley, Deputy Leader (Communities and Economic Delivery)

**In Consultation With** Helen Martin, Director of Regeneration and Enterprise

**Ward(s) Affected** All

**Date of Decision** 14 December 2023

**Reference** DRE/23/2023

#### UK Shared Prosperity Fund, Approval of Year 2 and 3 BGWM Business Grant Schemes

1.1 To approve the launch of the council's year two and three activity relating to Small Medium Enterprise (SME) grants and Net Zero grants as part of the UK Shared Prosperity Fund (UKSPF) supporting local businesses strand, which includes a year 2 capital grants allocation of £459,756 and an indicative year 3 allocation of £817,326.

1.2 To approve the use of the revenue elements of the grant to fund the council's costs in administrating the grant programmes which includes a year 2 allocation of £51,506.81 and an indicative year 3 allocation of £91,568.

1.3 To approve the proposed governance arrangements for overseeing the delivery of UKSPF local business support grants.

1.4 To provide delegated authority for the Director of Regeneration and Enterprise to authorise the Council entering into subsequent grant agreements with local businesses awarded funding as part of the SME and Net Zero grants.

1.5 To acknowledge the risks associated with delivering the UKSPF local business support grants.

1.6 To acknowledge the progress concerning UKSPF year 2 local business support delivery.

### 4.

#### Delegated Decision Summary

Exempt

Yes No

**Decision Made By** Councillor Paul Bradley

**Authorised By** Councillor Paul Bradley, Deputy Leader (Communities and Economic Delivery)

Councillor Laura Taylor-Childs, Cabinet Member for Housing and Safer

Councillor Damian Corfield, Cabinet Member for Highways and Environmental

**In Consultation With** Helen Martin, Director of Regeneration and Enterprise

Kathryn Jones, Director of Housing and Communities

Nick McGurk, Acting Service Director - Neighbourhood Delivery

**Ward(s) Affected** Netherton, Woodside &  
St.Andr

**Date of Decision** 18 December 2023

**Reference** DRE/25/2023

#### Appropriation of Land at Simms Lane, Netherton, Dudley

1.1 That land at Simms Lane, Netherton, Dudley be appropriated from Housing Act 1957 to the purposes of the Highways Act.

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5.

Delegated Decision Summary

Exempt

Yes No

**Decision Made By** Councillor Paul Bradley

**Authorised By** Councillor Paul Bradley, Deputy Leader (Communities and Economic Delivery)

**In Consultation With** Helen Martin, Director of Regeneration and Enterprise

**Ward(s) Affected** All

**Date of Decision** 28 December 2023

**Reference** DRE/27/2023

Building Control Service Fees 2024

1.1 Endorse the inflationary increase of 8% of the existing Building Control Fee Schedule outlined in Appendix B. Applicable from 1st January 2024;

and;

1.2 Endorse the imposition of additional charges when further inspections, above and beyond the additional fee, are required.

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6.

Delegated Decision Summary

Exempt

Yes No

**Decision Made By** Councillor Paul Bradley

**Authorised By** Councillor Paul Bradley, Deputy Leader (Communities and Economic Delivery)

**In Consultation With** Helen Martin, Director of Regeneration and Enterprise

**Ward(s) Affected** All

**Date of Decision** 04 January 2024

**Reference** DRE/01/2024

Recruitment of 4 x Project Co-Ordinator posts to support the delivery of UK Shared Prosperity and Commonwealth Games Jobs and Skills Programmes

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7.

Delegated Decision Summary

Exempt

Yes No

**Decision Made By** Councillor Paul Bradley

**Authorised By** Councillor Paul Bradley, Deputy Leader (Communities and Economic Delivery)

**In Consultation With** Helen Martin, Director of Regeneration and Enterprise

**Ward(s) Affected** All

**Date of Decision** 25 January 2024

**Reference** DRE/02/2024

Caretakers Accommodation Rent Increase 2024/25

1.1 To increase the rent paid by school caretakers resident in properties owned by the Council with effect from 1 April 2024.

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8.

Delegated Decision Summary

Exempt

Yes No

**Decision Made By** Councillor Ruth Buttery

**Authorised By** Councillor Ruth Buttery, Children's Services and Education

**In Consultation With** Catherine Driscoll, Director of Children's Services

**Ward(s) Affected** All

**Date of Decision** 08 January 2024

**Reference** DCS/01/2024

New Organisational Structure for Dudley Lighthouse Links

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9.

Delegated Decision Summary

Exempt

Yes No

**Decision Made By** Councillor Steve Clark

**Authorised By** Councillor Steve Clark, Cabinet Member for Finance, Legal and Human

**In Consultation With** Iain Newman, Director of Finance and Legal (Section 151 Officer)

**Ward(s) Affected** All

**Date of Decision** 25 January 2024

**Reference** DFL/02/2024

waiver to award contract to Permanent Futures - Supporting Families Payment By Results

Agreement to award contract to Permanent Futures Ltd to support work on identifying payment by results claims as part of the Government's Supporting Families Programme.

10.

Delegated Decision Summary

Exempt

Yes No

**Decision Made By** Councillor Laura Taylor-Childs

**Authorised By** Councillor Laura Taylor-Childs, Cabinet Member for Housing and Safer  
Councillor Steve Clark, Cabinet Member for Finance, Legal and Human

**In Consultation With** Kathryn Jones, Director of Housing and Communities  
Jacqueline Branch, Assistant Director People and Inclusion

**Ward(s) Affected** All

**Date of Decision** 23 January 2024

**Reference** DOH/01/2024

Closure of the Asbestos Laboratory located at The Leys Depot