

Meeting of the Council

**Monday, 11th July, 2022 at 6.00pm
in the Council Chamber
at the Council House, Priory Road, Dudley**

You are hereby summoned to attend a meeting of the Dudley Metropolitan Borough Council for the purpose of transacting the business set out in the numbered agenda items listed below.

Agenda - Public Session **(Meeting open to the public and press)**

Prayers

1. Apologies for absence
2. To receive any declarations of interest under the Members' Code of Conduct
3. To confirm and sign the minutes of the extraordinary meeting and the annual meeting of the Council held on 19th May, 2022 as correct records
4. Mayor's Announcements
5. To receive reports from meetings as follows:

Meeting of the Cabinet dated 27th June, 2022

Councillor P Harley to move:

- (a) Capital Programme Monitoring (Pages 1 – 20)

Councillor L Taylor-Childs to move:

- (b) Development of Community Forums (Pages 21 - 26)

Meeting of the Audit and Standards Committee dated 14th April, 2022

Councillor A Lees to move:

- (c) Audit and Standards Committee Annual Report (Pages 27 - 34)

6. Notices of Motion

(a) Impact of Austerity

To consider the following notice of motion received from Councillor P Lowe on 29th September, 2021:

“This Council recognises the impact that austerity continues to have on our Council and the people that we represent.

This Council further notes that Government funding cuts continue to have a detrimental impact on our ability to address the crisis that we have in social care provision, housing, and many other essential Council services.

Dudley Council believe that the 72 Councillors have a duty to represent the interests of the people that we are elected to serve.

This Council therefore resolves to:

- Jointly write to the Government to demand additional funding so that we can invest in rebuilding our communities.
- Re-ignite the Fair Deal for Dudley campaign that highlighted the multi-million cuts to our funding since 2010.
- Re-establish and build on our local procurement promise building a 'Dudley model' using the principles of the Preston model.

Additionally, we recognise the impact that austerity is having on the working conditions of thousands of people employed in our borough. Many are threatened with being fired and re-hired if they refuse to accept less pay and worse conditions. This is no way to treat hard working Dudley residents after months of pandemic hardship.

We note that this practice has been banned in Ireland, Spain and France and believe it should be banned here in the UK to defend Dudley workers.

We therefore resolve to write to the Government:

- in the spirit of our Fair Deal for Dudley campaign, to demand additional funding
- stating our position on the use of fire and rehire and to call upon Government to act in respect of unscrupulous employers that adopt this practice.”

NB: The above motion was moved by Councillor P Lowe and seconded by Councillor S Ridney at the Council meeting on 11th October, 2021.



The following amendment was subsequently moved by Councillor S Clark, seconded by Councillor L Taylor-Childs. The amendment was debated at the Council meeting on 28th February, 2022:

“This Council recognises the importance of responsible financial management of Local Authority Finances. It is well known that pressures on services are increasing, from Mental Health to road repairs, and it is vital that Local Authorities adapt to the changing nature of Local Government financing.

Since 2018 this administration has creatively and responsibly managed the finances of this Authority which has not only led to the residents of Dudley receiving high quality front line services, enhanced green care and increased mental health services, but is seeing the most aspirational regeneration programme of our generation.

To further enhance the financial position of this authority, this administration is committed to local wealth creation by encouraging investment into our borough along with ensuring that Dudley is an attractive place for leisure and tourism.

This Council resolves to:

- Acknowledge that this administration has a duty to responsibly manage the finances of this authority to protect the wellbeing of the residents of this borough.
- Acknowledge that total reliance on Government Funding is wholly irresponsible and recognise the significant benefits to the borough which have been brought about by this administration taking a commercial approach to generate income and drive efficiencies.”

(b) Planning Regulations – Renewable Energy

To consider the following notice of motion received from Councillor R Buttery on 9th June, 2022:

“That this Council, being mindful of the environment and the impact of fuel bills on homes and businesses, notes that as a borough we are constantly striving to find innovative ways to support our residents and our environment.

That representations be made to the Government requesting that national planning regulations are updated so that any domestic or commercial property, be it a new build or an extension that involves new roof space, be required to fit solar panels to the roof to a minimum of 30% roof area. This would help to generate electricity for that domestic or commercial property, thus reducing the bills for the user of the property and having a positive impact on the environment.



That the Director of Regeneration and Enterprise submit a report to the Climate Change and Environment Scrutiny Committee outlining the existing position and the planning policies Dudley currently has in place in relation to renewable energy.”

(c) Levelling Up

To consider the following notice of motion received from Councillor P Sahota on 29th June, 2022:

“On Monday 27th June, 2022, a report was presented to the Cabinet describing progress with levelling up bids made on behalf of the Borough's 5 MPs.

It was disappointing to note that the two opportunities - in the form of 2 rounds of bidding - have yet to produce any confirmed investment from Government.

It is particularly disappointing and of concern that for the two most deprived constituencies - Dudley South and Dudley North - there is even less detail about the steps being taken to address this and the success of levelling up investment arising from bids in a 'potential' round 3 is uncertain.

One reason given for this failure relates to the level of information and evidence required to justify each bid. Four of the 5 MPs belong to the party in Government, and include those holding party and Government positions, which would suggest they have significant access to information and guidance. Therefore, it is unclear why the criteria for successful bids was not known or foreseen.

The people of Dudley have been seriously let down by this failure and, instead of levelling up Dudley, it risks further decline in those areas badly in need of this investment.

This Council undertakes to write to the Government outlining our concerns and to seek an urgent meeting with Government representatives leading on the levelling up agenda for advice and support to ensure that any round 3 bids made are successful.”

7. Questions from Members under Council Procedure Rule 11
8. To consider any business not on the agenda which by reason of special circumstances the Mayor is of the opinion should be considered at the meeting as a matter of urgency under the provisions of the Local Government Act 1972

Distribution: All Members of the Council



Chief Executive

Dated: 1st July, 2022

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General

- Public Wi-Fi is available in the Council House.
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**Minutes of an Extraordinary Meeting of the Council
Thursday, 19th May, 2022 at 5.45 pm
in the Council House, Priory Road, Dudley**

Present:

Councillor A Millward (Mayor)
Councillor S Greenaway (Deputy Mayor)
Councillors R Ahmed, S Ali, M Aston, P Atkins, C Barnett, C Bayton, D Bevan, I Bevan, H Bills, R Body, D Borley, S Bothul, P Bradley, R Buttery, K Casey, B Challenor, S Clark, J Clinton, R Clinton, R Collins, D Corfield, J Cowell, T Creed, T Crumpton, A Davies, P Dobb, P Drake, C Eccles, J Elliott, M Evans, K Finch, J Foster, A Goddard, M Hanif, D Harley, P Harley, A Hopwood, M Howard, A Hughes, L Johnson, S Keasey, I Kettle, E Lawrence, P Lee, A Lees, P Lowe, J Martin, P Miller, S Mughal, N Neale, S Phipps, K Razzaq, S Ridney, M Rogers, T Russon, P Sahota, S Saleem, K Shakespeare, D Stanley, W Sullivan, A Taylor, E Taylor, L Taylor-Childs, M Westwood, T Westwood and Q Zada together with the Deputy Chief Executive and other Officers

Prayers

The Mayor led the Council in saying the international prayer for peace. Councillor D Stanley led the Council in saying the Lord's Prayer.

78 **Apologies for Absence**

Apologies for absence were submitted on behalf of Councillors A Aston, S Henley, K Lewis and M Qari.

79 **Declaration of Interests**

In line with dispensations set out in the Members' Code of Conduct, no Member had a disclosable pecuniary interest in relation to the ceremonial honours referred to in Minute No 80 below.

Appointment of Honorary Freeman/Women and Honorary Aldermen/Women

A report of the Chief Executive was submitted.

It was moved by Councillor P Harley, seconded by Councillor Q Zada and

Resolved

- (1) That pursuant to Section 249 of the Local Government Act 1972, the Council hereby confers the Freedom of the Borough upon Councillors Alan Taylor and David Stanley.
- (2) That pursuant to Section 249 of the Local Government Act 1972, this Council hereby confers the title of Honorary Alderman upon the former Councillors Alan Finch and Steve Waltho.
- (3) That the Chief Executive be authorised to make the necessary arrangements regarding the presentation of the awards to the recipients.

The meeting ended at 5.50 pm

MAYOR



**Minutes of the Annual Meeting of the Council
Thursday, 19th May, 2022 at 6.00pm
in the Council House, Priory Road, Dudley**

Present:

Councillor A Millward (Mayor)
Councillor S Greenaway (Deputy Mayor)
Councillors R Ahmed, S Ali, M Aston, P Atkins, C Barnett, C Bayton, D Bevan, I Bevan, H Bills, R Body, D Borley, S Bothul, P Bradley, R Buttery, K Casey, B Challenor, S Clark, J Clinton, R Clinton, R Collins, D Corfield, J Cowell, T Creed, T Crumpton, A Davies, P Dobb, P Drake, C Eccles, J Elliott, M Evans, K Finch, J Foster, A Goddard, M Hanif, D Harley, P Harley, A Hopwood, M Howard, A Hughes, L Johnson, S Keasey, I Kettle, E Lawrence, P Lee, A Lees, P Lowe, J Martin, P Miller, S Mughal, N Neale, S Phipps, K Razzaq, S Ridney, M Rogers, T Russon, P Sahota, S Saleem, K Shakespeare, D Stanley, W Sullivan, A Taylor, E Taylor, L Taylor-Childs, M Westwood, T Westwood and Q Zada together with the Deputy Chief Executive and other Officers

1 Election of Mayor

The Mayor invited nominations for election to the office of Mayor of the Borough for the 2022/23 municipal year.

Councillor S Greenaway was nominated by Councillor P Harley. The nomination was seconded by Councillor S Clark.

Resolved

That Councillor S Greenaway be elected Mayor of the Borough for the 2022/23 Municipal Year.

Councillor S Greenaway then made and subscribed to the Statutory Declaration of Acceptance of Office and took the Chair.

2 Election of Deputy Mayor

The Mayor invited nominations for election to the office of Deputy Mayor of the Borough for the 2022/23 municipal year.



Councillor A Goddard was nominated by Councillor P Harley. The nomination was seconded by Councillor S Clark.

Resolved

That Councillor A Goddard be elected Deputy Mayor of the Borough for the 2022/23 Municipal Year.

3 **Acceptance of Office of Deputy Mayor**

Following an adjournment for robing to take place, Councillor A Goddard made and subscribed to the Statutory Declaration of Acceptance of the Office of Deputy Mayor.

4 **Address by the Mayor**

The Mayor addressed the Council to express thanks upon her election.

5 **Tributes to the Retiring Mayor and Mayor's Consort and Presentation of Badges**

Tributes were paid to the retiring Mayor and Mayor's Consort, followed by the presentation of badges.

Councillor A Millward addressed the Council and expressed thanks for all the support that had enabled her to carry out her duties as Mayor.

6 **Apologies for Absence**

Apologies for absence were submitted on behalf of Councillors A Aston, S Henley, K Lewis and M Qari.

7 **Minutes**

Resolved

That the minutes of the meeting held on 11th April, 2022 be approved as a correct record and signed.



8 **Mayor's Announcements**

(a) **Former Mayor and Honorary Alderman Mary Hill**

The Mayor referred to the death of the former Mayor and Honorary Alderman Mary Hill. The Council observed a minute of silence as a token of respect to the memory of Mary Hill. Tributes would be paid at the next ordinary meeting of the Council.

(b) **Mayor's Consort**

The Mayor's Consort for the 2022/23 Municipal Year would be Mr D Greenaway.

(c) **Deputy Mayor's Consort**

The Deputy Mayor's Consort for the 2022/23 Municipal Year would be Councillor J Clinton.

(d) **Mayor's Chaplain**

The Mayor's Chaplain for the 2022/23 Municipal Year would be Reverend Vanessa Tobin, St Mark's Church, Pensnett.

(e) **Mayor's Charities**

The Mayor's Charities to be supported in the 2022/23 Municipal Year were:

Black Country Toy Appeal
Tough Enough to Care
Macmillan Cancer Support

(f) **"At Home" Event**

To be held on a date to be arranged.

(g) **Armed Forces Day**

To be held on 26th June, 2022.

(h) **Civic Sunday**

To be held on a date to be arranged.



(i) Mayor Making Dinner and Freedom/Aldermen Event

To be held on a date to be arranged.

(j) Black Country MUSICOM Festival

To be held at Himley on 17th July, 2022.

(k) Mayor's Charity Cricket Match

To be held at 6.00pm on Friday 1st July, 2022 at the Memorial Ground, Amblecote, Stourbridge.

(l) Newly Elected Members of the Council

The Mayor welcomed the following Members who had been elected to the Council at the municipal elections on 5th May, 2022:

Councillor S Bothul
Councillor H Bills
Councillor K Casey
Councillor T Creed
Councillor C Eccles
Councillor J Elliott
Councillor A Hughes
Councillor M Howard
Councillor J Martin
Councillor M Qari
Councillor T Russon

(m) Tributes to Former Councillors

The Mayor and other Members paid tribute to the service given by former Councillors K Ahmed, N Barlow and C Neale who were not re-elected at the municipal elections on 5th May, 2022.

9 **Declarations of Interest**

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



10 **Leader of the Council**

A report of the Lead for Law and Governance (Monitoring Officer) was submitted.

Councillor P Harley was nominated by Councillor S Clark. The nomination was seconded by Councillor L Taylor-Childs.

Resolved

That Councillor P Harley be elected as the Leader of the Council in accordance with the provisions of the Constitution.

11 **Appointment and Membership of the Cabinet and Committees for 2022/23 and Related Matters**

A report of the Lead for Law and Governance (Monitoring Officer) was submitted.

It was moved by Councillor P Harley, seconded by Councillor S Clark and

Resolved

(1) That the information contained in the list circulated by the Leader concerning the appointment of the Deputy Leader and Members of the Cabinet for the 2022/23 municipal year, as set out below, be noted together with the designations of Cabinet Members:

(a) That Councillor S Clark be appointed as Deputy Leader of the Council for the 2022/23 Municipal Year.

(b) That the Leader of the Council and nine other Members comprise the Cabinet for the 2022/23 Municipal Year and that the names of the Members to serve for the year be as follows:-

Councillors I Bevan, R Buttery, S Clark, P Harley, S Keasey, N Neale, R Clinton, S Phipps, S Saleem and L Taylor-Childs.

(c) That all Members of the Shadow Cabinet be invited to attend meetings of the Cabinet to speak but not vote.

(d) That the assignment of Portfolios to the Cabinet Members and the names of the corresponding Opposition (Labour) Group Spokespersons be as set out below:-



Leader and Cabinet Members

<u>Councillor</u>	<u>Portfolio</u>
P Harley	Leader of the Council (Policy)
S Clark	Deputy Leader (Finance, Legal and Procurement)
N Neale	Adult Social Care
R Buttery	Children and Young People
S Keasey	Commercialisation and Human Resources
S Saleem	Highways and Public Realm
L Taylor-Childs	Housing and Communities
I Bevan	Public Health and Wellbeing
S Phipps	Regeneration and Enterprise
R Clinton	Waste Management and Climate Change

Opposition Group Spokespersons (Shadow Cabinet)

<u>Councillor</u>	<u>Portfolio</u>
Q Zada	Opposition Group Leader (Policy)
J Foster	Opposition Group Deputy Leader (Human Resources)
S Ridney	Children and Young People
C Barnett	Digital, Customer and Commercial
S Ali	Finance, Legal and Procurement
P Lowe	Health and Adult Social Care
K Casey	Highways and Public Realm
A Aston	Housing and Communities
P Sahota	Regeneration and Enterprise
C Bayton	West Midlands Combined Authority and Climate Change

- (2) That the structure of Committees for 2022/23 be approved on the basis set out in the report and the lists circulated at the meeting.
- (3) That the terms of reference and functions of Committees, as set out in Part 3 of the Constitution, be approved subject to any consequential amendments arising from decisions made at this meeting.
- (4) That, with the exceptions referred to in the report, the composition and Membership of Committees for the 2022/23 municipal year be determined in accordance with the political balance requirements of Sections 15 and 16 of the Local Government and Housing Act 1989, as shown on the lists circulated at the meeting:



	<u>Total</u>	<u>Conservative</u>	<u>Labour</u>
Children and Young People Scrutiny Committee (Excluding Co-opted Members)	13	8	5
Future Council Scrutiny Committee	13	8	5
Health and Adult Social Care Scrutiny Committee (Excluding Co-opted Member)	13	8	5
Housing and Public Realm Scrutiny Committee	13	8	5
Climate Change and Environment Scrutiny Committee	13	8	5
Appeals Committee	5	4	1
Appointments Committee	9	6	3
Audit and Standards Committee	9	6	3
Children's Corporate Parenting Board	12	8	4
Planning Committee	9	6	3
Ernest Stevens Trusts Management Committee (Excluding Co-opted Members)	6	4	2
Licensing and Safety Committee	12	7	5
Taxis Committee	9	6	3

- (5) That the appointment of Members to Committees for the 2022/23 municipal year be on the basis of the nominations made by political groups as follows:-



Children and Young People Scrutiny Committee

Councillors (Conservative)

D Bevan
D Borley
S Bothul
P Bradley
B Challenor
P Lee
K Lewis
A Millward

Councillors (Labour)

C Bayton
H Bills
A Hughes
M Qari
S Ridney

Together with provision for the appointment of statutory, non-elected, co-opted members with voting rights in matters concerning education:-

Parent Governor Representatives

1. Secondary Schools – vacancy
2. Primary Schools – vacancy
3. Special Schools – C Collins

Church Representatives

4. Worcester Diocesan Board of Education – T Reid
5. Archdiocese of Birmingham – vacancy

Future Council Scrutiny Committee

Councillors (Conservative)

T Creed
A Davies
P Dobb
I Kettle
E Lawrence
A Lees
T Russon
K Shakespeare

Councillors (Labour)

S Ali
C Barnett
J Foster
M Howard
P Sahota



Health and Adult Social Care Scrutiny Committee

Councillors (Conservative)

P Atkins
A Davies
J Elliott
A Hopwood
L Johnson
K Razzaq
M Rogers
D Stanley

Councillors (Labour)

R Ahmed
T Crumpton
M Hanif
P Lowe
M Qari

One non-elected co-opted member without voting rights:-

Healthwatch (Dudley) – Chief Officer

Housing and Public Realm Scrutiny Committee

Councillors (Conservative)

J Clinton
R Collins
I Kettle
K Lewis
D Stanley
W Sullivan
M Westwood
T Westwood

Councillors (Labour)

A Aston
M Aston
K Casey
J Cowell
P Sahota



Climate Change and Environment Scrutiny Committee

Councillors (Conservative)

R Collins
D Corfield
P Dobb
J Elliott
S Henley
M Rogers
T Russon
K Shakespeare

Councillors (Labour)

C Barnett
C Bayton
K Casey
C Eccles
J Foster

Appeals Committee

Councillors (Conservative)

A Goddard
S Greenaway
S Henley
T Westwood

Councillor (Labour)

S Mughal

Appointments Committee

Councillors (Conservative)

S Clark
P Harley
S Keasey
N Neale
S Phipps
L Taylor-Childs

Councillors (Labour)

J Foster
Q Zada
Relevant Shadow Cabinet Member



Audit and Standards Committee

Councillors (Conservative)

P Atkins
D Borley
M Evans
E Lawrence
A Lees
A Taylor

Councillors (Labour)

S Ali
J Cowell
J Martin

Children's Corporate Parenting Board

Councillors (Conservative)

D Bevan
P Bradley
R Buttery
L Johnson
P Lee
A Millward
N Neale
D Stanley

Councillors (Labour)

H Bills
A Hughes
S Ridney
E Taylor

Planning Committee

Councillors (Conservative)

D Corfield
A Goddard
D Harley
P Miller
W Sullivan
M Westwood

Councillors (Labour)

H Bills
P Drake
E Taylor



Ernest Stevens Trusts Management Committee

One ward Councillor from each of the following wards:

Cradley and Wollescote
T Crumpton

Norton
T Creed

Lye and Stourbridge North
D Borley

Pedmore and Stourbridge East
I Kettle

Quarry Bank and Dudley Wood
J Cowell

Wollaston and Stourbridge Town
A Hopwood

Together with 3 non-elected co-opted members without voting rights:-

Friends of Stevens Park, Quarry Bank – D Sparks
Friends of Wollescote Park – J Marks
Friends of Mary Stevens Park – H Rogers

Licensing and Safety Committee

Councillors
(Conservative)

J Clinton
T Creed
M Evans
S Greenaway
P Miller
K Razzaq
A Taylor

Councillors
(Labour)

J Cowell
P Drake
K Finch
M Howard
E Taylor

Taxis Committee

Councillors
(Conservative)

B Challenor
D Harley
A Hopwood
P Lee
A Lees
D Stanley

Councillors
(Labour)

M Aston
R Body
J Martin



- (6) That with regard to the Children and Young People Scrutiny Committee, the Health and Adult Social Care Scrutiny Committee and the Ernest Stevens Trusts Management Committee, the proposals in relation to co-opted representatives and the arrangements for the filling of vacancies for co-opted members be approved.
- (7) That the Licensing and Safety Committee be appointed in 2022/23 to undertake the statutory Committee functions in accordance with the Licensing Act 2003 and that the Committee comprise 12 Members.
- (8) That the Council confirm that the proportionality requirements of the Local Government and Housing Act 1989 shall not apply to Licensing Sub-Committees established by the Licensing and Safety Committee or to any Sub-Committee established by the Audit and Standards Committee to hear complaints against Members under the Members' Code of Conduct.
- (9) That the Chairs and Vice-Chairs of the following Committees be appointed for 2022/23:

<u>Committee</u>	<u>Chair</u>	<u>Vice-Chair</u>
	Councillor	Councillor
Children and Young People Scrutiny Committee	P Bradley	D Bevan
Future Council Scrutiny Committee	E Lawrence	A Davies
Health and Adult Social Care Scrutiny Committee	M Rogers	P Atkins
Housing and Public Realm Scrutiny Committee	M Westwood	W Sullivan
Climate Change and Environment Scrutiny Committee	D Corfield	P Dobb
Appeals Committee	T Westwood	S Henley
Appointments Committee	P Harley	S Clark
Audit and Standards Committee	A Lees	D Borley

Children's Corporate Parenting Board	R Buttery	S Ridney
Planning Committee	D Harley	A Goddard
Ernest Stevens Trusts Management Committee	I Kettle	A Hopwood
Licensing and Safety Committee	J Clinton	K Razzaq
Taxis Committee	A Hopwood	B Challenor

- (10) That the arrangements for substitutes on Committees, as set out in Council Procedure Rules, be reaffirmed for the 2022/23 municipal year.
- (11) That the Planning (Site Visits) Working Group be appointed for the 2022/23 Municipal Year to undertake visits to sites where the Committee has resolved that there should be a site visit and that the Working Group comprise all Members of the Planning Committee.
- (12) That Scrutiny Working Groups be appointed for the 2022/23 municipal year for each of the Scrutiny Committees and that the membership of the Working Groups comprise all Members of the relevant Scrutiny Committees.
- (13) That the Dudley Health and Wellbeing Board be established in 2022/23 on the basis set out in the report.
- (14) That a report on the future arrangements for Community Forums be submitted to the Cabinet and Council in due course.
- (15) That the Monitoring Officer be authorised to take any necessary and consequential actions that are required to implement the proposals contained in the report and any other decisions taken at this meeting of the Council.

12 **Constitution and Scheme of Delegation**

A report of the Lead for Law and Governance (Monitoring Officer) was submitted.

It was moved by Councillor P Harley, seconded by Councillor S Clark and



Resolved

- (1) That the Constitution and Scheme of Delegation be reaffirmed for the 2022/23 municipal year.
 - (2) That the Monitoring Officer be authorised to make any necessary and consequential amendments to the Constitution arising from decisions made by the Council and to reflect any ongoing restructuring activity, changes in legislative requirements, statutory provisions or associated regulations or guidance.
 - (3) That all references in the Constitution to statutory provisions be taken to include any subsequent legislation, Statutory Instruments, Regulations, Orders or Guidance issued under those statutory provisions.
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13 Programme of Meetings for 2022/23

A report of the Lead for Law and Governance (Monitoring Officer) was submitted.

It was moved by Councillor P Harley, seconded by Councillor S Clark and

Resolved

That the programme of meetings of the Council, Cabinet and Committees for the 2022/23 municipal year be approved.

14 Appointments/Nominations to Other Bodies

A report of the Lead for Law and Governance (Monitoring Officer) was submitted.

It was moved by Councillor P Harley, seconded by Councillor S Clark and

Resolved

That the Lead for Law and Governance (Monitoring Officer), following consultation with the Leader of the Council and the Opposition Group Leader, be authorised to make appointments/nominations to other bodies as required.

The meeting ended at 7.05 pm

MAYOR



Meeting of the Council – 11th July 2022

Report of the Cabinet

Capital Programme Monitoring

Purpose

1. To report progress with the implementation of the Capital Programme, including the 2021/22 outturn position.
2. To propose amendments to the Capital Programme.

Recommendations

3. The Council is recommended:
 - That the outturn position for 2021/22, as set out in paragraph 4 and Appendix A be noted.
 - That progress with the 2022/23 Capital Programme, as set out in Appendix B be noted.
 - That a budget of £150,000 be approved for the installation of three Changing Places toilets in the borough, as set out in paragraph 8.
 - That the additional spend for the VLRNIC project to be funded by Coventry City Council be approved and included in the Capital Programme, as set out in paragraph 9.
 - That the VLR additional project overspend be noted in the Capital Programme, as set out in Paragraph 9.
 - That the additional spend for the Towns Fund project funded by grant be approved and included in the Capital Programme, as set out in paragraph 10.
 - That a capital budget of £15.6m and consequent revenue budget of £375,000 in 2024/25 rising to £750,000 per year in 2025/26 be approved in respect of the reconstruction of Pens Meadow School, as set out in paragraph 11.
 - That in respect of Coseley Technology Primary School, the request from the Department for Education to provide a capital contribution of £3m towards the development of the new Coseley school and leisure facilities be approved and that the Council's capital and revenue budgets be amended appropriately, as set out in paragraph 12.

Background

Capital Spending and Financing 2021/22

4. The Council's capital expenditure in the year totalled £105.2m, as follows. A comparison with budget is shown in Appendix A.

	£'000
Public Sector Housing	38,408
Private Sector Housing	6,174
Environment	3,602
Transport	9,189
Regeneration and Corporate Landlord	23,557
Culture, Leisure and Bereavement	15,832
Schools and SEND	7,702
Social Care, Health and Well Being	167
Digital, Commercial and Customer Services	557
Total spend	105,188
Revenue	2,935
Major Repairs Reserve (Housing)	24,892
Capital receipts	9,330
Grants and contributions	46,127
Capital Financing Requirement	21,904
Total funding	105,188

5. The table below summarises the *current* 3 year Capital Programme updated where appropriate to reflect latest scheme spending profiles.

	2022/23	2023/24	2024/25
	£'000	£'000	£'000
Public Sector Housing	70,048	70,955	69,075
Private Sector Housing	12,040	4,075	1,413
Environment	15,563	5,000	3,000
Transport	15,146	2,000	2,000
Regeneration and Corporate Landlord	17,914	11,301	5,807
Culture, Leisure and Bereavement	4,080	1,000	0
Schools and SEND	9,634	28,229	0
Social Care, Health and Well Being	1,081	0	0
Digital, Commercial and Customer Services	1,512	1,038	963
Total spend	147,018	123,598	82,258
Revenue	3,785	1,714	1,728
Major Repairs Reserve (Housing)	25,285	25,673	26,045
Capital receipts	24,685	8,866	8,736
Grants and contributions	47,616	13,007	4,644
Capital Financing Requirement	45,647	74,338	41,105
Total funding	147,018	123,598	82,258

Note that the capital programme is subject to the availability of government funding.

6. An update on progress with the Council's most significant capital schemes is shown in Appendix A. It is proposed that the current position be noted.

Changing Places Toilets

7. Approximately 500 new large accessible toilets for severely disabled people are to be installed across England after the Department for Levelling Up, Housing and Communities (DLUHC) awarded £23.5m of funding. Dudley has been allocated £150,000 for 3 Changing Places toilets – to be located at Dudley Zoo, BCLM, Halesowen Cornbow. Spend will be in 2022/23. It is proposed that this budget of £150,000 be approved into the 2022/23 capital programme.

Very Light Rail (VLR) - Welfare Unit and Generator

8. Coventry City Council are providing an additional £25k for capital works in the VLR National Innovation Centre (NIC). It is proposed that this budget of £25,000 be approved into the 2022/23 capital programme.

Very Light Rail (VLR) - Additional Project Costs

9. We note the costs of £890,000 to be incurred in the 2022/23 capital programme, which will be funded via prudential borrowing with associated debt charges funded from Regeneration & Enterprise general fund budget.

Towns Fund

10. Dudley Town Centre is one of 100 centres invited by Government to bid for the £3.6bn Towns Fund. The aim of the Fund is to secure long term economic growth and improved productivity. This will be achieved through investment in connectivity, land use, skills, and enterprise infrastructure. DMBC made submission in January 2021 and in July 2021 it was confirmed we had been successful and received approval to submit the Stage 2 FBC to confirm the project and enable payment of £25 million grant monies.

A decision (ref. DRE/14/2022) was made by the Leader of the Council in consultation with the Chief Officer Finance and Legal Services on 19th May 2022 to approve the increased capital budget for this scheme. It is proposed that the budget for this scheme is amended from £1.6m to £25m with spend profiled across 2021/22 – 2024/25.

Reconstruction of Pens Meadow School

11. On 27th June, 2022, the Cabinet considered a report on the reconstruction of Pens Meadow School. The Cabinet noted the current challenges with the Pens Meadow school site, feedback from the Schools Forum meeting of 21st June, 2022 together with the risks and uncertainties, including financial risks, as set out in the report. The full report considered by the Cabinet is available on the Council's website and on request from Democratic Services (Telephone 01384 815238 or email democratic.services@dudley.gov.uk). The Cabinet recommended the Council to

approve a capital budget of £15.6m and consequent revenue budget of £375,000 in 2024/25 rising to £750,000 per year in 2025/26.

Coseley Technology Primary School

12. On 27th June, 2022, the Cabinet considered a report on the current position with plans to redevelop the former Coseley High School site and the implications of this development on the adjoining leisure centre facilities. The full report, which was considered in private session, is available to Members of the Council on request from Democratic Services (Telephone 01384 815238 or email democratic.services@dudley.gov.uk).

On considering the report, the Cabinet:

- recommended the Council to approve the request from the Department for Education to provide a capital contribution of £3m towards the development of the new school and leisure facilities and that the Council's capital and revenue budgets be amended appropriately.
- approved the proposed changes to leisure facilities on the site
- approved the closure of the leisure centre and 3G football pitch from the end of October 2022.

Finance

13. This report is financial in nature and information about the individual proposals is contained within the body of the report.

Law

14. The Council's budgeting process is governed by the Local Government Act 1972, the Local Government Planning and Land Act 1980, the Local Government Finance Act 1988, the Local Government and Housing Act 1989, and the Local Government Act 2003.

Risk Management

15. Risks, and their management, are considered prior to proposals being brought forward to include projects in the Capital Programme. This includes risks relating to the capital expenditure itself, funding of that expenditure (e.g. grant availability and conditions), and ongoing revenue costs and/or income.

Equality Impact

16. These proposals comply with the Council's policy on Equality and Diversity.
17. With regard to Children and Young People:
- The Capital Programme for Schools will be spent wholly on improving services for children and young people. Other elements of the Capital Programme will also have a significant impact on this group.

- Consultation is undertaken with children and young people, if appropriate, when developing individual capital projects within the Programme.
- There has been no direct involvement of children and young people in developing the proposals in this report.

Human Resources/Organisational Development

18. The proposals in this report do not have any direct Human Resources / Organisational Development implications

Commercial / Procurement

19. All procurement activity will be carried out in accordance with the Council's Contract Standing Orders, and the relevant officers will take the procurements through the Procurement Management Group to monitor compliance at the relevant Gateways.

Council Priorities and Projects

20. Proposed capital projects are in line with the Council's capital investment priorities as set out in the approved Capital Strategy.



.....
Leader of the Council

2021/22 Capital Outturn

Service	Budget*	Outturn Spend	Variance	Comments
	£'000	£'000	£'000	
Public Sector Housing	38,408	38,408	0	
Private Sector Housing	6,174	6,174	0	
Environment	3,600	3,602	2	
Transport	9,190	9,189	-1	
Regeneration and Corporate Landlord	23,509	23,557	48	See note 1
Culture, Leisure and Bereavement	15,852	15,832	-20	See note 2
Schools and SEND	7,675	7,702	27	See note 3
Social Care, Health and Well Being	166	167	1	
Digital, Commercial and Customer Services	557	557	0	
Total	105,131	105,188	57	

* Updated where appropriate to reflect latest scheme spending profiles

1. Overspend on the Woodside Library demolition project to be funded by Black County Living Museum.
2. Underspend of £26k on Crystal Leisure Centre heat pump slightly offset by small overspend on Gornal Wood Cemetery Burial Space (£6k).
3. Overspend on Pens Meadow acquisition costs due to Stamp Duty Land Tax not included in the original budget.

Progress with Major Capital Schemes

Public Sector Housing

New Council Housing

Completed:

- No completions since last Cabinet

On site and progressing:

- New Swinford Hall – conversion to 18 affordable apartments (mix of one and two beds).

Planning approval achieved and commencement imminent:

- The Vista – 2 affordable two bed bungalows (6th June 2022 if grant approved)
- Corporation Road B – 5 units (16th May 2022)
- Corporation A – 3 units (20th June 2022)
- Whitegates Road – 3 units (11th July 2022)
- St Georges Road – 7 units (July 2022)
- Beacon Rise – 11 units (September 2022)

Planning approval achieved and commencement on successful site acquisition – CPO proposed

- Colley Lane, Cradley – 9 affordable apartments

Schemes submitted for planning:

- Lower Valley Road – 17 affordable homes, 14 apartments (mix of one and two beds) and 3 x two bedroom wheelchair bungalows. £935,000 Homes England Grant secured.
- Swan St, Netherton – 75 affordable units including a sheltered housing scheme of 54 units. £4m Homes England Grant secured.
- Enville St, Stourbridge - 10 affordable apartments
- Broad Street, Coseley – 9 affordable houses

Schemes due to be submitted for planning:

- Langstone Road, Russell's Hall – 3 affordable bungalows
- Wells Road, Brierley Hill – 6 affordable apartments

There are also ongoing feasibility works on a number of potential affordable sites.

The programme will also support the delivery of:

- The Brierley Hill Future High Streets Fund project by delivering new housing in the Brierley Hill area, subject to the purchase of land from the private sector, now that we have a successful MHCLG bid.

Private Sector Housing

Homes for Sale – Himley Road & Brierley Hill:

- 4 new detached homes commenced Feb 22

- Feasibility and design briefs are progressing for Homes for Sale as part of the wider mixed tenure regeneration of Brierley Hill within the Future High Streets Fund project at Daniels Land and the High Plateau, and rear of the Moor Street Shopping Centre.

Environment

Lister Road Depot Redevelopment

No change since the last report. The overall project is currently paused to review links with other sites and ensure the best strategic use of space. Further proposals will be brought back to Cabinet and Council in due course. The demolition works to the mobiles and garage buildings at the front of the site have now been completed thus eliminating the health and safety risks associated with these buildings.

Stevens Park, Quarry Bank Lottery & Council funded project

The refurbishment & extension of Tintern House is complete including a new mess room for Greencare. New community facilities including toilets, community rooms, kitchen, cafe & external terrace are all open to the public.

The Emily Jordan Foundation Projects are running their various projects from the house: 'Spokes' (Bicycle restoration & sales) 'Twigs' (Horticultural training & sales) & 'Go Green' (recycling).

The new Community Development Officer is carrying out a series of events & activities until Autumn 2024.

Wrens Nest Wardens' Base

The acquisition of 113 and 115 Wrens Hill Road was completed on the 6th August 2021. We have engaged with architects to begin a feasibility process with a view to producing some outline drawings for the proposed building.

Regeneration

Dudley Townscape Heritage Initiative

The Townscape Heritage (TH) programme is funded through the National Lottery Heritage Fund which offers grant assistance to carry out repair, reinstatement and refurbishment works to historic buildings, as well as a programme of complementary education and community engagement activities. The Phase 2 TH programme, operating with a grant budget of £1.178m from the NLHF and £300,000 match funding from the Council, commenced in February 2017. Following agreement by the Heritage Fund for an extension to the Grant Expiry Date, in the light of delays because of the pandemic, the programme is now due to run until December 2022.

The programme focuses on buildings in the town centre's historic core. The work at 203/204 Wolverhampton Street has been completed. Other properties within the programme include the following:



- 216 Wolverhampton Street: the project is practically complete and in the final defects liability period.
- 208 and 209 Wolverhampton Street: increase agreed and accepted for 209 Wolverhampton Street towards more extensive work to render. Works programme to be adjusted to include re-rendering. Programme to be confirmed, but scaffolding expected to be erected in June.
- 204a Wolverhampton Street: work re-commenced on site in March. Shopfront has now been reinstated and practical completion is imminent.
- 14 New Street: work recommenced on site w/c 14th May and internal refurbishment and shopfront reinstatement well underway. Expected completion in August.
- Fountain Arcade: repairs to Market Place elevation have been completed and scaffolding dismantled. Shopfronts to former jewellers and gadget shop have been reinstated. Internal shopfront to butcher's shop to be addressed next, involving reinstatement and revealing of the original leaded fanlights.
- Plaza Mall: work to façade off scaffold has been completed and scaffolding dismantled. Shopfront designs currently being finalised with view to shopfront being reinstated during September.
- 207 Wolverhampton Street: grant offer agreed and project was due to start in spring 2022, when the weather more appropriate for lime rendering, but contractor has gone into liquidation in meantime. Tenders from alternative contractors being sought. The project includes comprehensive repairs to the building and reinstatement of shopfront.

A wide-ranging activities programme, running alongside the capital works programme, has been developed and delivered in conjunction with teams in Adult and Community Learning, Museums, Communications and Public Affairs and the Historic Environment Team. A revised programme was agreed with the Heritage Fund which was adapted in light of Covid-19 restrictions. Further activities were included in the programme working with delivery partners (Co Lab) who already have established links with the community of Dudley. This has seen the successful 'Growing up in Dudley' project, which has gathered images and oral reminiscences of those 'Growing Up in Dudley' and 'Dudley Days' which held workshops with a small group of participants to create music inspired by connections with Dudley. Teaching resources have been produced as part of the programme and have been shared with schools. The project also works closely with the Historic Environment Team to produce information in the form of trails and leaflets to enhance understanding and appreciation of the historic environment, including a suite of guides, which are currently being drafted, to assist owners of historic buildings. The project continues to work with volunteers where possible. The Heritage Open Days event in September (this year running from 9th -18th September) will form the focus for the publication and display of much of the material being produced, including the re-issuing of various Dudley trails, and exhibiting of material gathered through the Growing Up in Dudley initiative. The Heritage Open Days will again publicise the virtual tours, including a new virtual tour of Dudley Central Mosque, former St Edmund's School. The programme has also included the installation of a blue plaque on the former School of Art to commemorate Percy Shakespeare, a 4-page insert in the autumn (2021) edition of the Home magazine and the printing of the City ID map for Dudley.

Brierley Hill High Street Heritage Action Zone

The High Street Heritage Action Zone Programme (HSHAZ) is a nationwide initiative designed to secure lasting improvements to our historic high streets for the communities who use them. It is Government funded and run by Historic England with the aim of making the



high street a more attractive, engaging and vibrant place for people to live, work and spend time. It is designed to unlock the potential of high streets across England, fuelling economic, social and cultural recovery. Brierley Hill High Street was one of 68 High Street across England selected to receive a share of the fund.

The Brierley Hill High Street HAZ is a 4 year programme, due for completion by March 2024. At the start of the programme a grant budget of £1.8m was awarded by Historic England with £400,000 match funding coming from the Council, equating to an overall grant of 81.80% from Historic England. At the end of September 2021 however, this figure was increased further due to an additional £242,171 grant increase provided by Historic England, which with the 18.20% match from the Council provides a total grant increase of £296,052.46.

The programme provides grant assistance to third parties to carry out repair, reinstatement and refurbishment works to historic buildings as well as grant assistance towards bringing vacant floorspace back into use. It also provides grant towards public realm improvements, plus there is a programme of complementary education and community engagement activities.

Buildings Programme

As part of the original bid submission to Historic England a number of buildings were identified to be a priority for grant assistance. Work has now commenced on-site at 2a and 2 Albion Street where a series of internal and external repairs are being undertaken and contact has now been established with the owners of all the priority projects and the majority of them are positively engaging with the Council and have now appointed a Conservation Accredited Architect in order to progress their proposals.

- 96-100 High Street
- Former Brierley Hill Library and Technical Institute, Moor Street
- 3-5 Church Street
- 123 High Street
- 109 High Street
- 8 Mill Street
- 163 High Street
- 104. 104a and 106 High Street
- 68 High Street

In addition, there are several other priority projects where the owners are in the process of appointing a Conservation Accredited Architect and holding pre-application discussions with the local planning authority, one such project is Brierley Hill Market.

Public Realm Programme

With respect to the public realm parts of the programme, for year one, the priority has been works to the Brierley Hill War memorial. The works to the memorial have been divided up into two phases. Phase 1 commenced on-site in August 2021 with a focus on repairs and architectural reinstatement works to the Brierley Hill War Memorial and its immediate setting. Majority of the works for this phase were completed in-time for the centenary of the War Memorial in November 2021, with the rest of the works due to be completed late May in-time for the launch of Brierley Hill in Bloom and the Platinum Jubilee. Phase 2 works commenced on-site late November 2021, the focus of this being the War Memorial Garden where significant stabilisation works to the embankment have been undertaken along with structural

repairs to the intermediate wall that runs through its centre plus the laying out of a soft landscaping scheme. The majority of the soft landscaping scheme is now in-place, there is however still hard landscaping to be installed on the terrace (located at the base of the War Memorial), installation of 4 planters in the 4 inset bays, laying of a new tablet for the Delph War Memorial and various snagging items. Also to be installed is a cascade of knitted flowers which have been prepared by local community volunteers and along with Dudley Adult Community Learning Team as part of the Brierley Hill in Bloom launch, see Community Programme below.

In terms of public realm proposals for the Civic Hall Green and St Mary's Church, this is currently at the design stage. A topographical survey and ground penetrating radar survey commenced in Brierley Hill High Street during the week of the 16th May to inform the design. Please refer to the Future High Street report for further information on the overall public realm programme which this forms a part.

Community Programme

Community engagement and activities are also being positively progressed and developed in conjunction with Brierley Hill Community Forum, Friends of Marsh Park, Dudley Market, Black County Living Museum and also with teams in Adult and Community Learning, Museums, Communications and Public Affairs, Dudley Business First and the Historic Environment Team. There is in-place an Activity Plan for the project. The last quarter of 2021/22 focused on making preparations for the 'Hug your Heritage' event on Saturday 5th March 2022 where the HAZ Project Team collaborated with the Cultural Consortium, Brierley Hill Community Forum and Brierley Hill Market on delivery of the event. This current quarter has focused on making preparations for the launch of the Brierley Hill in Bloom Project on the 26th May where the HAZ Project Team has been collaborating with Top Church Training, Brierley Hill Primary School, Brierley Hill Community Forum and the Brierley Hill Neighbourhood learning centre on delivery of cascade of knitted summer flower and sustainable flower hoops for display at Brierley Hill War Memorial and throughout the town.

Cultural Programme

Another major element of the High Street Heritage HAZ is the development of a Cultural Programme. The Arts Council England, National Heritage Memorial Fund and Historic England are providing funding for the development and delivery of the HS HAZ Cultural Programme. On the 25th June it was confirmed by Historic England that the application submitted to them jointly by Brierley Hill Community Forum and Dudley Council for funding for a Cultural programme had been successful and that the total sum of £94,000 was to be awarded. Work is now underway on pulling together a programme of cultural events and activities which are required to accord with the milestones and instalment schedule issued by Historic England. The programme requires the appointment of a Cultural Programme Project Coordinator, this has been done and the post is hosted by Dudley Council for Voluntary Service (CVS).

On the 14th March 2022 a second Progress update report was submitted to Historic England and then on the 13th May the third progress report was submitted. On the 14th January 2022 an Expression of Interest was submitted to Historic England for Brierley Hill to be the host of a national music commission in the summer of 2022. It was confirmed late January that the submission had been successful, and that Brierley Hill is one of 6 High Streets selected to participate in this event. Preparations are underway on the line up for this event which is to be hosted on the 10th July 2022 at Brierley Hill Civic Hall.



Public Sector Decarbonisation

As previously reported the council was awarded a grant of approximately £4.4m through the Public Sector Decarbonisation Scheme (PSDS) and managed by Salix, the purpose being to switch sites from carbon-intensive forms of heating such as oil and gas, to electrical forms of heating (air source heat pumps) with additional works including Solar photovoltaic (PV), battery storage and LED lighting upgrades where possible. The scheme covers Dudley Council House and Town Hall, Stourbridge Library, Himley Hall and Ward House as well as the following schools: Amblecote, Caslon, Cotwall End, Glynne, Queen Victoria, Straits, Milking Bank and Wrens Nest Primary Schools.

Works commenced during the summer of 2021 with all the installations at the named schools now nearing completion. Network operator approval to the works at both schools and corporate premises has been received. Planning permission for the installation of air source heat pumps at Council House, Ward House, Himley Hall and Stourbridge Library have now all been granted. Works to all properties have now started on site and following an approval of the project change request by Salix for an extension of an additional 3 months (to June 2022) progress is being closely monitored to ensure that works are completed on time.

Low Carbon Place Strategy

The Council was awarded approximately £2.5m European Regional Development Funding (ERDF) to deliver a project that will reduce carbon emissions. This is a joint project between Housing and Corporate Landlord Services that will reduce carbon emissions from council owned homes as well as corporate buildings such as the Council House. £2.5m of match funding is being met from existing HRA budgets. In November 2021 the council appointed a new central heating installer for council housing as the previous went into administration.

The programme recommenced slowly in December as the contractor mobilised. A project change request has been granted requesting a further 18 months be added to the programme deadlines, to enable this resultant delay to be accommodated which affects the Housing side of the programme. It should also be noted that where homes are sold under the Right to Buy scheme, but have had the benefit of the grant, the council is required to refund the capital impact of the grant. The programme of energy efficiency improvements to the corporate estate is nearing completion.

Very Light Rail (VLR)

Following a detailed review of the various issues, delays and variations that have happened on the VLRNIC scheme with the Contractor (Clegg Construction), RLB have now presented their assessment of the final account for the project which is indicating an overspend of approximately £890,000 against the available budget.

By way of a background to this overspend it is important to highlight that the project has absorbed a number of external factors in getting to its current position:

- The budget having been established over 4 years ago and not being increased to take account of inflation increases and the passage of time, and a significant amount of contingency funding disallowed by the BCLEP in the Spring of 2020 which would have served as project contingency.

- The project continuing through the Covid Pandemic relatively unscathed and implications being absorbed by the existing budget.
- Accommodating additional works to allow the introduction of the Coventry Shuttle prototype vehicle to the Dudley VLR site including the new loop extension, workshop, vehicle charger and equipment in a total value of £2.44M. All of which have had either a direct effect on the logistics and programme for the NIC site or power infrastructure.
- Accommodating changes to the site layout for the new MMA tramstop location and associated urban realm works affecting the access road and parking layouts off Zoological Drive. Costs have been covered by other funds but works in the area did require a redesign and impacted on programme resource.
- The overall VLR Development construction programme being prolonged due to necessary sequencing of projects and funding agreement delays. The retaining wall needed to be completed before the NIC Building and Test Track could be commenced. In addition, during the summer of 2019 the BCLEP withdrew the funding agreed and it wasn't until September 2020 that the GBF funding source was agreed and allowed the project to move the Track and NIC into the Construction Phase.
- The requirement to return remaining budget to Coventry City Council from the Retaining Wall project in 2019 which, if taken as part of the whole Development would have left approximately £740,000 available to support the remaining elements of the project.

Unfortunately, and despite the team's best efforts, additional costs cannot be contained within the available budget and the key factors are:

Costs attributed to the Contractor's programme extension:

The project was initially due for completion at the end of February 2022, which was subsequently delayed to May 2022. This has now been extended to the end of July 2022. The main change causing the initial delay was due to the introduction of the Test Track Loop extension and DMBC highway works and urban realm changes, both of which had a significant impact on site access and logistics for the delivery of the NIC building.

In addition, a number of internal layout amendments to suit changes in the environment in which the building user will be operating have been initiated and undertaken. The original layouts were fixed over 3 years ago and clearly time has moved on since then. Changes include accommodating hydrogen battery testing, creation of a 3D simulation space and a track control room.

Delays due to utility company infrastructure slippage, principally Western Power which have meant the services in the building have been unable to be completed, tested and commissioned. All services are now programmed to be in by the 7 July 2022 and on this basis the completion date has been agreed as the end of July 2022.

Approximately £550,000 has been included in the financial assessment for extension of time costs.

The Coventry Loop introduction:

The new loop extension which has been funded through the BCLEP has had an impact on the shape and positioning of the drainage attenuation tank, levels and boundary segregation. The costs included in the forecast for this work is in the order of £120,000.

Permanent power amendments:

Required to the new building to accommodate increased requirements from the additional features on the site including the new workshop, loop extension, tunnel lighting and vehicle charger. The final quantum is still under review but the forecast includes an allowance of £400,000 based on RLB's current assessment of the Contractor's submissions.

Fees and Charges:

The fees for the retained project team have increased due to the project delays. The initial fee profile was due to end in February 2022 but will need to run until the end of July 2022. The overall fee levels have been contained considerably given the extended period to the entire development but to finish the project we are now looking at an additional £142,000.

A substantial part of the above costs have been offset by allowances and omissions in the contract and there have been a number of other more minor increases that have been offset by the same allowances. The net effect on the project cost is £890,000 above the available budget. This is to be funded from resources held within the Regeneration & Enterprise Directorate.

Measures are underway to ensure no further cost increases are incurred or can be offset such as reduction in temporary site accommodation, alignment of remaining services for the retained consultant team toward the available budget as well as a thorough review of the smaller cost items to ensure that the costs apportioned are in line with Contract levels.

It is proposed that the additional costs of £890,00 detailed above are funded by prudential borrowing with the debt charges being funded by revenue budgets held within Regeneration & Enterprise.

Metro Complementary Measures

The £9.1 million budget is to fund the works associated with the delivery of the Wednesbury to Brierley Hill Metro extension.

The legal agreement with Transport for West Midlands (TfWM) states that the Council will fund the complementary measures along the route including pedestrian's crossings. The Council has also agreed with TfWM to fund the uplift of materials where the Metro is built through Dudley Town centre in order to provide high quality public realm. Large public realm interventions have been identified along the route at key stops, notably Station Drive (now Dudley Castle), Flood Street and Brierley Hill, to be funded by this programme of works. The £1million accelerated funding associated with the Towns Fund will be used to fund works to adopt Zoological Way, part of the works for the new loop road to access the Metro stop and some of the public realm work along Castle Hill.

Other interventions along the route, which the Council needs to fund, include creating a new wayfinding system to improve legibility, increase walking and cycling to tram stops and to provide a consistent recognizable branded signage across the borough to residents and visitors giving the information that is needed. The consultant to develop the wayfinding system has been appointed through the OJEU process and started work on the system in October 2020. Dudley print map is now available. The Brierley Hill map is being developed. The Wayfinding Legibility Strategy has been developed and the totems and figure posts are being designed. The intention is cover the costs for the manufacturing and installation through CRSTS funding.

Midland Metro Alliance (MMA) are constructing the Metro extension for TfWM. TfWM have approved MMA's costs and the next stage of the design process has started. The Council is working with TfWM to confirm the costs of the complementary measures, the uplift of materials and the public realm interventions.

CCTV

Phase 1 - Predominantly complete and operational. The only outstanding work is to the healthy hubs where 4 out of the 5 are still waiting fibre circuits. In relation to outstanding items, a contract agreement has now been received from Virgin Media for the supply of the new fibre circuits. This is now being considered by procurement and legal teams. Once the agreement has been finalised the outstanding installations with Virgin will be expedited.

Phase 2 - reflects the initial extension of coverage approved at the outset of the project. The main problems faced in this phase have been access to staff and materials throughout the last 18 months. Additional public realm cameras in this phase include:

- Cameras in Sedgley Bilston Street – now completed and operational.
- Wolverhampton Street Dudley – the column has been erected but we are still waiting on Western Power for an installation date. Anticipated completion of connection in late August/September
- Coronation Gardens – now completed and fully operational.
- Castle Gate – design work is complete, and columns will be erected shortly. Completion to be confirmed.
- The cameras to Lye town centre have been completed and are operational
- All 12 deployable cameras are now in use.

Phase 3 - work includes the additional cameras requested and approved at Council in 2021, to be sited at:

- Kent Street Upper Gornal – column erected, and camera installed. Anticipated completion in late August/September
- Shell Corner Halesowen – columns erected with one head and power connected. Power to the second column anticipated June. Anticipated overall completion in late August/September
- Netherton High Street – completed.
- Wollaston traffic island – column erected, cameras, power and network yet to be completed. Anticipated completion late August / September
- Toys Lane/Furlongs Road Colley Gate – location now agreed and works commissioned. Anticipated completion late August / September.
- Queensway Pedmore – column erected, and camera installed. Anticipated completion September

- Wynall Lane – column erected, and camera installed. Anticipated completion in late August/September.

The phase 3 sites above are due for completion no later than September 2022.

Queensway Halesowen will be surveyed on 20th June 2022 and will be completed by September 2022.

The original location at Jews Lane/Eve Lane Upper Gornal has now been reconsidered and it is proposed to site a fixed camera in Roseville instead. West Midlands Police are also in favour of this revision. We aim to complete this within Quarter 3 of 2022. Site yet to be surveyed, will be decided once final costs of Phase 3 confirmed.

Dudley Interchange

Transport for West Midlands (TfWM) has now secured all the funding for the Interchange. TfWM are out to competitive tender to secure a contractor for the works. Gateley Hamer have recommenced the CPO process. Counsel advice recommends that the CPO is split into two - one for the Interchange and associated highways works and another for the Portersfield scheme and highway works.

At the September Cabinet it was agreed that DMBC will use its CPO powers to purchase Farm Foods and the properties required for the associated highways. As a result of the need to CPO properties the start date for the Interchange has been moved to Spring 2023, Completion is expected Autumn 2024. The CPO will be submitted to the Secretary of State by the end of July 2022. This has been delayed as counsel has recommended that a single planning application is required for both the building and the highway works. New planning application has been submitted. Updated report to cabinet in June.

An alternative location for the Interchange around Coronation Gardens during construction has been identified.

Ownership of the Photographic Studio on Birmingham Street is in hand and the purchase price is being negotiated. Site visits have been arranged in preparation of demolition once the sale has been agreed.

Dudley Town Centre Highways Infrastructure (Portersfield Link)

As reported previously the WMCA has conditionally approved funding to support changes to the Highways Infrastructure to create access to the Portersfield development site and improve access to the wider Town Centre. This funding amounts to £6.0m. In addition to ongoing design work, some site clearance has already been carried out to allow for intrusive site investigation to provide information to support the design process. In terms of land acquisition for the highways, a CPO will be developed as part of the overall development of the site. Highway design work has currently been frozen to avoid any abortive spend until the review of the overall development site has been completed.

Black Country Blue Network 2

Procurement is being carried out in three separate lots in order to mitigate risk. Sedgley Beacon has closed, tenders are being evaluated. Holloway Street due to go out to tender

later the month, Castle Hill still being worked up. Ecological surveys are being completed for Turls Hill and Coseley and procurement will commence in the summer. We are still anticipating the project to be delivered on time and within budget.

Dudley Town Hall and former Museum

The tender for the Town Hall Bistro refurbishment was won by J R Slee, who are based in Shrewsbury. They are a family business and whilst working on the usual type of projects, specialise in working on Listed Buildings. After initially progressing well with the work a number of unexpected problems have had to be addressed such as repairing an unmarked drainage run beneath the new chair store and the removal of asbestos from behind existing walls. The new Bistro is now complete and is being fitted out with loose furniture with a formal opening in early July.

Refurbishment of Dudley Council House Campus

Following approval this project is now in the early stages of design with essential remedial work to the roof already on site and progressing well. This is so that external scaffolding will be struck in advance of the Commonwealth Games cycling event. A meeting with Access in Dudley was held along with more recent meeting of officers to reflect on a range of access and disability improvements such as automating doors to key access routes, refurbishing the passenger lift and extending the Council House platform lift to the main staircases.

The detailed design of the work progresses with focus on drafting floor plate layouts which incorporate collaboration spaces and senior leadership spaces on the 1st floor of the Council House. The Council's contracted furniture supplier is working on desk layouts that will optimise use of the space using a range of modern furniture suitable for increased agile working.

Brierley Hill (Future High Streets)

The Council secured £9.99m from the Future High Streets Fund in December 2020. This is to support a programme of activity at Brierley Hill, to be implemented in the period 2021 to 2026. The key objectives are to improve footfall, reduce vacancy rates and improve the diversity of shops and facilities. All Future High Streets Funding has to be drawn down by 2023/24. DMBC match funding, identified through existing approvals, will be used to fund projects within the latter part of the programme. The overall investment value of the programme is in the region of £44m.

Project summaries:

Public Realm and Connectivity Improvements (£4.75m) - Funding to connect the new Midland Metro terminus to the High Street, improve existing public realm connectivity between key buildings and provide new public spaces and pocket parks. Lead designer appointed in the autumn of 2021 to prepare and consult on proposals, with a commencement of initial works in Q4 2021/22. The majority of the public realm works will be implemented during 2022/23 and 2023/24 to be ready in advance of the Midland Metro opening.

Key Retail Sites (£1.05m) - The owners of the Moor Centre have submitted a planning application to remodel the precinct and bring parking closer to the shops. If approved, this will free up the rear car park land for development. The Council wishes to redevelop the site



for up to 44 homes. The Future High Streets Fund provides the money for site acquisition and remediation. The shopping precinct redevelopment works are programmed for 2022/23. DMBC build out on land to the rear will be during 2023/24 and 2024/25. Combined overall investment value £8m.

Infrastructure and Air Quality Improvements (£255,000) - Future High Streets will provide support to amend two highway junctions at Venture Way. The intention is to improve pedestrian connectivity between the High Street and medical centre; reduce queuing traffic which has resulted in movement delays; and improve air quality levels. The works on Venture Way are progressing well on site and should be substantially complete by the end of Q1 2022/23.

Addressing Housing Need (£3.55m) - Discussions are underway to acquire 10 acres of brownfield land known as Daniels Land and the High Plateau. These are two long-term vacant sites, formerly part of the Round Oak Steel Works that have remained undeveloped for over 40 years. Future High Streets funding will support site remediation and preparation costs. Dudley Council's Housing Department will then construct up to 220 new mixed tenure homes to meet local housing needs. An urban design study has been prepared that will inform the preparation of an architect's brief. This will allow detailed design proposals to be progressed for the sites.

Following INTU shopping centres entering administration, discussions have continued with Sovereign Centros which is the current managing agent acting on behalf of the creditors. The intention is to phase initial activity around the construction of the Metro rail viaduct that crosses the sites. The parties have agreed the principle of valuation and a registered valuer has been instructed to act on behalf of the Council and creditors. The Council will then instruct solicitors to prepare a conditional purchase agreement to acquire the sites. Early construction of the Metro viaduct and Embankment tram halt is key to delivery of the housing redevelopment project. This is because the Council cannot fully access the sites for redevelopment until these are completed and this will put Future High Streets spend at risk. The situation is currently being monitored and a risk register and mitigation approach is in place. A revised delivery programme is expected from Transport for West Midlands during July of 2022 and this will inform the Council's delivery timetable. The overall value of the redevelopment project will be in the region of £30m.

Public Library (£308,000) - refurbishment of Brierley Hill public library and ground floor housing department reception area. Scheme designs have been the subject of community consultation and have been well received. Freeholder approval has been received in-principle for the refurbishment works. The estimated cost of works is forecast to be above the identified budget, due to higher-than-expected building materials cost inflation. The building works will be tendered shortly and this will provide final costs certainty. A review is currently being undertaken of additional funding to support the project. The refurbishment works are programmed to commence in the autumn and complete during late 2022.

Public Toilets (£80,000) - Reopening of public toilets to support the High Street visitor return following the coronavirus pandemic, and the provision of welfare facilities for Metro tram drivers. Midland Metro Alliance is making an additional contribution of £38,000 to support the works. Feasibility designs finalised that will also include changing facilities after discussions with stakeholder groups. Following higher than expected tender returns, the works are to be retendered during June 2022, with a start on site expected during the early summer and completion during the autumn of 2022.

In addition to the Future High Streets Fund award, the Council has secured further investment from the West Midlands Combined Authority. This is to acquire land to support implementation of the High Street Link. A funding agreement between WMCA and DMBC completed in March 2022. This is a long-term vacant gap site where there is the opportunity to provide a new connection from the High Street to the Metro terminus. The Council has appointed an agent and agreement has been reached to acquire the sites. Initial site safety works will commence in spring 2022, with a start on site for the pedestrianisation works to be confirmed as part of the public realm delivery programme.

A Town Board has now been established to oversee the various interventions underway in Brierley Hill. These include the Future High Streets Fund, Heritage Action Zone and delivery of the Midland Metro. It includes Mike Wood MP, DMBC and business, community and educational sector representatives. The first meeting was held in September 2021 and these will continue on a quarterly basis.

Cultural

Leisure Centres

The new Duncan Edwards Leisure opened on Monday 24 January 2022. Very positive feedback received and membership sales going well.

Phase 1 of the refurbishment of Halesowen Leisure Centre is complete; again, very well received by customers. Phase 2 which includes improvement to the swimming pool has been slightly delayed due to building work issues, now hoping to open 18 August 2022.

Phase 1 improvements to Crystal Leisure Centre have been completed. The new village style changing rooms and improvements to the leisure pool have received positive comments.

Schools

Schools Basic Need Projects

The last phase of projects to be funded from Basic Need capital grant has been agreed, with Brierley Hill Township secondary school places as a priority. The plans include expansion to both Wordsley and Crestwood Secondary Schools to meet projected growth with an additional 300 pupil places for each school.

Unfortunately, the construction company that were managing both projects went into administration in August 2021 and their work on both sites ceased. The works at Wordsley School has now been completed. The Crestwood School needed a larger amount of work, so it was agreed that the school are continuing with the refurbishment work in the main school building and Construction & Design are completing the works to the new science block and the remaining external works. Both projects still have a small amount of work to be completed.

Numbers for both primary and secondary school places continue to be closely monitored and processes are in place to recommend capital projects to address any projected growth across both sectors.

Special Educational Needs and Disability (SEND) Projects

We are continuing the process of re-profiling our special school and mainstream provision to bring it more closely in line with the current SEND pupil cohort and the special provision capital funding is a key component in this process.

The SEND Special Provision Fund capital grant conditions were previously relaxed due to the coronavirus pandemic allowing us to carry forward unspent grant into the 2021/22 financial year. This grant funding has now been allocated in its entirety to the following projects:

- A new 12 place base for primary pupils with Social, Emotional and Mental Health (SEMH) needs at Hawbush primary school – completed and operational.
- Creation of designated care rooms at Summerhill secondary school and the Glynne primary school to promote the inclusion of children with SEND that include physical disabilities and specific personal care needs – completed.
- Expansion of Woodsetton Special School through a new mobile specifically designed to cater for the needs of children with SEND and to provide the additional space the school requires to meet the needs of an increasingly complex cohort of pupils – this was completed last year and has been in use since September 2021.
- Various capital works at Halesbury School in response to independent Accessibility Study – in progress.

In addition to this carry forward, we have received a further allocation of capital funding for SEND. Projects to be funded are still being scoped with the need for detailed feasibility studies to be undertaken but is likely to include further expansion within our maintained special schools. A tender process has now been completed to establish a further primary SEMH base. This tender has now been concluded and the base will be established at Caslon primary school. The base is now operational and work continues to create an outside play area exclusively for the base.

Pens Meadow Special School – Acquisition of Land and Buildings

The acquisition of the site completed on 31st March 2022.

Meeting of the Council – 11th July, 2022

Report of the Cabinet

Development of Community Forums

Purpose

1. To consider the geography of Community Forums and reduce the existing 10 Forums to 5 during the 2022/23 municipal year.

Recommendations

2. It is recommended that the Council:
 - Approve the reduction in Community Forums moving from 10 Forums to 5, as set out in sections 4 to 7 of the report.
 - Endorse the pooling of ward funding allocations in line with the change to 5 Forums and the discussion of grant applications in advance of the meetings, as set out in sections 8 to 9 and sections 11 to 12 of the report.
 - Authorise the Lead for Law and Governance (Monitoring Officer) to make any necessary or consequential changes to the Council's Constitution.

Background

3. Community Forums first started meeting in February 2013 and replaced the former Area Committees which were seen as too formal, bureaucratic and not allowing much opportunity for genuine involvement of local people. Community Forums have subsequently met at least 4 times each year until the start of the COVID-19 pandemic when face to face meetings of the Forums temporarily ceased. One round of meetings was held online using MS Teams as a pilot during autumn 2021.
4. The break in the holding of Forum meetings has allowed a period of reflection into how Forum meetings are held and the development of ideas for a future approach through discussion between the Cabinet Member for Housing and Communities and officers. Following reviews of the Forums in the past there have been efforts to increase participation and engagement, be less parochial and focus on wider issues across a whole town. To be successful with this aim it is felt that there needs to be a change in the geography of Forums – 5 Forums to replace the current 10 covering Dudley North, Dudley, Brierley Hill, Halesowen and Stourbridge.

5. Table 1 outlines the geography of the current 10 Forums and the wards which would make up each of the proposed 5 forums.

Table 1: Community Forum geography

Community Forum geography – 10 Forums	Community Forum geography – 5 Forums
Amblecote, Cradley and Wollescote, Lye & Stourbridge North	Stourbridge Amblecote, Lye & Stourbridge North Norton, Pedmore & Stourbridge East Wollaston & Stourbridge Town
Norton, Pedmore & Stourbridge East, Wollaston & Stourbridge Town	
Belle Vale, Hayley Green and Cradley South	Halesowen Belle Vale, Hayley Green and Cradley South Halesowen North & Halesowen South Cradley and Wollescote
Halesowen North & Halesowen South	
Brierley Hill, Brockmoor and Pensnett	Brierley Hill Brierley Hill, Brockmoor and Pensnett Kingswinford North & Wall Heath, Kingswinford South and Wordsley
Kingswinford North & Wall Heath, Kingswinford South and Wordsley	
Castle and Priory, St James's and St Thomas's	Dudley Castle and Priory, St James's and St Thomas's Netherton, Woodside & St Andrews and Quarry Bank and Dudley Wood
Netherton, Woodside & St Andrews and Quarry Bank and Dudley Wood	
Coseley East and Sedgley	Dudley North Coseley East and Sedgley Gornal, Upper Gornal and Woodsetton
Gornal, Upper Gornal and Woodsetton	

6. To reflect the new approach and make a break with the past it is suggested that a new name and branding for the Forums is developed.
7. It is proposed that the new arrangements are introduced from the autumn with, in future years, three rounds of meetings held around June, October and February.



Community Forum Funding

8. There will need to be some immediate changes made to the administration of Community Forum funding with moving from 10 to 5 Forums. Some current Forums effectively pool their ward allocations, others provide funding to community groups on a ward-by-ward basis and others taking a mixed approach. Some wards, particularly those covering the main town centres, get far more funding applications as more voluntary and community organisations are based in these centres and this means difficult decisions have to be made not to fund some groups whilst other wards have significant sums unspent. There are also issues with having only three members to consider an application for example where one or more need to declare an interest. It is proposed that in future all Forums pool their allocations rather than determine applications purely on a ward basis, and that funds will be administered at a Forum level rather than a ward level.
9. The 5 Forums are likely to have much less room on the agenda for deciding on funding applications and have double the wards to cover. It is proposed therefore that applications are discussed in advance of the Forum meeting. Voluntary and community organisations could still have the opportunity to talk about their applications at Forum meetings and to make connections with others to share resources and ideas and members would share the funding decision at the meeting.

Finance

10. There is a small allocation of £2,100 in the budget to cover the costs of venue hire and promotion for Community Forum meetings. The cost implications of moving to 5 forums needing larger venues with sound systems will need to be considered and additional budget may be required.
11. Each ward receives an annual allocation of £10,000 for awarding to voluntary and community groups for activities and events within the relevant Community Forum's area. Unspent funds are carried forward to the next year. Table 2 provides an overview of the funds available for each of the current 10 Forums and funds which would be available to allocate once pooled for each of the 5 proposed Forums.

Table 2: Community forum grant funding by geography

Community Forum geography – 10 Forums	Remaining funds by ward as of 18.05.2022	Community Forum geography – 5 Forums	Funds available to allocate for 2022/23 as of 18.05.2022
Belle Vale, Hayley Green & Cradley South	£24,638.00 £22,637.95	Halesowen Belle Vale, Hayley Green and Cradley South Halesowen North & Halesowen South Cradley and Wollescote	£88,924.34
Halesowen North Halesowen South	£14,043.44 £13,577.68		



Amblecote, Cradley & Wollescote, Lye & Stourbridge North	£38,654.40 £14,027.28 £28,160.00	Stourbridge Amblecote, Lye & Stourbridge North Norton, Pedmore & Stourbridge East Wollaston & Stourbridge Town	£100,076.16
Norton, Pedmore & Stourbridge East, Wollaston & Stourbridge Town	£12,245.90 £18,931.30 £2,084.56		
Brierley Hill, Brockmoor & Pensnett	23,195.53 21,898.33		
Kingswinford North & Wall Heath, Kingswinford South Wordsley	£16,747.56 £18,982.78 £20,437.35	Brierley Hill Brierley Hill, Brockmoor and Pensnett Kingswinford North & Wall Heath, Kingswinford South and Wordsley	£101,261.54
Castle and Priory, St James's St Thomas's	£25,858.22 £16,058.16 £22,917.66		
Netherton, Woodside & St Andrews Quarry Bank & Dudley Wood	£44,121.45 £28,862.50	Dudley Castle and Priory, St James's and St Thomas's Netherton, Woodside & St Andrews and Quarry Bank and Dudley Wood	£137,817.99
Coseley East Sedgley	£39,060.39 £20,489.81		
Gornal, Upper Gornal & Woodsetton	£35,260.41 £14,797.05	Dudley North Coseley East and Sedgley Gornal, Upper Gornal and Woodsetton	£109,607.66

12. At the point of transferring unspent/ uncommitted funds it is proposed that the funding for Amblecote, Cradley and Wollescote, Lye and Stourbridge North is split on a ratio of 2/3rds to the Stourbridge Forum and 1/3rd to the Halesowen Forum in line with the proposed geography.

Law

13. Community Forums are not Committees of the Council so the provisions of the Local Government Act 1972 and subsequent legislation relating to appointing Committees, delegating functions and proportionality do not apply. Community Forums comprise all the ward councillors for the areas concerned.
14. The Localism Act 2011 gives the Council a power of general competence to act in the interests of the Community. Section 111 of the Local Government Act 1972 enables the Council to do anything that is calculated to facilitate, or is conducive to or incidental to, the discharge of its statutory functions.

Risk Management

15. There are minimal risks associated with the proposals in the report.

Equality Impact

16. Community Forums are one way in which the Council seeks to engage with local residents and communities. Attendees at Forum meetings are not always very representative of local communities so it remains important that the Council continues to provide a range of opportunities for people with different protected characteristics to get involved.
17. If the recommendations in this report are approved a new equality impact assessment will be completed.
18. The impact of Covid-19 on health inequalities should inform our approach to developing Community Forums. There is clear evidence that Covid-19 has a disproportionate impact on different groups within the population. Older age, ethnicity, male sex, and geographical areas, are more greatly associated with the risk of getting the infection, experiencing more severe symptoms and higher rates of death.

Human Resources/Organisational Development

19. Meetings of Community Forums have been supported by Community Forum liaison officers who have been identified by Directors, and community development workers from Public Health. Liaison officers provide support to the forums on top of their usual work responsibilities. Moving to 5 forums rather than ten will require reconsideration of the staffing support needed.
20. Without changes to the approach to Forum meetings and to the grants process, additional staff capacity will need to be identified within Public Health to help to coordinate and manage Community Forum meetings and grants, with 40 meetings to support in a normal year on the current geographical footprint and a £240k funding budget to manage.

Commercial/Procurement

21. There are no commercial implications associated with this report.



Council Priorities and Projects

22. This work will contribute to objectives within the Borough Vision, the Council Plan and the Future Council Programme which focus on healthy, resilient, safe communities by:
- providing an opportunity for local people, elected members and partners to work together to identify and progress priorities for their local area
 - supporting people to be actively involved in their community by identifying community assets, connecting people and resources, and enabling people to share ideas and make positive things happen in their communities
 - providing opportunities for local people to influence plans and services which will impact on the local area
 - providing a forum to deal with wider community issues rather than individual complaints or case work issues
 - providing funding to groups who demonstrate that they are working alongside local people and utilising existing community assets wherever possible
 - focusing on approaches which support people to be more self-reliant, independent and co-ordinated in order to increase community resilience
23. People attending Community Forum meetings may identify issues and priorities in relation to a range of public services, including, for example, health services, housing, community safety and green spaces, as well as highlighting inequalities. Insight from Community Forum meetings will be shared accordingly to ensure that, wherever possible, this informs public sector priorities and ways of working through our strategic partnership groups such as Forging a Future and the Health and Wellbeing Board.
24. Community Forums are one of the many ways in which local people can be kept informed about plans for the local area and engaged in or provided with the opportunity to influence plans and services which will impact on the local area.
25. Community Forums give local people and groups the opportunity to bring forward ideas about tackling climate change, share what they are doing and to apply for funding to support groups' environmental projects and activities.



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Leader of the Council



Meeting of the Council – 11th July, 2022

Report of the Audit and Standards Committee

Audit and Standards Committee Annual Report

Purpose of the Report

1. To receive the Annual Report of the Audit and Standards Committee (attached as Appendix A).

Recommendation

2. That the Annual Report of the Audit and Standards Committee for 2021/22 be received and noted.

Background

3. A Chartered Institute of Public Finance and Accountancy (CIPFA) self-assessment completed by the Head of Audit Services on the Audit and Standards Committee identified the production of an Annual Report as best practice. The production of an annual report promotes the good work completed by Audit and Standards Committee and is in line with the production of annual reports from the Council's Scrutiny Committees.
4. The annual report for 2021/22 is attached to this report.

Finance

5. There are no direct financial implications arising from this report.

Law

6. There is no legal requirement to complete an Annual Report, but it is considered best practice.

Risk Management

7. The proposals contained within this report do not raise any “material” risks.

Equality Impact

8. This report does not raise any equality issues.

9. The work carried out by Audit and Standards Committee will help to protect the interests of children and young people, albeit they were not consulted on, or involved, with the development of the Annual Report.

Human Resources/Organisational Development

10. There are no human resources/organisational developments implications relating to this report.

Commercial/Procurement

11. This report does not have any commercial/procurement implications.

Council Priorities and Projects

12. The work undertaken by Audit and Standards Committee helps to ensure Council priorities are achieved by ensuring the Council has an effective framework of governance, risk management and internal control.



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Chair of the Audit and Standards Committee



Audit and Standards Committee

Annual Report 2021/2022



Welcome from the Chair of Audit and Standards Committee Councillor Alan Taylor



This annual report gives a summary of the work completed by Audit and Standards Committee during the 2021/2022 municipal year.

The overarching purpose of this Committee is to provide to those charged with governance independent assurance on the adequacy of the risk management framework, the internal control environment and the integrity of the financial reporting and governance processes.

To fulfil this responsibility the Committee oversees the work of Internal and External Audit, the Risk Management Framework, Fraud, Governance including approving the Code of Corporate Governance, Whistleblowing Policy and Annual Governance Statement (including assurance framework), Treasury Management, approval of the annual Statement of Accounts, approving Contract Standing Orders, Financial Regulations and Codes of Conduct and dealing with the misconduct of Members.

As you can see the Committee has wide ranging responsibility covering many aspects of the Council's work. If the Council is to achieve its priorities it must have effective systems of governance, risk management and internal control. The Committee plays a pivotal role in ensuring that this is the case.

I commend this annual report to the Council. I would like to place on record my appreciation of all the hard work and support given by Councillors, Officers, and External Audit who have contributed to our work during 2021/2022.

Full details of Audit and Standards Committee meetings, including agendas, minutes and reports, can be viewed online by accessing the [Committee Management Information System](#).

Alternatively, please contact Democratic Services on 01384 815238 or e-mail democratic.services@dudley.gov.uk.

Audit and Standards Committee Annual Report



Chair: Councillor Alan Taylor

Vice-Chair: Councillor Joe Roberts

The Committee meets 5 times a year in June, September, December, February and April. This report has been split into the main areas of our responsibility and details the outcomes that have been achieved during the year.

Internal Audit

Outcomes:

- Approved the Internal Audit Plan for 2021/22 and ensured that it was based on the Council's key risks.
- Monitored the performance of Audit Services and the achievement of key performance indicators. Recognised that performance had been affected due to the Covid-19 pandemic.
- Approved the Annual Audit Report for 2020/21 and acknowledged the Head of Audit Services' annual opinion on the effectiveness of governance, risk management and internal control.
- Discussed progress in addressing the recommendations that came out of the external quality assessment on Audit Services.
- Challenged the Chief Executive, Deputy Chief Executive, Directors and Senior Managers on the Chief Executive and Deputy Chief Executive's annual reports and emphasised the importance of matters raised being addressed on a timely basis. Also, supported Audit Services by challenging why Actions raised in previous audit reports were still outstanding. The Committee made it clear that Audit Services must be taken seriously, and Audit Actions should be addressed as soon as possible. The Chief Executive and Deputy Chief Executive agreed to implement processes to

ensure Directors are held to account if Audit Actions are not addressed on a timely basis.

- Members supported the follow up work undertaken by Audit Services on Minimal opinion audits and Critical and High priority Audit Actions and recognised that resources were not available to follow up Medium priority Actions on the same frequency.

External Audit

Outcome:

- Discussed the Audit Findings report presented by the External Auditors and acknowledged that some work still needed to be undertaken before final conclusions were reached.
- Approved the letter of representation.
- Approved the Annual Statement of Accounts.
- Members asked why the audit of the Statement of Accounts had been delayed. One reason was that a valuation had not been provided on the Council's land and buildings. This was the second year running where this was the case and processes had not been improved following it being raised by External Audit last year. The matter was raised with the Deputy Chief Executive who assured Committee that the information required by the External Auditors had now been provided, and that this would no longer be an issue going forward.
- External Audit raised a concern that journals were not being approved which subsequently could increase the risk of error and fraud. Following the matter being raised by Members, the Director of Finance and Legal agreed for all journals to be approved in future.

Risk Management

Outcome:

- Received three risk management reports during the year and reviewed the action being taken to address the key risks.
- Acknowledged the action undertaken to embed the new Risk Management Framework and supported the work currently being undertaken on this by the Head of Audit Services.
- Committee suggested that Procurement/Contract Management should be included in the risks reported to Strategic Executive Board and Audit and Standards Committee. These risks have now been included.
- Selected three risks (Children's Social Care, Health and Safety and Cyber Security) for detailed scrutiny and questioned the appropriate Director/Senior Manager on the management of the risks.

Fraud

Outcomes:

- Discussed and commented on the Annual Fraud Report, which is a report of fraud work completed by Audit Services in relation to prevention, detection, investigation and resolution. It also lists fraud work undertaken by other Council teams.

Governance

Outcome:

- Approved the re-appointment of the Standards Sub-Committee for 2021/22 with its existing terms of reference and membership to deal with complaints against Members.
- Approved the updated Members' Code of Conduct. Members raised concerns in relation to the limited sanctions available to Members who had breached the Members' Code of Conduct. The Monitoring Officer had previously written to the appropriate Government Minister and the Local Government Association, but no change had been made to the standards regime.
- Discussed and approved a revised Local Code of Corporate Governance.
- Discussed and approved the Annual Governance Statement for signing by the Chief Executive and Leader of the Council. Members raised questions on Payroll Transactions, Special Educational Needs and Disabilities (SEND) and Dudley Integrated Healthcare Trust (DIHC).

Whistleblowing

Outcome:

- Discussed and commented on the annual report on whistleblowing and the whistleblowing referrals received during the year.
- Approved the updated Whistleblowing Policy.
- Members wanted assurance that the Whistleblowing Policy is well publicised and whether consideration could be given to having Freedom to Speak Up Guardians, that are common place within the NHS. The Monitoring Officer agreed to give this further consideration.

Treasury Management

Outcome:

- Discussed and commented on treasury management activities undertaken during the year.
- Members raised questions on the governance arrangements over short and long-term borrowing.

Suspensions

Outcome:

- Discussed and provided comments on employees who were suspended pending an investigation into an allegation(s) of gross misconduct during the period 1 October 2020 to 30 September 2021 inclusive. Also, reviewed medical suspensions.
- Members asked if the salary costs of those employees carrying out an investigation could be calculated and included within the report.
- Members were pleased that the average length of a suspension had fallen since reporting started to Audit and Standards Committee

Financial Regulations

Outcome:

- Members discussed and agreed an update to the Council's Financial Regulations.