

COMMITTEE AND SUB- COMMITTEE MINUTES

**FEBRUARY 2014
TO
MARCH 2014**

**AND
DELEGATED DECISION
SUMMARIES**

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

LIST OF MEETINGS

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Castle and Priory, St James's and St Thomas's	17/03/2014	CPSJSTCF/19	CPSJSTCF/22
Gornal and Upper Gornal and Woodsetton	18/03/2014	GUGWCF/18	GUGWCF/21
Coseley East and Sedgley	18/03/2014	CESCF/14	CESCF/15
Norton, Pedmore and Stourbridge East and Wollaston and Stourbridge Town	19/03/2014	NPSEWSTCF/16	NPSEWSTCF/18
Halesowen North and Halesowen South Community Forum	19/03/2014	HNHSCF/14	HNHSCF/18
Kingswinford North and Wall Heath, Kingswinford South and Wordsley	25/03/2014	TO FOLLOW	
Amblecote, Cradley and Wollescote and Lye and Stourbridge North	25/03/2014	TO FOLLOW	
Brierley Hill and Brockmoor and Pensnett	25/03/2014	TO FOLLOW	
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DUDLEY HEALTH AND WELLBEING BOARD

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CABINET

Meeting of the Cabinet	12/02/2014	C/30	C/40
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**ACTION NOTES OF THE MEETING OF NETHERTON, WOODSIDE AND ST
ANDREWS/QUARRY BANK AND DUDLEY WOOD
COMMUNITY FORUM**

Monday 17th March, 2014 at 6.30 pm at
Quarry Bank Community Centre, Sheffield Street, Quarry Bank, DY5 1EA

PRESENT:-

Councillor Cotterill (Part Chair) and Zada (Chair)
Councillors Cowell, Sparks and Wood

Officers

Mr A Tromans – Lead Officer to the Forum (Information Systems Manager, ICT Services) and Mrs M Johal (Directorate of Corporate Resources) and Ms Nichola Dakin (Dudley Council Plus)

Together with twenty five members of the public.

Councillor Cotterill acted as Chair to the meeting for the commencement of the proceedings and Councillor Zada thereupon took the Chair on his arrival.

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INTRODUCTIONS BY THE CHAIR

The Chair welcomed everyone to the meeting of the Netherton, Woodside and St Andrews/Quarry Bank and Dudley Wood Community Forum and following the making of other general announcements the local Councillors and Officers introduced themselves.

25

LISTENING TO YOU – QUESTIONS AND COMMENTS FROM LOCAL RESIDENTS

Local residents raised questions and made comments as set out below. These issues would be referred to the relevant Directorate or appropriate body for a response:-

Nature of question/comment

- (a) The yellow bollard on the triangle outside Lloyds Bank needed to be shortened or relocated as it was blocking the field of vision when turning right from Northfield Road onto Halesowen Road.

The Chair undertook to pursue the matter.

- (b) Concerns were expressed about the state of Lawnwood Road, particularly outside some properties and photographs of the road showing where tarmac had cracked right across the road were circulated. It was requested that consideration be given to urgent repair works being undertaken. It was also stated that the road was very narrow which resulted in vehicles having to park on the grass verge, large vehicles obstructing the road and damage being caused to parked vehicles. It was stated that parking bays would not resolve the matter and it was requested that consideration be given to widening the road. Councillor Cotterill was of the view that the widening of the road was currently unlikely given the Council's current budget position.

The Chair indicated that he would speak to the appropriate Officer with a view to carrying out an inspection of the road with a view to an assessment being made on any repair works.

Other Issues raised and/or answered on the evening:-

- Concerns expressed about the high levels of pollution in Netherton and it was queried what action was being taken to address the problem.

The Cabinet Member for Environment and Culture stated that the matter was being considered and there were three new Air Quality Action Plans which were available on the Council's website for viewing. The Lead Officer undertook to provide copies of the Plans to the questioner concerned.

- Inconsiderate parking was causing concern, particularly from vehicles parked outside the Arts Centre on Northfield Road, as it was difficult for residents to get their vehicles in and out of their drives. Further problems were caused as traffic could not turn right into Northfield Road which resulted in traffic using the surrounding roads, particularly Cross Street, which was very narrow. Problems also occurred from people using Ballard Road and Recreation Street to access facilities in that location.

The Chair stated that discussions were ongoing with a view to managing the problem and consideration was being given to several options such as extending the triangle outside Lloyds Bank and installing traffic lights. Concerns about the lack of parking and improvements to signage to existing car parks were being considered.

- It was suggested that the empty lane currently marked not to be used when approaching Cinder Bank Island to take a left turning into Peartree Lane be opened up to make it a three way lane to alleviate traffic congestion.

- The need for a permanent speed camera fixture at Cinder Bank Island was requested.

The Chair reported that a speed survey would be conducted around Cinder Bank Island in the next financial year. Councillor Sparks also reported that some speed camera fixtures were not operational as cameras had been taken out because of budget problems and that the police were now using and introducing digital cameras.

26

WORKING WITH YOU – TOPICS RAISED BY LOCAL COUNCILLORS

Councillor Sparks

- (a) Thanked Officers for completing the erection of the bollards on Park Road, Quarry Bank.
- (b) Informed the meeting on an issue that had been raised by parents of children attending Mount Pleasant School whereby vehicles were conducting u-turns at Mount Pleasant traffic lights back into Thorns Road which was a safety concern. It was requested that a camera be installed to capture the culprits.
- (c) Referred to the passageway at the top of Queens Street and requested that consideration be given to increasing the frequency of sweeping given the number of takeaways in the vicinity.

Councillor Wood referred to the mental health walk in facility at Woodside and informed the meeting that the service was to be closed due to funding being withdrawn by the Dudley Clinical Commissioning Group and she raised concerns that there was no alternative provision being made.

The Chair undertook to speak to the Chair of the Health Scrutiny Committee with a view to providing a response.

Councillor Cotterill

- (a) Referred to potholes on Dudley Wood Road and requested that proper repairs be undertaken and not just a temporary measure that had been proposed.
- (b) Complained about the oversized fence at the top of Saltwells Road and stated that it could be seen from a distance.

27

CHOICE BASED LETTINGS

The Lead Officer to the Forum updated the meeting on responses that had been received in relation to queries raised at the previous meeting.

The Chair asked that any further issues or discrepancy with the information provided be raised with him at the end of the meeting with a view to following the matter up.

28

AREA GRANTS

A report of the Lead Officer was submitted on applications for funding. The Lead Officer also verbally reported on a further application that had been received from Dudley Arts Council since submission of the report.

Arising from the presentation of the report the Leader of the Council stated that he had raised concerns about the number of applications that were being sent to all Community Forums for consideration and stressed that grant applications were for the local community to undertake activities locally and specific to the Ward concerned.

AGREED TO RECOMMEND

That the Director of Corporate Resources approve the following:-

- (a) A grant in the sum of £268.44 to Bumble Hole Conservation Group for funding to produce leaflets, booklets and a DVD for visitors to the Bumble Hole Visitor Centre.
- (b) A grant in the sum of £268.44 to West Mercia Scout County for funding to support a resident to attend an international scouting jamboree in Japan.

That the Director of Corporate Resources refuse the following:-

- (c) A grant in the sum of up to £5000 to Dudley Arts Council for funding to hold a Black Country Day in July as it was not a local event and was not specific to the Ward concerned.
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29

DATES OF FUTURE MEETINGS

It was reported that meetings of the Community Forum would be held on the following dates subject to Council approval on 5th June, 2014:-

Monday 23rd June, 2014 (venue to be confirmed)
Monday 1st September, 2014 (venue to be confirmed)
Monday 3rd November, 2014 (venue to be confirmed)
Monday 26th January, 2015 (venue to be confirmed)
Monday 16th March, 2015 (venue to be confirmed)

The meeting ended at 8.00 p.m.

**ACTION NOTES OF THE CASTLE AND PRIORY,
ST. JAMES'S AND ST. THOMAS'S COMMUNITY FORUM**

Monday, 17th March, 2014 at 6.30 p.m.
at Wrens Nest Community Centre, Summer Road, Dudley

PRESENT:-

Councillor K. Finch (Chair)
Councillor A. Ahmed (Vice Chair)
Councillors K. Ahmed, Ali, M. Aston, A. Finch and Roberts

Lead Officer - S Griffiths, Directorate of Corporate Resources

20 members of the public

29 **WELCOME AND INTRODUCTIONS**

The Chair welcomed everyone to the meeting. Following general announcements, the ward Councillors introduced themselves.

30 **APOLOGY FOR ABSENCE**

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

31 **LISTENING TO YOU: QUESTIONS AND COMMENTS FROM LOCAL RESIDENTS**

Local residents raised questions and made comments, as set out below. Where necessary, these issues would be referred to the relevant Directorate or appropriate body for a response:-

Nature of Question/Comments

- (1) Various issues were raised concerning parking at Russells Hall Hospital and on the Russells Hall Estate. A request was made for the Council to participate in a partnership approach with the NHS and the private sector to provide a multi-storey car park on land opposite the Hospital, with the adoption of reasonable car parking charges. Reference was also made to speeding, congestion, parking on pavements, vehicles blocking driveways and heavy goods traffic using the Estate as a short cut. The Cabinet Member for Transport noted the ongoing issues and responded to specific points. Concerns about parking at Russells Hall would remain under consideration and be raised with the Hospital Trust as necessary.

- (2) The Cabinet Member for Transport indicated that, following public consultation, the scheme for residents' parking permits would not be taken forward.
- (3) Issue concerning the road surface in Wrens Nest Road. The Chair indicated that officers had investigated this issue previously.
- (4) Request for extra lights to be put on the corner of the cul-de-sac of Cedar Road, off Meadow Road, to help with the security of vehicles.
- (5) Concern about the deterioration of a previously resurfaced pavement outside a property in Myrtle Road.
- (6) Issues concerning dangerous parking at the only exit (of three) currently being used from the North Priory Estate (ie: the exit nearest to Donkey Pool fields). Ward Councillors undertook to raise this issue at a forthcoming meeting with Bromford Housing Association.
- (7) Request for action concerning an overgrown garden of private tenants at a property in Middlepark Road.
- (8) Issue concerning a drain cover in Corbyn Road, which had recently been covered with soil during works in the area.
- (9) Concerns about the timing of traffic light signals at Parkes Hall Road/Wrens Nest Road/Sedgley Road and associated traffic congestion.
- (10) Request for an update on the provision of a community building in the North Priory area. Ward Councillors indicated their support to local residents and undertook to raise the issue at forthcoming meetings.
- (11) Concerns about the provision of public toilets in Dudley Town Centre; requesting an explanation for the closure of toilets on the Inhedge car park and the reason why these toilets could not be refurbished. Reference was made to the ongoing works to regenerate Dudley Town Centre and the public consultations.

- Councillor Roberts repeated previous concerns about traffic speeding between Eve Hill Island, along Himley Road, to Milking Bank Island. This related to normal traffic flow accentuated by lorries taking waste to the disposal centre exceeding the 30mph speed limit.
- Councillor A Finch requested a progress report on the situation concerning the Estate Office in Summer Road, Wrens Nest. He expressed concern about the lack of progress and anti-social behaviour taking place around the building.

- Councillor Ali repeated concerns about the functioning of traffic light signals in and around Dudley Town Centre causing traffic congestion in parts of St. Thomas's ward. The Cabinet Member for Transport noted the comments and reported that action would be taken with a view to reducing traffic congestion problems.
- The Chair reported on the severe budgetary problems faced by the Council. The Council had already made significant savings and additional savings were required over the next three years.

33 AREA GRANTS

A report of the Lead Officer was submitted on applications for funding. In addition to the four applications contained in the report, the Lead Officer reported on a further three applications received.

AGREED:-

- (1) That the Director of Corporate Resources be recommended to:-
 - Approve a grant in the sum of £6,848.80 to St Francis Parish Centre for the supply/installation of a new boiler and radiators to replace the heating system.
 - Approve a grant in the sum of £2,995 to West Mercia Scout County towards funding a Unit attending the 23rd World Scout Jamboree in Japan in 2015.
 - Approve a grant in the sum of £2,500 to the Destined to Reign Church to support a project to tackle social isolation amongst community groups with the aim of reducing anti-social behaviour and encouraging healthier lifestyles; and that the applicant be advised to submit a similar application to the St Thomas's Community First Panel for consideration.
 - Approve a grant in the sum of £1,800 to the Sycamore Adventure to urgently replace items that had been stolen from the centre during January, 2014.
- (2) That the following applications be deferred pending confirmation of the funding allocations for the 2014/15 financial year and that the Director of Corporate Resources be recommended to deal with the funding applications as matters of urgency, if appropriate, following the receipt of any necessary further information and in consultation with the Chair, Vice-Chair and ward Councillors:
 - Dudley Arts Council – funding of up to £5,000 to support the delivery of the Black Country Festival across the Borough.

- Dudley Central Mosque and Muslim Community Centre – funding of up to £8,000 to run and manage welfare community focused projects.
 - The Young Smiles Project – funding of £9,341.25 to furnish and equip a dedicated area of the applicant’s new building to enable the extension of the project to run sessions for children with obesity, mothers and toddlers and providing fitness nutrition courses.
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34 NEXT MEETING

Subject to the approval of the Council at its annual meeting in June, 2014, the provisional dates of the Community Forum for 2014/15 were as follows (all 6.30pm with venues to be confirmed):

25th June, 2014

3rd September, 2014

5th November, 2014

28th January, 2015

18th March, 2015

The meeting ended at 8.15 p.m.

CHAIR

**ACTION NOTES OF THE MEETING OF GORNAL/UPPER GORNAL AND
WOODSETTON COMMUNITY FORUM**

HELD AT 6.30PM ON TUESDAY 18TH MARCH 2014

AT THE PARKES HALL SOCIAL CLUB, PARKES HALL ROAD, DUDLEY

PRESENT:-

Councillor Casey (Chair)
Councillors Mrs Ameson, A Aston and Wright

Officers:-

Ms J Jennings (Lead Officer to the Committee) (Head of Communications and Public Affairs) – (Chief Executive's Directorate) and Mrs K Buckle (Directorate of Corporate Resources).

Together with six members of the public

22 APOLOGIES FOR ABSENCE

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

23 INTRODUCTIONS BY THE CHAIR

The Chair welcomed those present to the meeting and Members introduced themselves.

24 LISTENING TO YOU: QUESTIONS AND COMMENTS FROM LOCAL RESIDENTS

Local residents raised questions and made comments as set out below. These issues would be referred to the relevant Directorate or appropriate body for a response.

Nature of question/comment.

- 1 A request for an up-date in relation to improvements in Gornal Village in relation to parking, the installation of a closed circuit television camera. There was also a request that the public toilets be re-opened. The questioner also referred to anti social behaviour which was deterring pensioners from shopping in the village.

GUGWCF/18

Councillor Aston suggested that a local Police Sergeant be asked to attend future Forums.

The Chair advised that preliminary installation work had commenced in relation to the closed circuit television camera in Gornal village.

- 2 A request for information in relation to the number of parking wardens in the Borough, how they operated and when and how many times they visited the north Dudley area of the Borough, as concerns were raised relating to the number of vehicles parked on pavements causing a danger to pedestrians with disabilities and those with young children.

Councillor Wright advised that the Council's Civil Parking Enforcement Officers would enforce Traffic Regulation Orders, however in the absence of Orders the Police would deal with obstructive parking.

- 3 A request for information on the advertisement process for Community Forums.

The Lead Officer advised that Community Forum posters were forwarded to Ward Members for distribution, there were news releases, advertisements on the Council's website, twitter and facebook and also featured in the Council magazine "Dudley Together". It was emphasised that there was no available budget for advertising Community Forums, however options for free advertising continued to be pursued.

The Lead Officer also referred to triggers which may encourage the local community to participate in the Community Forum including opportunities to combine meetings with PACT meetings and the attendance of other speakers including those from Health and the Clinical Commissioning Group.

- 4 A request that information be communicated either verbally or in writing at the Forums in relation to local highway repairs and planning applications that may affect the local area, as it was difficult to obtain such information for those who did not have internet access and were unable to access the Council's website.

The Lead Officer advised that details of local meetings, events and activities could be provided at the Community Forum.

The Chair advised that Community Forums were constantly under review and that every opportunity was taken by Members to promote Forums.

The Chair also advised that future articles would appear in "Dudley Together" in relation to the benefit of the allocation of Community Forum funding to the local community.

- 5 A request that problems with an overgrown tree affecting the driveway of a property off Chad Road in Wellsbourne Drive, Upper Gornal be addressed.
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25 WORKING WITH YOU: TOPICS RAISED BY LOCAL COUNCILLORS

Councillor Wright referred to re-surfacing work that had commenced in Stickley Lane, Gornal Wood requesting to be advised when the remainder of the road would be re-surfaced.

The Chair advised that he was aware that problems had been encountered and would contact the relevant Officer in relation to the re-surfacing work.

26 COMMUNITY FORUM FUNDING

A report of the Lead Officer was submitted on two applications for funding.

The Lead Officer also reported on two additional late applications for funding that had been circulated in a separate report.

AGREED TO RECOMMEND

1. That the Director of Corporate Resources approve the following grants from the Upper Gornal and Woodsetton Ward:-
 - (a) The sum of £1,800 to Sycamore Adventure Centre to replace key play equipment that was stolen.
 - (b) The sum of £5,000 to Woodsetton Charitable Trust and High Arcal school to help meet the costs of moving the War Memorial from where it stands on Sedgley Road, up to the crossroads, where Parkes Hall Road meets Tipton Road.
 - (c) The sum of £4,745 to St Peter's Parish Hall to replace UPVC windows.
 - (d) The sum of £2,500 to provide part funding to the Dudley Arts Council to support the delivery of the Black Country Festival equipment including staging and PA Systems and promotional items.
 2. That the Lead Officer, in consultation with the Chair and Gornal Ward Councillors, be authorised to make a recommendation to the Director of Corporate Resources on the application received from the Dudley Arts Council in relation to the remainder of the funding requested.
-

27 DATES, TIME AND VENUES OF NEXT MEETINGS

GUGWCF/20

Future meetings of the Community Forum would be held on the following dates, subject to approval at Council in June, 2014,

- 23rd June, 2014
- 1st September, 2014
- 3rd November, 2014
- 26th January, 2015
- 16th March, 2015

Commencing at 6.30pm at venues to be confirmed.

The meeting ended at 7.45pm

**ACTION NOTES OF THE MEETING OF COSELEY EAST/SEDGLEY
COMMUNITY FORUM**

Tuesday 18th March 2014 at 6.30 pm
at Age Concern, Ettymore Road, Sedgley

PRESENT:-

Councillor Caunt (Chair)
Councillor Ridney (Vice-Chair)
Councillors Baugh, Evans and Mottram

Officers:-

Mr S Cooper (Lead Officer to the Forum) (Head of Strategic Asset Planning)
and Mrs M Johal (both Directorate of Corporate Resources)

Together with three members of the public.

24

APOLOGY

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

25

WELCOME AND INTRODUCTIONS

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

26

**LISTENING TO YOU – QUESTIONS AND COMMENTS FROM LOCAL
RESIDENTS**

No issues were raised.

27

WORKING WITH YOU – TOPICS RAISED BY LOCAL COUNCILLORS

Councillor Caunt referred to Sedgley Beacon and stated that consideration
was being given to forming a Friends Group for the area and a public meeting
was due to be held with a group of volunteers on Thursday of this week in this
regard. It was hoped to attract funding to preserve and maintain the area.

Councillor Ridney referred to the Bowling Green at Silver jubilee Park and
stated that costs with a view to reusing the site were being obtained.

22

AREA GRANTS

A report of the Lead Officer was submitted on an application for funding. The Lead Officer also verbally reported on three further applications that had been received from Dudley Arts Council, Access in Dudley and the Coseley Cricket Club since submission of the report.

Arising from the presentation of the report Members referred to applications that were being sent to all Community Forums for consideration and were of the view that grant applications should be from the local community to undertake activities locally and specific to the Ward concerned. Where there were Borough wide applications these should state specifics pertaining to each Ward. The Chair also commented that some Community Forums were split into two and others into three Wards and, as funding allocated to Forums comprising of two Wards was of a lesser amount, funding given to Borough wide applications should also be divided proportionately.

Following consideration of the applications it was agreed to:-

- (a) Refer the application from The High Arcal School for a grant in the sum of £5000 to the Gornal/Upper Gornal and Woodsetton Community Forum for consideration as the School was based in that area and under their jurisdiction.
- (b) Defer the application for a grant of up to £5000 to Dudley Arts Council for further information to clarify the exact amount and any specific activities relating to the Coseley East/Sedgley Ward.
- (c) Defer the application for a partial grant to Access in Dudley for further information to clarify the benefits specific to the Coseley East/Sedgley Ward and to provide a breakdown of services offered by them.

AGREED TO RECOMMEND

That, subject to the receipt of three quotes, the Director of Corporate Resources be requested to approve a grant in the sum of £5000 to the Coseley Cricket Club towards the purchase of a wicket roller and a mower.

23

DATES AND TIMES OF FUTURE MEETINGS

It was reported that meetings of the Community Forum would be held on the following dates subject to Council approval on 5th June, 2014:-

Tuesday 24th June, 2014 (venue to be confirmed)
Tuesday 2nd September, 2014 (venue to be confirmed)
Tuesday 4th November, 2014 (venue to be confirmed)
Tuesday 27th January, 2015 (venue to be confirmed)
Tuesday 17th March, 2015 (venue to be confirmed)

The meeting ended at 7.00 pm

**ACTION NOTES OF THE MEETING OF NORTON/PEDMORE AND
STOURBRIDGE EAST/WOLLASTON AND STOURBRIDGE TOWN COMMUNITY
FORUM**

Held at 6.30pm on Wednesday 19th March, 2014
At Chawn Hill Church, Chawn Hill, Stourbridge

PRESENT:-

Councillor Attwood – Chair
Councillor Mrs Rogers – Vice-Chair
Councillors Elcock, Hale, L Jones, Kettle, Marrey and Sykes.

OFFICERS:-

Andrew Leigh (Lead Officer to the Forum), (Head of Services (Housing Strategy and Development) (Directorate of Adult, Community and Housing Services) and Helen Shepherd (Democratic Services Officer) (Directorate of Corporate Resources).

Together with 15 members of the public.

25 **INTRODUCTIONS BY THE CHAIR**

The Chair welcomed everyone to the Norton, Pedmore and Stourbridge East, Wollaston and Stourbridge Town Community Forum and the local Councillors and Council Officers introduced themselves.

26 **APOLOGY FOR ABSENCE**

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

27 **LISTENING TO YOU - QUESTIONS AND COMMENTS FROM LOCAL RESIDENTS**

Local residents raised questions and made comments as set out below:-

- A resident asked if the public footpath would remain open once work at the collapsed wall at Redhill, Stourbridge commenced.

The Lead Officer confirmed that the road would be closed to all traffic but that a pedestrian route would remain open.

- The Lead Officer provided an update in relation to the collapsed wall at Redhill, Stourbridge, however residents raised concerns in relation to the disregard by the Council to purchase the land/wall owned by West Midlands Police and of the safety aspects of the inspections and work taking place on the wall. Councillor L Jones requested that a report/briefing note in relation to this issue be submitted to a future meeting.

28 WORKING WITH YOU – TOPICS RAISED BY LOCAL COUNCILLORS

No issues were raised under this item.

29 COMMUNITY FORUM FUNDING

A report of the Lead Officer was submitted on applications for funding. It was noted that several additional applications had been received since publication of the report and would therefore be presented verbally.

AGREED:-

- (1) That the application from LIFE Centre (Stourbridge) for the sum of £5000 for the start up costs for the first year of a Debt Advisory Service for Stourbridge, be deferred and that the Lead Officer be requested to write to the Applicant regarding further funding avenues that may have been identified and with a request that they consider submitting a new application to all the Community Forums within a 7 mile radius of the premises that the Debt Advice Service would operate from.
- (2) That the applications from two local scouts who had been selected to attend the 23rd World Scout Jamboree in Japan in July 2015 requesting the sum of £2995 per application, be withdrawn as requested by the applicant.
- (3) That the application from Friends of Wollescote Park (Stevens Park Wollescote) for the sum of up to £10,000 to fund a new and attractive gateway entrance feature to the park, symbolising the history of the area and showing visitors and passers-by that the park is actually a park, be withdrawn, as requested by the applicant.

AGREED TO RECOMMEND:-

That the Director of Corporate Resources:-

- (1) Approve the application from 9th Stourbridge Oldswinsford Scout Group for the sum of £2500 to help contribute to the renewal of the groups patrol tents and the purchase of a new smaller mess tent which is used for food preparation, dining and storage.
- (2) Approve a contribution in respect of the application received from Pedmore Cricket Club in the sum of £1000 only to help purchase materials and hire equipment in preparation for Cricket Force weekend.

- (3) Approve a contribution in respect of the application received from Dudley Arts Council in the sum of £3000 only to support the delivery of the Black Country Festival across the whole of the Dudley borough.
- (4) Approve the application from the Parochial Church Council of St Thomas's Church for the sum of £454 to provide security grills for the halls external boiler flue and the window to the ladies toilet which have been subject to vandalism and a point of entry for burglars.
- (5) Approve the application from Remember the Fallen in the sum of £1560.57, which equates to the total cost to complete the project once the £590 that had been raised to date had been deducted, so that Private Harry Whitwell's name can be added to the Stourbridge War Memorial.
- (6) Approve a contribution in respect of the application received from Access in Dudley in the sum of £350 only for the update and printing of the group leaflets and the purchase of other promotional material such as pop-up banners, rulers, pens and keyrings in order for Access in Dudley to reach a greater number of the local community by promoting the group and services on offer.
- (7) Approve the making of a grant in the sum of £2338.39, representing 50% of the requested funding, to KMS Events CIC to contribute to the arrangement of a day of poetry, spoken word and associated arts on Sunday 13th July to celebrate Black Country Day.

30 DATE, TIME AND VENUE OF NEXT MEETING

It was noted that the draft dates of the Community Forum meetings for 2014/15 municipal year, subject to Council approval in June 2014, would be:-

- 25th June, 2014
- 3rd September, 2014
- 5th November, 2014
- 28th January, 2015
- 18th March, 2015

Venues for these dates to be confirmed.

The meeting ended at 8.40 pm.

**ACTION NOTES OF THE MEETING OF HALESOWEN NORTH AND
HALESOWEN SOUTH COMMUNITY FORUM**

Held at 6.30 pm on Wednesday, 19th March, 2014 at
Lapal Primary School, Priory Road, Halesowen

PRESENT:-

Councillor Hill (Chair),
Councillor Taylor (Vice Chair)
Councillors Bills and Mrs Shakespeare

Officers:-

S Beckett (Customer Services Manager, Lead Officer) and J Jablonski
(Democratic Services), both Directorate of Corporate Resources

together with ten members of the public

27. **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were submitted on behalf of
Councillors Vickers and Woodall.

28. **WELCOME AND INTRODUCTIONS**

The Chair welcomed those present to the meeting.

29. **LISTENING TO YOU: QUESTIONS AND COMMENTS FROM LOCAL
RESIDENTS**

Local residents raised questions and made comments as set out below. These
issues will be referred to the relevant Directorate or appropriate body for a
response:-

- (a) A number of comments were made arising from Halesowen having been entered into the Royal Horticultural Society's "In Bloom" contest with the town being judged on Monday, 21st July, 2014 it was not generally known that less than half the judges marks were for floral displays. The majority of the marks were for community activities, environmental awareness and the condition of public spaces, street furniture and buildings etc. Interestingly what the Royal Horticultural Society are seeking could be a description of the intent of "Love your Community". It is understood that money may be available through Community Forums for town centre improvements and attention to the requests below would be appreciated to enhance Halesowen Town Centre and assist Halesowen In Bloom to achieve an award for the town –
- (i) Hobbs and Queenie shops – the previous Hobbs and Queenie shops have been an eyesore for too long and could deter businesses from setting up in Halesowen. No 27 Great Cornbow is in a disgraceful state, with the missing gutter and broken downpipe damaging the building fabric. The reason for the poor state of these buildings is understood but surely the Council have powers they could use to force repairs and redecoration and in the extreme there is compulsory purchase. It is appreciated that a quick solution cannot be achieved, but in the meantime the use of dummy window displays would improve the view in Somers Square.
 - (ii) Notice Board Great Cornbow – the mostly unused notice board by the steps to the previous Mayors parlour in Great Cornbow is rotting away due to lack of maintenance. Halesowen In Bloom would like to use this notice board to display information about "In Bloom" activities and if this can be agreed are prepared to renovate and repaint in the Halesowen colours of yellow and blue. A grant of about £40 to purchase new moulding and paint would be appreciated.
 - (iii) Shrub bed and a clock base bricks – replacement of bricks missing from the walls surrounding the renovated shrub bed at the top of Peckingham Street would be welcomed. The missing shaped bricks would cost about £100 and say 4 hours labour. Additionally, there are several spalled bricks, which need replacing, on the base of the clock at the junction of High Street and Hagley Street.
 - (iv) Painting of street furniture – there are many items of street furniture in the town that need repainting and perhaps this could be a task for an offenders group. The items concerned are, security camera bases – 2, lamppost outside Queens Head, electric power supply boxes – 2, bicycle supports in High Street and Peckingham Street, railings to shrub bed at top of Peckingham Street – top "spears" only? and railings at High Street car park.

- (v) Pavers – there are loose pavers in Somers Square close to start of Great Cornbow. There are “stand out” white pavers in Hagley Street (where Centro sign was removed?) that need to be replaced. There is a need to inspect all of the pedestrian areas and deal with paver imperfections. At this time priority could be given to the judging route, Queensway (opposite Church), High Street, Hagley Street, Peckingham Street and Great Cornbow. Cobbles are missing from the grass edging at the top of Great Cornbow.
- (vi) Somers Square – this major Halesowen feature is not looking its best as it needs a thorough clean to remove dirt and algae. Additionally it would be good if the built in lights could be repaired to shine again. Additionally, with cleaning, the steps leading to the previous Mayors parlour could be restored to a splendid feature. Halesowen In Bloom have a volunteer who is prepared to repair and re-varnish the handrail.
- (vii) Peckingham Street nameplate – the street nameplate at the top of Peckingham Street is defaced and replacement would be appreciated.
- (viii) Lampposts – Halesowen In Bloom is keen to have high level floral displays as they have more impact than displays at ground level. We have been told that it is not possible to utilise the existing lampposts as they were not designed for this use, tests have shown they are not strong enough to support the load and the lampposts are too old. It would be appreciated if a case could be prepared (perhaps these units are time expired?) to replace the lampposts in High Street, Hagley Street and Peckingham Street.

It was appreciated that not all the works could be done by 21st July, 2014, the day of judging, however it was considered that certain of the works could be undertaken.

Regarding the issue of monies available for town centre improvements it was AGREED that once the criteria was available this would be forwarded by the Lead Officer to Members and the questioner so that arrangements could possibly be put in hand before the next meeting of the forum to see what monies could be spent on the works indicated.

- (b) Question in respect of a new bus service (Number 22) on Howley Grange Road, which is a double decker. The frequency and weight of this bus is causing substantial damage to the road and also noise pollution. A weight restriction was requested and for repairs to be carried out on the damaged area.

30. WORKING WITH YOU – TOPICS RAISED BY LOCAL COUNCILLORS

Councillor Bills referred to the background in respect of the disposal of Holt Farm Primary School and the difficulties that had been experienced with this. It was now reported that the appropriate consent had been given on 13th December, 2013 to the disposal of the site and that it was now on the market. It was considered that the site would possibly be acquired for residential development.

Councillor Hill referred to a forthcoming litter pick in Hope Street commencing at 1.00 pm.

31. AREA GRANTS

The Lead Officer reported on the two applications for funding from the Community Forum Local Area Grants Budget as set out in his report and on a further three applications that had been received following submission of the report.

In connection with the applications submitted members of the Rotary Club of Halesowen and Rowley Regis were in attendance at the meeting and spoke in respect of the application received in respect of the Black Country Road Run to be held on 21st September, 2014. A member of the public also provided further details in respect of the application received from Dudley Arts Council in respect of the Black Country Festival to be held on 14th July and other events in connection with this throughout the month of July, 2014.

Arising from consideration of the five applications received it was

1. **AGREED TO RECOMMEND**

That the Director of Corporate Resources

- (1) Approve the application received from Halesowen and Rowley Regis Rotary Club in the sum of £2,170 only regarding road management costs for the Black Country Road Run, a charity fun run and road race to be held on 21st September, 2014.
- (2) Approve the application received from Coombeswood Canal Trust in the sum of £3,890 only toward the cost of appointing a Youth Worker and that he also be requested to inform the Canal Trust that this would be a one off payment and that they would need to seek alternative funding if the project was to be carried on in future years.

- (3) Approve the application received from Access in Dudley in the sum of £341.16 only, this Forum's contribution towards the provision of leaflets and promotional material, and that he also be requested to ask the organisation to provide feedback on what the money provided by this Forum and any other Forum was actually spent on.
 - (4) Refuse the application received from Manor Way Primary School as it was not considered an appropriate use for funding from the Community Forum given that there was not enough specific evidence of the usage for which the money would be put for community purposes as opposed to usage by the school.
 2. That consideration of the application received from Dudley Arts Council in respect of the Black Country Festival to be held throughout the month of July, 2014, be deferred pending the receipt of further information to be obtained by the Lead Officer from Dudley Arts Council as to specific events that would be held in Halesowen in the light of any funding to be provided.
-

32. DATE, TIME AND VENUES OF NEXT MEETINGS

It was noted that, subject to Council approval in June, meetings of the Community Forum would be held on the following dates:-

24th June, 2nd September and 4th November, 2014

27th January and 17th March, 2015. All meetings to commence at 6.30 pm.

Arising from consideration of the dates it was suggested and agreed that two venues be used for future meetings of the Forum and, subject to their availability, meetings be held at either Olive Hill School or Leasowes School.

33. THANKS TO THE CHAIR

As this was the last meeting of the Forum in the current municipal year Members thanked the Chair for the able manner in which he had conducted meetings of the Forum.

The meeting ended at 7.30 pm

OVERVIEW AND SCRUTINY MANAGEMENT BOARD

Wednesday 26th February, 2014 at 6.00 p.m.
at the Council House, Priory Road, Dudley

PRESENT:

Councillor Ridley (Chair)
Councillor Tyler (Vice-Chair)
Councillors A Ahmed, Blood, Boleyn, Caunt, Hale, Islam, James, Kettle and Marrey.

OFFICERS:

R Sims, Assistant Director (Housing Strategy and Private Sector - Lead Officer to the Board) and S Griffiths (Democratic Services Manager - Directorate of Corporate Resources)

18. **DECLARATIONS OF INTEREST**

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

19. **MINUTES**

RESOLVED

That the minutes of the meeting held on 20th January, 2014, be approved as a correct record and signed.

20. **ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY MANAGEMENT BOARD 2013/14**

The Director of Corporate Resources and the Lead Officer submitted the draft annual report of the Overview and Scrutiny Management Board for 2013/14. The report included issues identified in the interim review submitted to the Board on 26th November, 2013 and identified further work to improve the Council's overview and scrutiny arrangements based on comments and views expressed by Members of the Council. A summary of the comments received from Members was circulated for consideration.

An issue raised during the consultation had been the possible opportunities for formalised joint scrutiny arrangements with other local authorities. Although some joint working had taken place it was considered that this had been problematic in the past.

The Board discussed the process for developing the Annual Scrutiny Programme for 2014/15. Consultation would take place in March/April, with a view to a further report being submitted to the next meeting of the Board on 29th April, 2014. This would include consideration of any items to be rolled-forward from the 2013/14 Plan and draft items for inclusion in the future work programmes of individual Scrutiny Committees and the Board itself. The Overview and Scrutiny Management Board would meet early in the new municipal year to finalise the Annual Scrutiny Programme for 2014/15.

Members commented on the importance of the timing of a meeting of the Overview and Scrutiny Management Board in the calendar of meetings for 2014/15 to ensure that Members had the opportunity to scrutinise the overall budget proposals on a strategic basis. This would take place following the cycle of meetings at which each individual Scrutiny Committee examined the service-specific implications of the budget proposals.

In relation to the scrutiny of decisions taken by external bodies, it was reported that this issue would be raised with the Leader and considered as part of the annual review process.

Reference was made to the Corporate Performance Management, Efficiency and Effectiveness Scrutiny Committee undertaking detailed scrutiny of the quarterly corporate performance management report. The view was repeated that a relevant senior officer from each Directorate should attend meetings of that Committee to respond to questions raised by Members.

The Chair of the Children's Services Scrutiny Committee raised the need for a review of the composition of that Scrutiny Committee, in particular the appointment of co-opted members. There was a need to ensure that the composition of the Committee remained fit for purpose moving forward with a wider focus than just educational issues. A report would be presented to the next meeting of the Board.

Members raised general issues concerning the lighting and acoustics in Committee Room 2 of the Council House and the need to maintain the quality standards of reports to scrutiny meetings. In particular, Members asked that reports were circulated with sufficient notice; that late reports should not be tabled at meetings and that reports should be presented without 'small print', making them difficult to read.

It was also noted that on 4th March, 2014, the Adult, Community and Housing Scrutiny Committee would be considering a report concerning New Bradley Hall. The Board discussed the process whereby individual items were referred to Scrutiny Committees outside the agreed Annual Scrutiny Programme. It was suggested that in future, requests for the referral of specific items for scrutiny should be channelled through the Overview and Scrutiny Management Board. The Board would decide whether to undertake the scrutiny review itself or refer the matter to a specific Scrutiny Committee. The Chair undertook to discuss this matter with the Director of Corporate Resources for clarification of the position concerning the protocols set out in the Constitution.

RESOLVED

- (1) That the comments received from the consultation with all Members of the Council be noted.
 - (2) That, subject to any necessary amendments as a result of the comments made at this meeting, the annual report of the Overview and Scrutiny Management Board for 2013/14 be received and referred to the Council at its meeting on 14th April, 2014.
 - (3) That the Lead Officer and the Director of Corporate Resources, in consultation with the Chair and Vice-Chair, be authorised to make any necessary amendments to update the annual report prior to its submission to the Council.
-

21. REVIEW OF COMMUNITY FORUMS

A meeting of the Overview and Scrutiny Management Board would be held on 29th April, 2014 to discuss a review of the operation of the Council's Community Forums. The meeting would also receive a report on draft items for the Annual Scrutiny Plan 2014/15.

22. FORWARD PLAN OF KEY DECISIONS

The Board noted the forward plan of key decisions for the four-month period commencing 1st March, 2014.

The meeting ended at 7.15 p.m.

CHAIR

CHILDREN'S SERVICES SCRUTINY COMMITTEE

Tuesday, 18th February, 2014 at 6.00 pm at the
Council House, Dudley

PRESENT:-

Councillor Marrey (Chair)
Councillor Boleyn (Vice-Chair)
Councillors Bills, Casey, Harley, Hill, Islam, Perks, Vickers and Mrs Walker; Mrs Coulter, Mr Lynch, Mr Ridney, Mr Taylor,

OFFICERS

Assistant Director of Adult, Community and Housing Services (Housing Management) – Lead Officer to the Committee, Interim Director of Children's Services, Assistant Director of Children's Services (Quality and Partnership), Ms C Ballinger (Divisional Lead - Social Work), Ms J Jennings (Safeguarding Development Manager), Ms A Callear (Interim Divisional Lead – Safeguarding and Review) (all Directorate of Children's Services) and Mrs M Johal (Directorate of Corporate Resources)

15 **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were received on behalf of Councillors Arshad and Mrs Simms, Reverend Wickens and Ms Sinden.

16 **SUBSTITUTE MEMBERS**

It was reported that Councillor Harley was serving in place of Councillor Mrs Simms for this meeting of the Committee only.

17 **DECLARATION OF INTEREST**

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

18 **MINUTES**

In connection with the report on the Children's Centres submitted to the previous meeting, the Chair commended the Directorate of Children's Services for their input in producing the report.

RESOLVED

That the minutes of the meeting of the Committee held on 19th November, 2013 be approved as a correct record and signed.

19 PUBLIC FORUM

No issues were raised under this item.

20 ANNUAL REPORT OF DUDLEY SAFEGUARDING CHILDREN BOARD
2012-13

A report of the Interim Director of Children's Services was submitted on the Annual Report of the Safeguarding Children's Board 2012-13.

Arising from the presentation of the report the Chair referred to the commissioning of the Section 11 review which had included the completion of an online audit tool whereby key member agencies were asked to complete the audit and he sought clarification on the steps that would be taken in accelerating the audit programme. In responding the Divisional Lead - Social Work reported that agencies had attended a Sub-Committee meeting where their self-audit was reviewed.

The Interim Director of Children's Services, the Divisional Lead - Social Work and the Interim Divisional Lead – Safeguarding and Review responded to further questions from Members of the Committee, and in doing so, made the following points:-

- Insofar as serious case reviews and any lessons learned it was stated that there was a need for better Local Authority and interagency working when a child moved into another area, and where vulnerable children were concerned, there was a need to work with highly resistant families and training programmes were being offered in this regard. There was also a need to listen to the child and appropriate professional escalation of any concerns.
- With regard to the Dudley Safeguarding Children Board's (DSCB) self-evaluation relating to Quality Assurance it was commented that a Quality Assurance Programme had been developed for the Board to assist them for analytical purposes with a view to improvements being made.
- In relation to the composition of the DSCB it was reported that the Director of Public Health was a Member together with a Child Protection Co-ordinator and school representatives. There was good member engagement, all partners attended regularly and attempts were made to look at innovative ways to engage.
- In relation to child sexual exploitation it was stated that this was not always obvious but that children were still exploited and this would be discussed as part of the next agenda item.

Following further discussion and debate it was:-

RESOLVED:

That the information contained in the report on the Annual Report of the Safeguarding Children's Board 2012-13 be received and noted.

21

CHILD SEXUAL EXPLOITATION

A report of the Interim Director of Children's Services was submitted on child sexual exploitation and how it was being addressed by Dudley Safeguarding Children's Board.

Arising from the presentation of the report and in responding to a query as to why it was taking so long for young people to be protected and why it was taking so long for perpetrators to be brought to justice, the Interim Divisional Lead – Safeguarding and Review, commented that people were reluctant to believe that sexual exploitation was a problem. Perpetrators manipulated young people by coercion and fear and as a society there was a reluctance to believe this was happening and there were tendencies to put the blame on the child rather than the perpetrator which made it difficult to detect. The Regional Group were undertaking work with a view to moving forward and taking steps to protect and listen to young people.

Reference was made to the Rochdale and Oxford cases whereby victims had not been taken seriously and a debate ensued on the dilemmas faced in listening to and believing a child and that correct judgement should be applied in ascertaining the nature of the evidence.

Following further deliberations the following queries, comments and points were made:-

- The Local Authority viewed anyone under the age of eighteen years as a child but this appeared different to the age used by the Police when interviewing young people in connection with criminal matters. The Interim Director of Children's Services undertook to seek clarification and to provide a definitive answer on the current legislation to Members of the Committee.
- Young people being groomed and sexually exploited by their peers was an increasing problem within schools and it was stated that tailored programmes were being developed so schools could become more engaged.
- Perpetrators were known to target vulnerable children. This could include any vulnerable group and there were links between sexual exploitation and children who persistently went missing. It was noted that in Dudley that "Street Teams" were working with local agencies to help tackle the problem.

- Ongoing work for the future included engaging schools, pooling of intelligence, co-ordinating responses, educating children and young people, equipping parents and carers so that they were more aware, to provide people with appropriate tools on working together more effectively and a commitment to move the agenda forward.
- A concern expressed about the abusive and exploitive culture developing amongst teenagers and that children as young as fourteen were able to access pornographic material via various media, and in particular, via mobile phones which made it difficult for schools to detect and the onus of the responsibility and discipline aspect were questioned. The Interim Director of Children's Services indicated that requests were being made of schools to identify an issue and to report to the appropriate professional with a view to seeking advice.

Following further discussion and debate it was:-

RESOLVED:

- (1) That the information contained in the report on child sexual exploitation be noted.
- (2) That the Interim Director of Children's Services be requested to submit a response to Members of the Committee clarifying the legal age of an adult in accordance with the current legislation.

23

KEY FEATURES OF CHILD SEXUAL EXPLOITATION

A presentation was made by the Safeguarding Development Manager on Child Sexual Exploitation and Trafficking, various literature and documents circulated and a Digital Versatile Disk was also played to graphically highlight the manner in which perpetrators captured their victims.

During the course of the presentation the Safeguarding Development Manager made the following points:-

- Child sexual exploitation was a massive problem but that Dudley was no different to other Local Authorities. She also referred to a news headline that day which had stated that child trafficking in the United Kingdom (UK) had risen significantly.
- Gave scenarios on how perpetrators operated and indicated that the primary goal of an offender was not to get caught therefore offenders were motivated to discredit the child which included creating dependency on alcohol and drugs, negative attendance at school, periodically going missing and engaging in petty crime.
- A plea was made to schools for early intervention by identifying certain problems for example a child that had 100% attendance record suddenly deteriorating could mean there was an underlying issue

- Perpetrators sometimes booked rooms at quality/expensive hotels which could potentially indicate the possibility of filming abuse for internet profit, although there was no specific evidence that this was happening. Work was being undertaken with hotels with a view to help them to identify any suspicious activity such as people asking for rooms near a fire exit, where there is a young child with an adult and also when cleaning rooms to report any incidents of excessive empty alcohol bottles and condoms etc.
- The majority of hotels were willing to work together to combat the problem but they were reluctant to advertise or display any material as it could potentially give a message to customers that a problem existed within the hotel. However, engagement with hotels was slowly increasing.

Arising from the presentation the following comments were made by Members:-

- A suggestion made that every Secondary School be asked to undergo training with a view to identifying problems with a view to early intervention
- It was frustrating because the Local Authority had limited powers to penalise an individual that had sold alcohol to an under-aged person
- Reference was made to Leasowes Park where there were overgrown bushes and that there were certain areas around the Park which were ideal for perpetrators to take victims and it was commented that these areas needed to be targeted
- Awareness needed to be raised to inform people to the extent of the issue of child trafficking and it was commented that the individuals organising trafficking were the ones that should be targeted as they were the source of the problem
- Literature should be circulated to parents via schools to raise their awareness

In responding to comments made the Safeguarding Development Manager stated that the Police were proactive and passionate and were working with the Local Authority to combat problems. There was an online course for parents to raise their awareness although it was acknowledged that not everyone had access to computers.

In concluding the presentation the Divisional Lead for Social Work stated that there was a potential for an upsurge in referrals, all of which needed an effective response. Some indicators might seem minor but all concerns needed to be evaluated. This required a clear understanding and co-ordination between agencies with regard to the role and responsibilities of all agencies. A Member stated that the issue was a national problem and although it was acknowledged that there were budgetary restrictions it was suggested that more resources should be made nationally available by the Government to target the problem as child's lives were at risk.

The Chair asked that Members undertake an information gathering exercise on the subject with a view to considering the information at the informal meeting of the Children's Services Scrutiny Meeting the following week and he also asked Members to notify him of any other topics or issues that they wished to discuss.

The Chair on behalf of the Committee commended and thanked Officers on the quality of the presentation and information given.

RESOLVED:

That the information given in the presentation on Child Sexual Exploitation and Trafficking be noted.

24

INVOLVEMENT OF MEMBERS IN SCRUTINISING THE WORK OF THE
DUDLEY SAFEGUARDING CHILDREN'S BOARD

It was reported that a session would be held in January and an invite had been given to a number of organisations and Members with a view to collating information. A feedback form would be completed and a report would be circulated in due course.

The meeting ended at 8.20 pm

CHAIR

**CORPORATE PERFORMANCE MANAGEMENT,
EFFICIENCY AND EFFECTIVENESS SCRUTINY COMMITTEE**

Tuesday, 25th February, 2014 at 6.00 pm
in Committee Room 3 at the Council House, Dudley

PRESENT:-

Councillor Blood (Chair)

Councillors Boleyn, Caunt, Harley, Marrey, Mottram, Russell, Sykes and Wright.

Officers

Assistant Director, Policy and Improvement (Lead Officer to the Committee),
Principal Policy and Performance Management Officer (Chief Executive's
Directorate) and Mr J Jablonski (Directorate of Corporate Resources)

Also in attendance

For Minute 25 – Mr S Bennett – Customer Services Manager and Chair of
Customer Feedback Group and Mr M Smith and Mr A Paul – Departmental
Representatives on Customer Feedback Group

For Minute 26 – Assistant Director, HR and Organisational Development,
Assistant Director Environmental Management, Assistant Director Economic
Regeneration and Ms H Marsh-Geyton.

21 **APOLOGY FOR ABSENCE**

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

22 **DECLARATIONS OF INTEREST**

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

23 **MINUTES**

RESOLVED

That the minutes of the meeting of the Committee held on 20th
November, 2013 be approved as a correct record and signed.

24 **PUBLIC FORUM**

No matters were raised under this agenda item.

25 CUSTOMER FEEDBACK SCRUTINY REPORT

A report of the Chief Executive was submitted on a review of the arrangements for the operation of the corporate customer feedback arrangements, in particular the Complaints reporting procedures. Attached as Appendices 1-3 to the report were the Local Government Ombudsman Annual Letter, the Local Government Ombudsman record of complaints for Dudley MBC and 2012/13 Customer Feedback Performance report respectively.

A presentation was given on the content of the report submitted, copies of which were circulated at the meeting and would be made available on the Council's Committee Management Information System.

Sean Beckett, the Chair of the Customer Feedback Group presented the first part of the presentation whilst Michael Wooldridge, Principal Policy and Performance Management Officer, commented on the future performance reporting aspects of the presentation.

Arising from the presentation given the following principal comments were made:-

- That, arising from comments made it was noted that the question of delay in responding to complaints and issues raised at meetings of Community Forums would receive further consideration at a meeting to be held on 13th March, 2014 relating to a review of Community Forums and that this would lead into a report to be considered by the Council on the operation of Community Forums in due course. It was also considered that Members of Corporate Board also needed to be aware of the issues regarding complaints and other issues raised at Community Forums not being dealt with expeditiously.
- It was noted that complaints considered by the Chief Executive were now dealt with by Jan Jennings and members of her team.
- That a draft summary guide for Councillors on the Customer Feedback procedure – compliments, comments and complaints - had been drafted and would be forwarded to all members of the Council in due course.
- That in future information on performance would be reported half-yearly in the first and third quarter reports.
- That the future arrangements for performance reporting would enable learning points to be made so that if necessary changes to policies and procedure could be identified.

- It was noted that making it easier for customers to complain would lead to an increase in complaints however this was to be welcomed and could also be an opportunity to increase the number of compliments received.
- An assurance was given that arrangements were in place in all Directorates to support the future performance reporting arrangements.
- That the revised IT arrangements involving the M3 system would enable further details to be available as regards customer feedback and complaints making the system more cost effective than that previously in operation. The system would also enable learning to take place and so stop a repetition of similar failures occurring.
- That arising from consideration of the letter from the Local Government Ombudsman, attached as Appendix 1 to the report submitted, the Assistant Director, Policy and Improvement be requested to submit a report to a future meeting of the Committee on issues relating to the performance of the Local Government Ombudsman contained in the report entitled "Raising the Standards", their annual report and accounts for 2012/13, detailing in particular what they had done over the last twelve months to improve their own performance, referred to in the last paragraph of the letter.

RESOLVED

1. That the information contained in the report, Appendices to the report, submitted and as reported at the meeting, on the arrangements for the operation of the Corporate customer feedback arrangements, in particular the Complaints reporting procedures, be received and noted including the future reporting of details on a half yearly basis in the first and third quarter reports.
2. That the Assistant Director, Policy and Improvement be requested to report to a future meeting of the Committee on issues relating to the performance of the Local Government Ombudsman in dealing with complaints.

A report of the Chief Executive was submitted on the third Quarterly Corporate Performance Management Report for 2013/14 relating to performance for the period 1st October to 31st December, 2013.

Arising from an overview of the content of the report by the Lead Officer, Members asked questions to which responses were given. Particular points raised were as follows:-

- It was noted that the Credit Union no longer had an office in Stourbridge Library due to a lack of people using the facility and that in future people wishing to join the Credit Union would be able to do so via a new website thereby enhancing access to membership of the Credit Union.
- In relation to Objective 3 (Ref 2.3d – Development of a new Tourist Strategy and Action Plan for the Borough) - Members were critical of the lack of progress on this matter and considered that Council projects were not being driven by the Council. Particular reference was made to the need for an effective website to market the attractions of the Borough with links to other facilities and services. Mention was also made of other advertising arrangements that had been suggested in the past, for example, advertising at Birmingham Airport and scrolling adverts at the entrances to the Borough none of which had occurred.

It was suggested that a stand alone website on the lines developed by other areas, for example, visit Dudley.com was needed which could be developed quickly at a reasonable cost especially in view of Black Country Festival to be held in July.

It was considered that action therefore needed to be taken now to ensure a website was up and running for July.

Mention was also made of partners with whom the Council could work to progress the project.

During consideration of this matter Councillor Boleyn declared a non-pecuniary interest in view of her employment by Trustees of British Glass Foundation.

In response to points made the Assistant Director, Regeneration reported that rather than develop a separate strategy for the Borough work was progressing on a prospectus document highlighting attractions and seeking to develop and promote tourism in the Borough including open spaces, the canal network and the geology of the Borough.

Major investment projects for example at Castle Hill, in the Town Centre and at the Glass Museum were also cited.

A website was also being looked at and the Assistant Director would inform Councillor Harley where it was located, although it was not known whether it was a separate site to the main Council website.

Regarding apparent delays in completing projects the Assistant Director referred to funding issues and the need to comply with the requirements of other Agencies so that matters were not always totally within the Council's control.

The Assistant Director was however made aware of Members concerns regarding Tourism, the need to better promote the attractions of the Borough and the need for developments to take place as soon as possible in view of the forthcoming Black Country Festival in July.

- Arising from comments made in relation to various performance indicators in respect of household and municipal waste the Assistant Director, Environmental Management undertook to provide Councillor Caunt with the following information:-
 - (1) Figures in relation to monthly rubbish collection tonnage
 - (2) Monthly recycling tonnage figures; and
 - (3) Figures relating to the total cost of landfill.
- Arising from comments made the Assistant Director, Environmental Management undertook to investigate and report back to Councillor Marrey regarding the position in respect of advertising on BT cabinets.
- In response to a query from a Member regarding the status of Objective 2 – Ref 4.2a the Assistant Director, Policy and Improvement undertook to query the position with the Lead Officer indicated.
- Arising from a query by a Member as to the wording set out under key activities of Objective 1 – Ref 4.1b in respect of personalisation the Assistant Director, Policy and Improvement undertook to speak to the Officers concerned regarding the wording used and ensure that this was updated for the next Quarterly Performance Report.
- Arising from a query by a Member in respect of PI675 and PI67 in particular the downward trend in relation to these indicators the Assistant Director, Policy and Improvement would speak with the Officers concerned so that further information might be included on these matters in the next Quarterly Performance Report.
- Regarding Objective 7 – Ref 5.7a the Assistant Director, Policy and Improvement undertook to investigate when the DACHS Fuel Poverty Strategy had been ratified by the Council and inform Councillor Sykes accordingly.

- Arising from consideration of PI258 – number of lost time accidents at work it was reported that all such accidents, and near misses, were reported to the Health and Safety Executive and the Assistant Director, Environmental Management undertook to supply the figures relating to all accidents reported to the Health and Safety Executive to Councillor Caunt.
- In relation to PI418 – Local Authority working days/shifts lost per FTE due to sickness absence – comments were made that this indicator should be split between short term and long term sickness absence so that Members could more effectively comment on possible trends and issues in relation to short term sickness absence.

The Assistant Director, HR and Organisational Development, reported that the split figures were available and would be e-mailed to Members of the Committee.

Councillor Caunt was pleased to see short term absence heading in the right direction.

The split figures would also be included in future Quarterly Management Reports.

RESOLVED

That the information contained in the Quarterly Performance Management Report in respect of performance for the period 1st October to 31st December, 2013, be noted together with the comments made at this meeting and that the Officers indicated undertake the actions referred to above.

The meeting ended at 7.55 pm

CHAIR

HEALTH SCRUTINY COMMITTEE

Tuesday 25th February, 2014 at 6.00 p.m.
in Committee Room 2 at the Council House, Dudley

PRESENT:-

Councillor Ridley (Chair)
Councillor Kettle (Vice-Chair)
Councillors Cotterill, Harris, Hemingsley, Jordan, K Turner and Mrs Walker and Ms Pam Bradbury – Chair of Healthwatch

Officers

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

Also in Attendance

Mr Richard Catell – Dudley Group NHS Foundation Trust
Ms Carrie Spafford – Dudley Group NHS Foundation Trust
Ms Liz Abbiss – Dudley Group NHS Foundation Trust
Mr Derek Eaves – Dudley Group NHS Foundation Trust
Mr Nick Henry – West Midlands Ambulance Service
Ms Joanne Kavanagh – West Midlands Ambulance Service
Ms Marsha Ingram – Dudley and Walsall Mental Health Partnership NHS Trust
Ms Rosie Musson – Dudley and Walsall Mental Health Partnership NHS Trust

38 CHAIR'S REMARKS

The Chair welcomed Councillor K Turner as a Member to the Committee for the remainder of this Municipal Year.

39 APOLOGY FOR ABSENCE

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

40 DECLARATIONS OF INTEREST

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

41 MINUTES

As the Minutes of the meeting of the Committee held on 23rd January, 2014 had been omitted from the agenda it was agreed that they be approved as a correct record and signed at the next meeting of the Committee.

42 PUBLIC FORUM

No issues were raised under this agenda item.

43 RESPONSES TO QUESTIONS ARISING FROM PREVIOUS COMMITTEE MEETING

A report of the Lead Officer to the Committee was submitted on updates and responses arising from the previous Committee meeting.

Arising from the presentation of the report concerns were expressed about the total number of hours (equating to over 74 days) that were lost in ambulances not being available for other emergency work due to delays in turnover at hospitals.

Reference was made to an incident regarding a particular transport provider whereby a terminally ill patient had been left for forty minutes in the ambulance as the crew member could not lift the patient up a flight of stairs and it was queried which provider the West Midlands Ambulance Service (WMAS) used. In responding Mr Henry informed the Committee that the WMAS used Ambuline and further stated that they had appropriate trained staff to handle varying situations. In responding to further queries Mr Henry reported that the number of hoax calls was very low and a support plan was in place for frequent callers. He undertook to provide a definitive answer on the number of hoax callers.

The Chair of Healthwatch undertook to ascertain through her group on whether there were any major concerns regarding hoax calls and private ambulance services.

RESOLVED

That the information contained in the report, and Appendix to the report, submitted on updates and responses arising from the previous meeting, be noted.

A report of the Lead Officer to the Committee was submitted on the delivery of NHS providers against current Quality Account improvement priorities and leading issues moving into 2014/15. Quality Account information had been attached as Appendices to the report submitted from the West Midlands Ambulance Service, Dudley and Walsall Mental Health Partnership NHS Trust and the Dudley Group NHS Foundation Trust. The Scrutiny Officer reported that the Black Country Partnership Trust had not submitted their information for consideration.

Dudley and Walsall Mental Health Partnership NHS Trust

Arising from the presentation of the report Members made comments and raised questions as follows:-

- It was queried when the new evidence based risk assessment tool (FACE) and the development of the new standard discharge letter were introduced. It was also queried how the discharge letter was submitted to GP's.
- Reference was made to progress made in relation to Priority 8 and the adoption of the 'Triangle of Care' model and it was stated that effective engagement with families and carers was of a major concern and it was queried how the goal would be achieved and assessed.
- There were various complexities involved in personalisation and re-enablement for the Local Authority and the person concerned and an assurance was sought that the full needs of the person, in conjunction with their families, were being addressed.
- The type of training offered to staff was queried.
- It was queried why the figures were so low, the national average being 42%, in providing service users with a copy of their care plan and it was considered that efforts should be made to strive higher.
- There were numerous complaints about the attitude of staff towards patients.
- It was requested that statistical information relating to the number of service users experiencing falls to evidence the downward trend and for analysis purposes be provided. The final report should also include detailed statistical information relating to the number of staff that had been trained to include time trends and information relating to the number and nature of complaints and a breakdown on actions that had been taken in addressing the complaints.

In responding to comments made and queries raised by Members, Ms Ingram and Ms Musson made the following points:-

- FACE that was being used as part of service users care management processes had not been introduced until Quarter 3 (Q3) and its implementation had been delayed due to problems with electronic systems.
- The development of the new standard discharge letter had also been introduced in Q3 resulting in a lack of feedback but a satisfaction survey of GP's would be undertaken in April of this year. Currently the discharge letter was sent to GP's by post although consideration was being given to electronic means.
- Clinical and care audits were currently carried out internally with the exception of 'Triangle of Care' which was audited by an external provider.
- With regard to personalisation although it was acknowledged that it posed challenges, it was commented that this was not an add-on but an embedded service linked to mental health; personalisation was used as a vehicle to deliver services and outcomes for service users was assessed via clinical assessment tools.
- The number of priorities had originally been 15 but these had been reduced to 9 and the national recommendation was to have between 5 and 6 priorities.
- All staff had to undertake customer care training and where the implementation of medicine was concerned training was restricted to professional staff such as Doctors and nurses.
- In relation to targets for patients to receive copies of their care plan there was a key performance indicator target set at 95%. However, the lower percentage figure of 42% given related to all service users including referrals which were not subject to the care programme approach. Regardless of the figures there was a need to simplify and make care plans clearer as very often patients did not understand the content and were reluctant to seek clarification.
- It was acknowledged that the highest complaints made were about staff attitude but at the same time the highest compliments received were also about good staff attitude. Customer care training that was provided included an element whereby staff were asked to consider and reflect on how others perceived their style.

In responding to further queries and comments made it was reported that advice was given to patients in taking medication in line with medication that was currently prescribed to them, including over the counter medicine; information was provided to patients in various formats which was available online and support was also given to those that could not access the information; as part of the Care Programme Approach, regular reviews and monitoring exercises were undertaken, with a view to involving the individual and their families and carers.

In conclusion Ms Ingram undertook to circulate to Members a copy of a report that had been produced based on feedback received on patient and carers experiences and a copy of the Annual Complaints Report as the reports contained some of the information as requested above.

West Midlands Ambulance Service

Mr Henry and Ms Kavanagh, West Midlands Ambulance Service circulated additional information and explained specifics relating to the information contained in the report and information circulated.

Arising from the information presented Members made comments and raised questions and appropriate responses were given as follows:-

- Concern expressed that record keeping and documentation was not completed to a satisfactory standard – It was acknowledged that completion of documentation was not as good as it should be but it was pointed out that some of the paperwork was retrospective and there were occasions where there were plausible reasons why documents could not be completed and a judgement call was made relating to the situation concerned. It was commented that a Project Board had been assigned to consider electronic methods which would ease the capturing and recording of relevant data.
- Reference made to the number of complaints from renal patients and the nature of the complaint and whether any had been upheld was queried – Information relating to the types of complaint was not available but of the twenty complaints made, five had been justified.
- Concerns expressed that the longest handover time at Russell’s Hall Hospital had been recorded at being 2 hours and 38 minutes which was startling given the target was 30 minutes to include the completion of documentation and tidying of the vehicle by the ambulance crew.
- It was acknowledged that it took longer for ambulance crews to attend an emergency in rural areas and it was queried how often the Computer Aided Despatch Address, “Gazetter” was updated – The system was updated regularly but a definitive answer would be provided to Members.
- Queried whether consideration had been given to addressing the situation given the number of hours lost in staff waiting to handover at hospitals which equated to 39 staff out of the 157 whole time equivalents – It was reported that the Hospital Ambulance Liaison Officer was responsible for the monitoring the situation.

- Given the receipt of 53 completed surveys out of 200, it was queried why the patient survey had only been distributed in the month of May and not staggered across the following months and whether surveys were continuous – It was commented that staff were reluctant to engage in surveys, however, a response to ascertain the reason for not distributing evenly over several months and whether surveys were continuous would be provided to Members.
- It was considered that some of the questions in the survey were not appropriate and a view was also expressed that staff should not be spending their time giving out surveys to patients to complete and should be concentrating on undertaking their duties.

In responding to further questions Mr Henry and Ms Kavanagh reported that should the service experience an upsurge in incidents and calls they were able to utilise support from regional areas and beyond and internal operational managers could also assist as they were trained paramedics; staff mainly worked 48 hours on a rota system based on twelve hour shifts over four days; and that ambulance crews had four hours to respond where a GP had visited the patient as it was classed as a referral and was not subject to the thirty minute response time.

Mr Catell, Dudley Group NHS Foundation Trust referred to the longest handover time and acknowledged that it was not acceptable but stated that the matter was being taken seriously with a view to improvements being made. He reported that additional staff had been taken on, an external agency had been appointed to provide guidance on how improvements could be made and consideration was also being given to expand the space to the entrance at Russells Hall to alleviate some of the problems. The Hospital were working extremely hard to combat problems and it was in their interests as they were financially penalised by Dudley Clinical Commissioning Group each time the target of a 30 minute handover was not met.

In concluding it was reported that there were various methods available, such as an online facility via the Trust's website, Facebook and Twitter to enable patients and staff to voice their opinions on which priorities should be included in the following financial year.

As Members had struggled with understanding some of the information presented, a Member asked that consideration be given to arranging an informal meeting with the West Midlands Ambulance Service with a view to discussing ways to present information in a more legible manner.

The Dudley Group NHS Foundation Trust

Arising from the presentation of the report and in response to Members' comments and queries the following responses and points were made by Mr Eaves, Dudley Group NHS Foundation Trust:-

- Attempts were made to recruit nurses locally but this was not easy given the national nursing shortage; there was a requirement for nurses recruited from abroad to complete certain assessments and the interview process was used to ascertain their standard of English.
- A survey of nurses had been undertaken and no reference had been made to indicate that the working pattern and long hours was an issue and it was confirmed that staff did work part time.
- There were a number of reasons other than not being turned or using certain mattresses why patients could get pressure ulcers such as the patient having certain medical conditions which made them more prone to getting pressure ulcers. Aims to reduce pressure ulcers included a variety of initiatives such as staff training, better documentation and better nutrition.
- It was acknowledged that there was a need to ensure that visitors and staff regularly used sanitation dispensers to control infection and increasing the number of dispensers, particularly near main entrances, was potentially an option.
- In relation to nutritional status and why the target was not at 100% it was commented that it was difficult to achieve and unrealistic.
- With regard to “bed blocking” it was stated that there were currently eighty five patients that were awaiting relocation and options such as using other homes was being considered but there was a need to assess the particular situation as some patient’s required home support and funding also had to be taken into account.

Mr Eaves, Dudley Group NHS Foundation Trust undertook to provide a response as to why they were unable to recruit people from Ireland given they were part of the European Union.

RESOLVED

That the information contained in the report and Appendices to the report, submitted on the Quality Accounts relating to the West Midlands Ambulance Service, Dudley and Walsall Mental Health Partnership NHS Trust and the Dudley Group NHS Foundation Trust, be noted.

45

REALIGNMENT OF COMMUNITY PHYSIOTHERAPY CLINICS

A report of the Dudley Group NHS Foundation Trust was submitted on the changes to the provision of community musculo-skeletal physiotherapy.

Arising from the presentation of the report and in responding to Members' queries, Ms Spafford, Dudley Group NHS Foundation Trust stated that the initial physiotherapy session at Russells Hall Hospital was allocated a forty five minute slot and subsequent follow-up appointments were for thirty minutes. In response to a query regarding the waiting times being reduced from eight weeks to four weeks, Ms Spafford undertook to circulate further information and a breakdown to clarify whether figures related to patients waiting for their initial assessment or whether they were GP referrals.

RESOLVED

That the information contained in the report on the changes to the provision of community musculo-skeletal physiotherapy, be noted.

46 PATIENT EXPERIENCE

A report of the Dudley Group NHS Foundation Trust was submitted on The Dudley Group Friends and Family Test results and the new Patient Experience Strategy.

Arising from the presentation of the report, Ms Abbiss, Dudley Group NHS Foundation Trust responded to questions from Members and reported that two complaints had been referred to the Ombudsman, patient surveys were issued at point of leaving the Accident and Emergency Department and in patients were asked to complete surveys within forty eight hours of their discharge via posting in a box at the hospital, online or by freepost. With regard to menus and food Ms Abbiss confirmed that they did not cook food on site and used an external provider.

During the ensuing debate and in responding to complaints made about multiple appointment letters being sent out and the confusion caused to patients, Ms Abbiss reported that attempts were made to alleviate problems and that consideration was being given to improving Information Technology.

RESOLVED

That the information contained in the report and Appendices to the report, submitted on The Dudley Group Friends and Family Test results and the new Patients Experience Strategy, be noted.

47 TOBACCO REVIEW - FINDINGS

A verbal report was given by the Scrutiny Officer on the Tobacco Review and he informed the meeting that a draft copy of the report was available for perusal. However, he stated that the report was likely to change as the document was currently being considered by the Director of Public Health with a view to submitting to Review Panels later this week. A final report would be submitted to the next meeting of this Committee with a view to submitting to Cabinet in due course.

RESOLVED

That the verbal report given on the Tobacco Review be noted.

The meeting ended at 8.55 p.m.

CHAIR

ADULT, COMMUNITY AND HOUSING SERVICES
SCRUTINY COMMITTEE

Tuesday, 4th March, 2014 at 6.00 p.m.
in Committee Room 2 at the Council House, Dudley

PRESENT:-

Councillor Islam (Chair)
Councillor James (Vice Chair)
Councillors Baugh, Body, Harley, Herbert, J Martin, Miller, Mottram, Perks and Vickers

OFFICERS:-

Assistant Director, Customer Services (Lead Officer to the Committee);
Director of Adult, Community and Housing Services, Assistant Director of Adult Social Care, Assistant Director, Quality and Commissioning, Head of Commissioning Efficiency (all Directorate of Adult, Community and Housing Services) and Mrs K Buckle (Directorate of Corporate Resources).

Councillor Branwood (Cabinet Member for Adult and Community Services) attended at the invitation of the Committee.

32. **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were submitted on behalf of Councillors Evans and M Wilson.

33. **APPOINTMENT OF SUBSTITUTE MEMBERS.**

It was reported that Councillors Harley and Perks had been appointed as substitute members for Councillors Evans and M Wilson respectively.

34. **DECLARATIONS OF INTEREST**

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

35. **MINUTES**

RESOLVED

That, the minutes of the meeting of the Committee held on 4th December, 2013, be approved as a correct record and signed.

36. OPENING REMARKS OF THE CHAIR

The Chair welcomed those present to the meeting and outlined the procedure to be followed for the meeting including the procedure and purpose for Agenda Item No. 6 – New Bradley Hall – up-date and next steps.

37. PUBLIC FORUM

There were no issues raised under this agenda item heading.

38. NEW BRADLEY HALL – UP-DATE AND NEXT STEPS.

A report of the Director of Adult, Community and Housing Services was submitted providing an up-date on the development of work to secure a new provider to deliver the residential care services located at New Bradley Hall and requesting the Committee to comment on possible scenarios once a new provider had taken on the service. A number of requests and responses to information that had been made by various parties regarding possible scenarios were appended to the report submitted

In presenting the report submitted the Assistant Director, Quality and Commissioning referred to the number of staff employed at New Bradley Hall, the rooms available and the number which were allocated to permanent residents.

The Assistant Director also referred to the decision sheet process, which complied with the Council’s Constitution, outlining the decision to take steps to procure a not-for-profit provider for New Bradley Hall, advising that the decision had not been “called” in under the Council Procedure Rules.

Details of the work to implement the decision were noted including the number of expressions of interest received, the publication of the tender documentation and lease in the relevant location and that arrangements were being made to meet with Unions in relation to those employed at New Bradley Hall.

The Assistant Director referred to the meeting of the Committee in September, 2013 when Members considered the wider context of the decision during their consideration of the “Making It Real” agenda in adult social care and referred to the engagement which had taken place as part of the Council’s work to determine the best direction for the provision of residential care at New Bradley Hall and the weekly meetings with people living in the home and/or their carers to shape the Evaluation Criteria for the evaluation of Tenders.

The Assistant Director also referred to the public meeting that had been convened by a campaign group and had been attended by Officers of the Council and the Cabinet Member for Adult and Community Services, when following a suggestion made it had been agreed that this Committee would have the opportunity to consider a range of scenarios linked to the next steps which were being taken in relation to New Bradley Hall.

Following the presentation of the report submitted, Members asked questions and made comments and Officers responded stating that:-

- The Council has systems in place to scrutinise the quality of all registered care provision in Dudley Borough. Arrangements are in place to work in partnership with the Clinical Commissioning Group and Care Quality Commission to ensure a consistent and clear approach to understanding the quality of care provision.
- That under the terms of the Contract the not for profit provider must have access to the necessary capital to bring New Bradley Hall up to standard and if they do not, their tender would be unsuccessful, as the Council does not have the necessary capital, to invest in order bring New Bradley Hall up to standard.
- It was correct that the not for profit provider must either have the necessary capital resources referred to above or the means to attract and secure the necessary resources.

The Cabinet Member for Adult and Community Services referred to the decision sheet and subsequent "Call In" notice period, advising that the decision in relation to New Bradley Hall had neither been called in or raised at the subsequent meeting of full Council. The controlling party's desire that New Bradley Hall remain open, the continued delivery of a high level of care and the protection of jobs in unprecedented financial times and the subsequent production of solutions in order to achieve this aim were referred to.

- Should the new provider go bankrupt, the Council would take over the management of the home on a temporary basis pending further discussions with the Council and Cabinet, however it was accepted that as this was a hypothetical question a definite decision could not be taken at this stage as this would be dependent upon other factors including the financial climate and the Council's ability to provide services at a future date.
- The Director of Adult, Community and Housing Services reported that Tiled House Residential Home was funded solely by National Health Service providers.
- It was stated that the terms of the lease would allow internal adjustments and adaptations to New Bradley Hall however there would be tight controls in relation to wider development work.

- Following a Member's request that a working group be formed consisting of local residents, relatives of those at New Bradley Hall and Ward Councillors, the Cabinet Member for Adult and Community Services reported that it had been suggested that subject to further discussions with the new not for profit provider that a working group chaired by the manager of the new organisation be formed. It had also been suggested that this should be minuted and that those minutes should be distributed to the Council. It was agreed that local residents, nominated carers and Ward Members should be invited to attend Working Group meetings that could take place on a two monthly cycle. It was further suggested that a Council Officer should also attend meetings.
- The Director of Adult, Community and Housing Services stated that there were no requirements for Elected Member visits to care homes, however in view of continuing improvements which included the quality of life standards which would appoint members of the public to carry out audits of residential care homes and elected members requests to attend visits to care homes would be supported.
- The terms of the Lease could be revisited in consultation with the Council. The Council may need to support the organisation and the Lease could be terminated in a number of circumstances. There were no financial penalties should the Lease be terminated,

That the Lease and Service Contract were linked which included the transfer of staff to the new organisation who would have employment responsibilities to the staff and there would be a rolling programme of engagement with the organisation to provide service provision.

Mr Vanes introduced the New Bradley Hall Action Group and referred to the decision in relation to New Bradley Hall, stating that this had already been made. Reference was made to a number of criteria that should be adhered to in order to make the decision legal, stating that the correct procedure had not been followed in reaching the decision to outsource the provision of care at New Bradley Hall. He stated that the Council did not provide the affected parties with sufficient time to become involved with the decision.

Mr Vanes referred to signing off the decision sheet, the last date for Judicial Review, the date that the tender documents were sent out and the deadline for the conclusion of the decision. He stated that it was too late to make an application for Judicial Review.

Mr Vanes stated that the Consultation offered entirely different options to the outsourcing to a not for profit organisation and the Action Group had received no notification of a decision sheet and there had been no meaningful consultation in relation to the decision to outsource the care provision.

Mr Vanes referred to the overwhelming support during the consultation process to retain New Bradley Hall as a Council run care home, which had been "Option B", advising that redress would take place through the Ombudsman. He requested that proposal "B" be referred back to the Cabinet Member for Adult and Community Services and requested that the consultation process be re-opened.

Mr Scott, representative of the New Bradley Hall Action Group referred to the overwhelming support to keep New Bradley Hall open as a Council run residential care home following the formation of the Action Group indicating that the former Council administration had decided to set aside a decision to close New Bradley Hall following a Borough-Wide Consultation, again referring to Option "B" being the preferred option for the Hall. Mr Scott referred to the current Administrations canvassing to keep New Bradley Hall open as a Council run home and raised concerns in relation to the lack of communication and consultation with the Action Group in relation to the current decision to outsource the care provision.

Mr Scott referred to the possibilities of any agreement entered into with the new provider being changed at a later date and the proposals he had made to the former Deputy Leader and former and current Cabinet Members for Adult and Community Services in order to use grounds and establishments to raise money in order to keep New Bradley Hall open, however to date he had not received a response.

Mr Scott requested the Council to work with other Local Authorities in order to retain New Bradley Hall as a Council run care home indicating that the people of Dudley wanted to help in order to achieve this.

Arising from the presentation of the report submitted, members of the public asked questions and raised concerns as follows:-

- That New Bradley Hall remained the heritage of the residents of the Dudley Borough and a request to retain the home;
- A suggestion that the decision to outsource care provision be deferred until the position in relation to funding being returned to the Council for Adult Social Care was known;
- In relation to the £750,000 in order to renovate and update New Bradley Hall there was a suggestion that this work could be carried out on a more cost effective basis thus reducing the cost of the work required and Officers were urged to investigate this possibility;
- Was the £750,000 required now or is this to be found over a 10 year period, amounting to £75,000 each year?
- The experience of those tendering for New Bradley Hall should be investigated;

- Concerns were raised in relation to the costs of monitoring the not for profit organisation;
- Was it the Council's inability to meet the capital or operating costs of New Bradley Hall which had resulted in the decision to outsource the facility?
- The significant increase in income of another not for profit organisation was referred to;

Following comments and queries raised by members of the public Officers responded as follows:-

- The draft Lease and specification of the service to be provided is contained in the tender documentation which was made public on 31st January, 2014. The position in relation to those tendering could not be commented on until the tender process had concluded.

The Cabinet Member for Adult and Community Services advised that the Council's legal services had provided legal advice on the Consultation process and he confirmed that a full written response of the legality of the Consultation process and the legal advice provided and followed as part of the Consultation on New Bradley Hall would be provided to Members and the two representatives of the New Bradley Hall Action Group, Mr Vanes and Mr Scott.

The Cabinet Member also stated that the decision to appoint a single point of contact in relation to questions and requests for information had been made in view of the many and varied enquiries in relation to New Bradley Hall and that questions and responses to freedom of information requests had been posted on the Council's website.

- That the sum of £750,000 was required in the long term in order to refurbish and re-design New Bradley Hall and that £30,000 was the required expenditure on repairs per year during the last three years.
- Funding from Central Government in relation to Adult Social Care had reduced and the service had been given clear constraints to operate in order to meet legal requirements, there is no immediate prospects of the government reversing its' fiscal policy and it would not be prudent to budget on the basis of potential changes in the future

Councillor Harley echoed the request of Mr Vanes, proposing that the Committee request the Cabinet Member to suspend the decision process in relation to transferring New Bradley Hall to a not for profit provider pending a further Consultation with the New Bradley Hall Action Group.

It was moved by Councillor Harley and seconded by Councillor Miller that "the decision of the Cabinet Member for Adult and Community Services to transfer New Bradley Hall to a not for profit provider be suspended until the Committee receives clarification on legal advice given as part of this Consultation and why the Consultation process did not continue after the date of the 6th February, 2012 and 27th April, 2012 Consultation".

Following a debate, the motion was put to the vote and lost.

An amendment to the motion was proposed by Councillor Miller to delete the words following “suspended” and replace with the words “in order for the Committee to scrutinise the decision”.

The amendment to the motion was put to the vote and lost.

RESOLVED

- (1) That the information contained in the report, providing an update about the developments of work to secure a new provider to deliver the residential care services located at New Bradley Hall together with Members comments, be noted.
- (2) That the Director of Corporate Resources be requested to provide Members and the two representatives of the New Bradley Hall Action Group, Mr Vanes and Mr Scott, with written confirmation of the legality of the consultation process and the legal advice provided and followed as part of the Consultation on New Bradley Hall.

39. FEEDBACK FROM SITE VISITS TO QUEENS CROSS AND THE DEMENTIA GATEWAY.

The Assistant Director, Quality and Commissioning reported on feedback from Member site visits to the Dementia Gateway and Queens Cross advising of the overwhelming consistently good and positive feedback with Members expressing thanks and support for the wonderful, experienced staff and volunteers. Members also commented on the vast range of facilities available.

The Director of Adult, Community and Housing Services referred to the Gold Standard that had been achieved by the Council advising that the Council were focusing on individuals with complex needs and those with dementia, the provision of equal amounts of services to families, friends and relatives in order to provide support which was avoiding delays in care and long stays in residential care and hospital.

The Assistant Director, Quality and Commissioning agreed to arrange site visits to Queens Cross and the Dementia Gateway for Councillors Baugh, James and Mottram.

The Director of Adult, Community and Housing Services advised that in order to be allocated a place at the Centres, decisions would be taken on an individual basis and issues such as the level of support that people already had would be taken into account and that early diagnosis of dementia would have a positive impact on quality of life.

The Assistant Director, Quality and Commissioning referred to the Dementia Friendly Awareness Training that was available to Members advising of the contact email and telephone numbers in order that this could be arranged.

The Chair thanked those who made the arrangements for the visits and requested that details of the Training available be sent to all Members of the Council.

RESOLVED

- (1) That the information reported on and feedback from site visits to the Dementia Gateway and Queens Cross together with Members comments, be noted.
- (2) That the Assistant Director, Quality and Commissioning be requested to:-
 - (a) Arrange site visits to the Dementia Gateway and Queens Cross for Councillors Baugh, James and Mottram.
 - (b) Email to all Members of the Council details of the Dementia Friendly Awareness Training.

40. TO RECEIVE FURTHER INFORMATION IN RESPECT OF THE FOLLOWING:-

- (a)
 - The Impact of Welfare Reform on Dudley Housing Stock.
 - The Impact of Welfare Reforms on Income Collection within Dudley.
 - The Development of Micro Provider Services in Dudley.

For Information Only:-

- (b)
 - The Homeless Prevention Strategy Annual Refresh 2013

Following discussion it was

RESOLVED

- (a)
 - (i) That the further information contained in the report on the Impact of Welfare Reform on Dudley Housing Stock, be noted.
 - (ii) That the further information contained in the report on the Impact of Welfare Reforms on Income Collection within Dudley, be noted.

- (iii) That the further information contained in the report on the Development of Micro Provider Services in Dudley, be noted.
 - (b) (i) That the information contained in the report on the work undertaken to update the Homeless Prevention Strategy Annual Refresh 2013, be noted.
 - (ii) That the Director of Adult, Community and Housing Services be requested to email to all Members of the Council the Homeless Prevention Strategy Annual Refresh 2013.
-

41. CLOSING REMARKS OF THE CHAIR.

This being the last meeting of the Committee of the current municipal year, the Chair thanked the Vice-Chair for his support and Officers and Members of the Committee for their contributions during the year.

Furthermore, the Vice-Chair thanked the Chair for his contributions to the work of the Committee.

The meeting ended at 9.00 p.m.

CHAIR

AUDIT AND STANDARDS COMMITTEE

Thursday 13th February, 2014 at 6.00 p.m.
in Committee Room 3, The Council House, Dudley

PRESENT:-

Councillor Cowell (Chair)
Councillor Arshad (Vice-Chair)
Councillors Harris, J Martin, Taylor, K Turner and Tyler

Officers

Treasurer, Assistant Director (Law and Governance), Head of Audit Services,(Directorate of Corporate Resources);Interim Assistant Director, Education Services, Divisional Lead - Commissioning and Procurement (Directorate of Children's Services); Audit Managers, Principal Auditor and Mrs K Taylor (Directorate of Corporate Resources).

Also in Attendance

Ms. S. Joburns (Grant Thornton)

40. **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were submitted on behalf of Councillors Mrs Martin, Russell and C Wilson.

41. **APPOINTMENT OF SUBSTITUTE MEMBER**

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

42. **DECLARATIONS OF INTEREST**

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

43. **MINUTES**

RESOLVED

That the minutes of the meeting held on 10th December, 2013, be approved as a correct record and signed.

44 CHANGE IN ORDER OF BUSINESS

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

RESOLVED

That the next item of business to be considered be Agenda Item No. 12.

45. EXCLUSION OF THE PUBLIC

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

<u>Description of Item</u>	<u>Relevant Paragraphs of Part I of Schedule 12A</u>
Annual Audit Report in relation to the Directorate of Children's Services	2 and 7

46. ANNUAL AUDIT REPORT IN RELATION TO THE DIRECTORATE OF CHILDREN'S SERVICES

A report of the Treasurer was submitted on the audit work undertaken in the Directorate of Children's Services for the financial year 2012/13 and incorporating details of the more important findings as indicated in Appendices 2 and 3 to the report submitted.

Arising from consideration of the report, and Appendices to the report, submitted concerns were raised about the number of unimplemented recommendations for the Directorate and Schools. The Head of Audit Services informed the Committee that there had been a number of issues over the years at particular schools, however following staff changes there had been some improvements.

Following concerns raised, the Divisional Lead - Commissioning and Procurement assured the Committee that the unimplemented recommendations would be addressed and robust management actions in place.

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

In responding to a question, the Head of Audit Services confirmed that the reduction of audits for the Directorate had been due to a reduction in staff, and that work undertaken over a number of years had improved the control environment.

RESOLVED

That the findings of the 2012/13 audit work be accepted.

47. GRANT THORNTON – FEE LETTER 2013/14

A report of the Treasurer was submitted on the planned audit fee for 2013/14 by the Council's external auditor, Grant Thornton. A copy of the letter was attached as an Appendix to the report submitted.

RESOLVED

That the information contained in the report, and Appendices to the report, submitted on the audit fee for 2013/14 be noted.

48. GRANT THORNTON REPORT: CERTIFICATION WORK 2012/13

A report of the Treasurer was submitted on the external auditor's Annual Report on Certification of Claims and Returns for 2012/13. A copy of the Annual Report was attached as an Appendix to the report submitted.

Ms Joburns was in attendance at the meeting and commented in particular that the Council continued to submit and certify claims and returns on time; however improvements were required in areas such as the teacher's pension return and the housing and council tax benefit claim.

RESOLVED

That the information contained in the report, and Appendices to the report, submitted on the Annual Report on Certification of Claims and Returns for 2012/13 be noted.

49. RISK MANAGEMENT

A report of the Treasurer was submitted on current corporate risks and other matters relating to risk management, and to provide closer scrutiny of the Council's corporate risk relating to the Budget (Risk ORG0002) that was identified for consideration by the Committee at a previous meeting, and to seek approval of the Risk Management Strategy for 2014/15. An information item of the Council's corporate risk relating to Carbon Reduction (Risk ORG0003) was appended to the report submitted.

The Treasurer gave a power point presentation in relation to the budget and associated controls.

Reference was made to the Council's statutory obligations to provide services and to manage within the resources available (Local Government Finance Act 2003, Section 25 and Local Government Finance Act 1998, Section 114.)

The Treasurer provided a breakdown in relation to the financial position, and in doing so stated that the risk rating was major and worsening. He then referred to the fact that Dudley has an above average "Start up Spending" per head (indicating an above average measure of need to spend adjusted for the ability to generate income) well below average Council Tax and below average actual spend per head.

It was anticipated that Revenue Support Grant would fall by 19% in 2014/15 and a further 28% in 2015/16.

The Treasurer further reported that Dudley Council (along with other Metropolitan Authorities) now retain 49% in relation to Business Rates, and the importance of maintaining this income.

It was reported that there had been £42 million savings over the last three years, and that £34 million savings were proposed over the next three years.

Reference was also made to the Medium Term Financial Strategy, in particular, that there remains a projected funding gap of £23 million by 2016/17.

The Treasurer then outlined the main mitigating controls under the headings of Professional, Business, Governance and Financial Strength. He reported that the main focus at Corporate Board meetings had been identifying areas that could be looked at to address the savings required, including alternative service delivery models, transformation, efficiencies and service prioritisation.

It was noted that further proposals would be submitted in June, 2014, and that all Scrutiny Committees had scrutinised the Budget in November, 2013.

Reference was then made to the significant reduction in the Budget and the impact on the financial strength of Dudley compared to other local authorities, and that Dudley's position was considerably better than the average for Metropolitan Borough Councils.

Arising from the presentation, Members asked a number of questions and the Treasurer responded as follows:-

- In relation to zero base budgeting, it was reported that although this terminology was not used, the process of challenging expenditure was substantially the same.

- That the key areas that had been adopted over a twelve month period were: -
 - The budget remaining constantly on the agenda allowing the issue to be challenged.
 - Identifying the relevant approach for addressing possible savings in each area including the possibility of out-sourcing in some services.
 - Ensuring that there were no areas that were considered immune to scrutiny including sensitive areas.
 - The possibility of prioritising services (in a structured way and taking account of public consultation) , as some services may as a last resort have to be reduced or cease to meet the savings required.
- The Treasurer outlined his role as Section 151 Officer, in circumstances where the Council were likely to exceed its available resources.
- In responding to a question, The Treasurer reported that Dudley Council was in a stronger financial position than a number of other local authorities .
- A survey in the Municipal Journal identified that 91% of councils would not consider holding a referendum.

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

Following further discussion it was

RESOLVED

- (1) That the information contained in the report, and Appendix 1 to the report, submitted on current corporate risks, be noted.
- (2) That the risk ORG0002 – Budgets and associated controls, be noted.
- (3) That the information item - risk ORG0003 – Carbon Reduction, Appendix 2 to the report submitted, be noted.
- (4) That the risk ORG0021 – Children and Young People - be the particular risk identified for closer scrutiny the next time a risk report was referred for consideration by the Committee, in July, 2014.
- (5) That the Risk Management Strategy and Guidance, attached as Appendix 3 to the report submitted, be approved.
- (6) That the other matters relating to Risk Management be noted.

50. TREASURY MANAGEMENT

A report of the Treasurer was submitted on treasury activity during the financial year 2013/14, up to December, 2013, and also seeking approval of the Treasury Strategy Statement 2014/15.

RESOLVED

That, subject to the approval of Council:-

- (1) Treasury Management activities in 2013/14, as outlined in the report submitted be noted.
- (2) The Treasury Strategy 2014/15, attached as Appendix 2 to the report submitted, be approved.
- (3) The Treasurer be authorised to effect such borrowings, repayments and investments as were appropriate and consistent with the approved Treasury Strategy and relevant guidance.

51. EXCLUSION OF THE PUBLIC

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

<u>Description of Item</u>	<u>Relevant Paragraphs of Part I of Schedule 12A</u>
Audit Services Interim Performance Report	2 and 7

52. AUDIT SERVICES INTERIM PERFORMANCE REPORT

A report of the Treasurer was submitted on an update on Audit Services performance and other related information.

The Head of Audit Services stated that Audit Services had completed 64% of the audit plan against a target of 70%, and 93 audits against a target of 95.

The Head of Audit Services reported that the "Local Audit and Accountability Bill" had now been published, and an e-mail would be circulated to reflect this.

It was further noted that the Public Sector Internal Audit Standards required that an external review of compliance against the Standards should be undertaken every five years. It was noted that such a review would be undertaken in 2014/15.

Arising from a discussion on the use of a skills self assessment process for Members of the Committee, the Chair undertook to e-mail the Group Leaders informing them that all members of the Committee, from April 2014, would be required to complete a skills self assessment questionnaire. This would also enable training sessions to be provided in a tailored way.

RESOLVED

- (1) That the information contained in the report, and Appendix A to the report, submitted, be noted.
- (2) The Treasurer be authorised to organise an external review of Audit Services in 2014/15.
- (3) The implementation of a skills self assessment process as set out in Appendix D to the report, submitted, be approved, and that the Chair be requested to e-mail all Group Leaders in relation to the implementation of the process in readiness for the next municipal year.

The meeting ended at 7.50 p.m.

CHAIR

DEVELOPMENT CONTROL COMMITTEE

Monday 17th February, 2014 at 6.00 pm
In Committee Room 2, The Council House, Dudley

PRESENT:-

Councillor Zada (Chair)
Councillor Casey (Vice-Chair)
Councillors A Ahmed, J Martin, Perks, Roberts, Mrs Westwood,
C Wilson and Wright

OFFICERS:-

Mr J Butler, N Howell, Mrs A Roberts, Mr D Owen, Mrs S Willetts, Mr J Dunn
(all Directorate of the Urban Environment), Mrs G Breakwell and Mrs M Johal
(Directorate of Corporate Resources)

65 DECLARATIONS OF INTEREST

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

66 MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 27th January, 2014, be approved as a correct record and signed.

67 CHANGE IN ORDER OF BUSINESS

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

RESOLVED

That Agenda Item No 7 (Confirmation of Tree Preservation Order) be considered as the next item of business.

CONFIRMATION OF TREE PRESERVATION ORDER

A report of the Director of the Urban Environment was submitted requesting consideration on whether Tree Preservation Order (TPO/0055/NOR, King Edward VI Sports Ground, Swinford Road) should be confirmed with or without modification in light of the objections that had been received.

Mrs Zglinski, an objector was in attendance at the meeting and made representations against confirmation of the Tree Preservation Order and comments made included that there were safety concerns about T4 because it was leaning and the branches could fall onto the playing fields and cause injury; that the owners of a property on Willow Park Drive were concerned about the damage T3 would cause if it were to fall onto their property and she also informed the Committee that it was intended to seek independent expert advice and she urged that the decision for confirmation be deferred pending the outcome.

In responding to Members' comments, Mr Dunn reported that he was of the opinion that T3 and T4 were structurally good and that there were no defects and that the leaning of T4 had corrected itself and would not get any worse.

RESOLVED

That the Tree Preservation Order (TPO/0055/NOR, King Edward VI Sports Ground, Swinford Road), be confirmed subject to the following modifications:

- T7 and T8 are removed from the order
- The plan is corrected to show the accurate locations of the trees.

PLANS AND APPLICATIONS TO DEVELOP

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

- (i) Plan No P13/1648 – Land at Saltwells Wood, Brierley Hill – Construction of Single Storey Wardens/Education Facility and 5 No Dwellings with Garages and Associated Works to Existing Access Road from Pedmore Road
-

Decision: Approved, subject to conditions, numbered 1 to 27 (inclusive), as set out in the report submitted.

- (ii) Plan No P13/1706 – 54 Kirkpatrick Drive, Wordsley, Stourbridge – Erection of Detached Outbuilding in Rear Garden (Retrospective)

Decision: That the application be approved.

- (iii) Plan No P13/1750 – Land Adjacent to 32 Meeting Street, Netherton, Dudley – Erection of Two Storey Building to Create 6 No Apartments with Associated Parking

Decision: Approved, subject to conditions, numbered 1 to 5 and 7 (inclusive), as set out in the report submitted, together with a revised condition, numbered 6 and additional conditions, numbered 8 and 9, as follows:-

6. The development hereby permitted shall be carried out in accordance with the following approved plan: 0721/01/Rev G.
8. No development shall commence until an amended site layout plan showing a 2m wide footpath in front of the site has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter take place in accordance with the approved plan.
9. No development shall commence until details of the height and materials of the proposed boundary walls has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter take place in accordance with the approved details.

- (iv) Plan No P13/1844 – 6 Clifton Road, Halesowen – Erection of Outbuilding in Rear Garden (Retrospective)

Decision: That the application be approved.

- (v) Plan No P14/0008 – 14 Brandon Road, Halesowen – One and Two Storey Rear Extension and New Roof to Existing Garage

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

- (vi) Plan No P14/0012 – A461 Birmingham Road, Dudley – Display of Non-Illuminated Lamp Post Banner Signs

Decision: Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.

- (vii) Plan No P14/0013 – A4123 Birmingham New Road, Dudley – Display of Non-Illuminated Lamp Post Banner Signs

Decision: Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.

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- 70 PROPOSAL TO APPLY AN ARTICLE 4(1) DIRECTION TO THE WATERFRONT, BRIERLEY HILL, WEST MIDLANDS TO WITHDRAW PERMITTED DEVELOPMENT RIGHTS GIVEN UNDER PART 31, CLASS A (ANY BUILDING OPERATION CONSISTING THE DEMOLITION OF A BUILDING) OF THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995 (AS AMENDED) AND PERMITTED DEVELOPMENT RIGHTS FOR CHANGE OF USE FROM OFFICES (CLASS B1a) TO RESIDENTIAL (CLASS C3)
-

A report of the Director of the Urban Environment was submitted requesting consideration for the making of a Direction under Article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995 so that at The Waterfront, Brierley Hill (as identified in Figure 1 appended to the report submitted):- (a) the change of use of the office accommodation (Class B1a) to residential accommodation (Class C3) in respect of all of the area edged black but excluding the area edged red on the plan; and (b) the demolition of the accommodation in respect of the areas edged red and black on the plan comes under the control of the Local Planning Authority.

Arising from the presentation of the report a Member was of the opinion that regeneration was being stifled by applying restrictions and expressed concerns that stumbling blocks could undo the good work already done in regenerating Dudley. Reference was also made to paragraph 13 of the report and it was questioned whether the Committee were being consulted or whether decisions had already been made. Another Member referred to the office accommodation and indicated that the block had been vacant for a considerable period of time and as it had not been occupied he could not see any reason why it should not be used for residential purposes.

RESOLVED

That the comments made by Members of the Committee, as indicated above, be conveyed to the Cabinet Member for Regeneration for consideration when considering the proposal to apply an Article 4(1) Direction to the Waterfront, Brierley Hill.

REVOCATION OF TREE PRESERVATION ORDERS

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

RESOLVED

That approval be given to the revocation of the Tree Preservation Orders indicated in Appendix 1 of the report submitted, namely: The Borough of Dudley (Land at High Street, Sedgley) (D464) Tree Preservation Order 1996; The Borough of Dudley (Land at High Street, Sedgley No 2) (D484) Tree Preservation Order 1996; The Borough of Dudley (Land at Beacon Passage, Sedgley) (D511) Tree Preservation Order 1997; The Borough of Dudley (Kettlesbank Road, Lower Gornal) (D598) Tree Preservation Order 2000; The Borough of Dudley (Priory Close, Oldswinford) (D616) Tree Preservation Order 2000; The Borough of Dudley (Priory Close, Oldswinford) (D617) Tree Preservation Order 2000 and The Borough of Dudley (Westdean Close, Halesowen) Tree Preservation Order 2003.

The meeting ended at 7.20 pm.

CHAIR

DEVELOPMENT CONTROL COMMITTEE

Monday 10th March, 2014 at 6.00 pm
In Committee Room 2, The Council House, Dudley

PRESENT:-

Councillor Zada (Chair)
Councillor Casey (Vice-Chair)
Councillors A Ahmed, Caunt, J Martin, Perks, Roberts, C Wilson and Wright

OFFICERS:-

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

72 **APOLOGY FOR ABSENCE**

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

73 **APPOINTMENT OF SUBSTITUTE MEMBER**

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

74 **DECLARATIONS OF INTEREST**

In accordance with the Members' Code of Conduct, Councillor Zada declared non-pecuniary interests in Planning Application Nos P14/0042 and P14/0043 (43 Halesowen Road, Netherton) as he knew the applicant.

75 **MINUTES**

RESOLVED

That the minutes of the meeting of the Committee held on 17th February, 2014, be approved as a correct record and signed.

PLANS AND APPLICATIONS TO DEVELOP

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

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

Plan No P14/0112 – Mr Ali Bakht – an objector and Mr Arif – an agent/applicant

- (i) Plan No P14/0112 – Old Bell Public House, Chapel Street, Lye, Stourbridge – Change of use from a Former Public House (A4) to a Community and Education Centre (D1)

Decision: Approved, subject to conditions, numbered 1 to 8 (inclusive), as set out in the report submitted.

- (ii) Plan No P13/0175 – Ashleigh House, 2 Ednam Road, Dudley – Conversion of Existing Office Premises into 5 No Flats

Decision: Approved, subject to conditions, numbered 1 to 5 (inclusive), as set out in the report submitted, together with an amended condition, numbered 6 and additional conditions, numbered 7 to 10, as follows:-

6. The apartments shall not be occupied until details of mitigation measures to protect future occupants of the building from road traffic noise from Ednam Road and noise from adjacent use have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter take place in accordance with the approved details and the approved measures retained for the lifetime of the development.
7. Notwithstanding the requirement of condition 6 above, all the existing timber shall be retained and development shall not commence until full details have been submitted to and approved in writing by the Local Planning Authority of the proposed methodology for addressing condition 6 with the use of appropriate secondary glazing. The development shall thereafter take place in accordance with the approved details.

8. Development shall not begin until details of all new joinery (for the windows, doors, etc) to be used in the external elevations and its colour and finish have been submitted to and approved in writing by the Local Planning Authority. Large scale architectural drawings of joinery shall be provided at a large scale (1:1, 1:2 or 1:5) typically indicating profiles and sections of heads, cills, jambs and glazing bars together with their relationships to masonry apertures. The development shall thereafter take place in accordance with the approved details.
 9. Development shall not commence until full details have been submitted to and approved in writing by the Local Planning Authority of all the heating appliances, flues, air intake and extraction equipment terminals and soil vent pipes. The development shall thereafter take place in accordance with the approved details.
 10. Development shall not commence until full details have been submitted to and approved in writing by the Local Planning Authority of materials to be used in the construction of the bin store at the site. The development shall thereafter take place in accordance with the approved details.
- (iii) Plan No P13/1886 – Mucklow Bros Ltd, Narrow Lane, Halesowen – Demolition of Existing Former Factory and Office Buildings and Erection of 39 No Dwellings, New Access from Narrow Lane, Enhancement of Existing Footpath and the Creation of a New Cycle Link to Connect Long Lane with Narrow Lane

Decision: Approved, subject to a Section 106 Agreement and conditions, numbered 1 to 3, 6, 8 and 10 to 19 (inclusive), as set out in the report submitted, together with amended conditions, numbered 4, 5, 7 and 9, as follows:-

4. No dwelling shall be occupied until full details of soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details must include, where appropriate, planting plans, written specifications, a schedule of plants including species, plant sizes and proposed numbers/densities and a programme of implementation. Plans must also include accurate plotting of all existing landscape features.

The works approved as part of this condition shall be completed within the first planting season following first occupation.

Any trees or shrubs planted in pursuance of this permission including any planting in replacement for it which is removed, uprooted, severely damaged, destroyed or dies within a period of five years from the date of planting shall be replaced by trees or shrubs of the same size and species and in the same place unless otherwise agreed in writing by the Local Planning Authority.

The landscaped areas shall be retained in the form shown on the approved plan and Landscape Plan Strategy throughout the life of the development and shall not be used for any other purpose.

5. No dwelling shall be occupied until full details of hard landscape works have been submitted to and approved in writing by the Local Planning Authority. The details must include existing and proposed finished levels or contours; the position, design and materials of all site enclosures, car parking layout and other vehicular and pedestrian areas; hard surfacing materials, minor artefacts and structures (eg refuse areas, lighting etc)

The works approved as part of this condition shall be completed before the first occupation of any part of the development.

7. No dwelling shall be occupied until details for the provision of external electric vehicle charging points have been submitted to and approved in writing by the Local Planning Authority. The Electric Charging point(s) shall thereafter be provided in accordance with the approved details prior to first occupation of the development and be maintained for the life of the development.

9. No dwelling shall be occupied until details of public realm works have been submitted to and approved in writing by the Local Planning Authority. The public realm works shall thereafter be provided in accordance with the approved details prior to first occupation of the development and be maintained for the life of the development.

- (iv) Plan No P13/1896 – Former Factory Site, Park Lane, Cradley – Outline Application for Residential Development (Access to be Considered)
-

Decision: Approved, subject to the following:-

- (1) The applicant entering into a Section 106 Agreement for a contribution towards affordable housing.

(2) The completion of the Agreement by 22nd March, 2014 and, in the event of this not happening, the application being refused, if appropriate.

(3) Conditions numbered 1 to 20 (inclusive), as set out in the report submitted, together with additional conditions, numbered 21 to 25, as follows:-

21. No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site (with regard to controlled waters including ground water and associated land contamination) shall each be submitted to and approved, in writing, by the Local Planning Authority:

i A preliminary risk assessment which has identified:

- all previous issues
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

ii A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

iii The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

iv A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

- v Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.
- 22. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.
- 23. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.
- 24. No development shall commence until details of the access roads and Highway structures, including, lines, widths, levels, gradients, form of construction, cross sections, lighting and drainage have been submitted to and approved in writing by the Local Planning Authority.
- 25. No dwelling shall be occupied until the access roads have been implemented in accordance with the details approved in condition 1 and shall thereafter be maintained for the life of the development.

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

Having previously declared non-pecuniary interests in the following two items Councillor Zada vacated the Chair and withdrew from the meeting.

Councillor Casey in the Chair

- (v) Plan No P14/0042 – 43 Halesowen Road, Netherton, Dudley – Conversion of Garage to Form Habitable Room with New Bay Window to Front. Single and Two Storey Rear Extension (Proposed). Erection of Detached Storage Building in Rear Garden (Retrospective)

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

7. The outbuilding hereby approved shall be ancillary to the main dwelling for the lifetime of the development and shall not be sold-off or sub-let separately.

- (vi) Plan No P14/0043 – 43 Halesowen Road, Netherton, Dudley – Raise Ground Levels to Rear Garden with Retaining Wall

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

Councillor Zada in the Chair

- (vii) Plan No P14/0073 – Land at Tenlands Road, Halesowen – Erection of 9 No Dwellings (Resubmission of Withdrawn Application P13/1436)

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

- (viii) Plan No P14/0184 – The Boulevard, Brierley Hill – Installation of a Signalised Bus Gate to Assist Public Transport Flow West-Bound on the Boulevard Approach to the Mill Street Roundabout

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

- (ix) Plan No P14/0185 – A4036 Pedmore Road, Merry Hill, Brierley Hill – Installation of a Pedestrian and Cycle Signalised Crossing off Pedmore Road

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

3. The development hereby permitted shall be carried out in accordance with the following approved plans: Project Number 70002332, Drawing Number 2332-GA-001 revision C and the submitted Transport Assessment complied by WSP and dated 11/02/2014.

A report of the Director of the Urban Environment was submitted on the setting of the Council's Building Regulation Fee Scales to take effect from 1st April 2014 and non-statutory Development Control Charges and the intention to continue to use the Consumer Prices Index (CPI) for Planning Obligations in accordance with Council Policy.

Arising from the presentation of the report a Member was of the view that an increase in fees would be detrimental as it would have an impact on potential residential developments in the Borough. In responding the Head of Planning stated that fees were very competitive and were on par or cheaper than neighbouring Local Authorities and the Council were obliged to cover their costs.

RESOLVED

- (1) That the inflationary increase of 2% of the existing Building Control Fee Schedule, as outlined in Appendix B to the report submitted, be endorsed.
- (2) That the continued use of the Consumer Price Index in Planning Obligations costings, as outlined in Appendix C to the report submitted, and in accordance with the adopted SPD "Planning Obligations", be noted.
- (3) That the fee schedule for Development Control Non Statutory Fee Charges, as outlined in Appendix D to the report submitted, be endorsed.

The meeting ended at 6.50 pm.

CHAIR

LICENSING AND SAFETY COMMITTEE

Wednesday, 19th February, 2014 at 5.30 p.m.
in Committee Room 2, The Council House, Dudley

PRESENT:-

Councillor Bills (Chair)
Councillor Russell (Vice Chair)
Councillors Mrs. Ameson, Blood, Cowell, K. Finch, Perks, Roberts,
Taylor and Woodall.

Officers:-

Ms. N. Bangar (Solicitor), Mr. M. Hanson (Licensing Enforcement Officer)
and Mr. J. Jablonski (Democratic Services) (All Directorate of Corporate
Resources).

4. COMMENTS BY CHAIR

The Chair referred to the successful holding of meetings of Licensing Sub-Committees throughout the current municipal year, referring in particular to the number of occasions on which substitutes had been used and the willingness of people to substitute for meetings. She requested that thanks be recorded in the minutes to all those who had been substitutes and in this respect Councillor Mrs. Ameson also expressed her thanks to Committee members who had substituted for her due to her personal circumstances.

5. APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were submitted on behalf of Councillors Mrs. Turner and Sykes.

6. DECLARATIONS OF INTEREST

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

7. MINUTES

That the minutes of the meeting of the Committee held on the 23rd May, 2013 be approved as a correct record and signed.

8. REVISION OF LICENCE FEES

A report of the Director of Corporate Resources was submitted on the proposed revision of fees for licences and consents, other than those where the fees are imposed by statute in respect of liquor licensing, gambling machine permits and lotteries and amusements.

RESOLVED

That approval be given to an increase of 2%, with effect from 1st April, 2014, in respect of fees for licences and consents, other than those where the fees are imposed by statute in respect of liquor licensing, gambling machine permits and lotteries and amusements, as set out in column (2) of Table A of the report submitted.

9. REVISION OF LICENCE FEES (SEX ESTABLISHMENTS/SEXUAL ENTERTAINMENT VENUE)

A report of the Director of Corporate Resources was submitted on a review of the fees for sex establishments/sexual entertainment venues.

The review was undertaken in the light of a court judgement, details of which were set out in Appendix 2 to the report submitted, leading to consideration of a reduction of fees, taking into account the results of the judgement.

RESOLVED

That, in the light of information contained in the report submitted and arising from a review of the current fees charged, with effect from 1st April, 2014, approval be given to a reduction in the fees set for the grant/renewal of the sex establishment/sexual entertainment venue licence from £4,043.00 to £3,034.00, so as to reflect the cost of service delivery .

The meeting ended at 5.40 p.m.

CHAIR

LSC/4

LICENSING SUB-COMMITTEE 1

Tuesday 11th February, 2014 at 10.35 am
in the Council Chamber, The Council House, Dudley

PRESENT:-

Councillor Bills (Chair)
Councillors Blood and Sykes

Officers: -

Mr R Clark (Legal Advisor), Mrs L Rouse (Licensing Clerk) and Mrs K Taylor – All Directorate of Corporate Resources.

42 DECLARATIONS OF INTEREST

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

43 MINUTES

RESOLVED

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

44 APPLICATION FOR CONSENT TO ENGAGE IN STREET TRADING – MR S TEZGEL – RYEMARKET, STOURBRIDGE

A report of the Director of the Corporate Resources was submitted on an application made by Mr S Tezgel for the grant of consent to engage in street trading to sell American Burgers, Chips and Salad, Monday to Sunday, 9pm to midnight inclusive in Ryemarket, Stourbridge.

Mr Cohan, Agent, and Mr J Phillips, Barrister, were in attendance at the meeting.

It was noted that the Applicant, Mr Tezgel, was not in attendance at the meeting and had asked the two attendees to represent him.

Following a brief discussion and concerns raised that the Applicant was not in attendance at the meeting, it was

RESOLVED

That consideration of the application made by Mr S Tezgel for the grant of consent to engage in street trading at Ryemarket, Stourbridge be adjourned to a re-convened meeting to be held on Tuesday 11th March, 2014.

45 APPLICATION FOR HOUSE TO HOUSE COLLECTIONS LICENCE – AUDOSTA LTD – MARGARET GREEN ANIMAL RESCUE, KIDS OUT, CHILDRENS HEARTS AND WOODLANDS CANCER CARE

A report of the Director of Corporate Resources was submitted on an application for the grant of House to House Collections Licences in respect of Audosta Ltd, on behalf of the charities known as Margaret Green Animal Rescue, Kids Out, Childrens Hearts and Woodlands Cancer Care.

Mr B Cooper, Manager, was in attendance at the meeting.

It was noted that the Applicant, Mr A Stasiulevicius was not in attendance at the meeting.

Following further discussion and concerns raised that the Applicant was not in attendance at the meeting, it was

RESOLVED

That consideration of the application for a House to House Collections licence in respect of Audosta Ltd be deferred to a future meeting of a Sub-Committee.

46 TRANSFER OF PREMISES LICENCE AND VARIATION OF DESIGNATED PREMISES SUPERVISOR – INITIAL CHOICE, 24-26 WINDMILL HILL, HALESOWEN

It was noted that the application had been withdrawn.

The meeting ended at 11.05 am

CHAIR

LICENSING SUB-COMMITTEE 1

Tuesday 11th March, 2014 at 10.00 am
in the Council Chamber, The Council House, Dudley

PRESENT:-

Councillor Bills (Chair)
Councillors Blood and Sykes

Officers: -

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

47 DECLARATIONS OF INTEREST

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

48 MINUTES

RESOLVED

That the minutes of the meeting of the Sub-Committee held on 11th February, 2014, be approved as a correct record and signed.

49 APPLICATION FOR REVIEW OF PREMISES LICENCE - LONDIS, 202 HIGH STREET, LYE

A report of the Director of Corporate Resources was submitted on an application for the review of the premises licence in respect of Londis, 202 High Street, Lye.

Mr K R Rafi, Premises Licence Holder and Designated Premises Supervisor was in attendance at the meeting, together with his business partner, Mr R Singh.

Also in attendance were Mr C King, Trading Standards Officer, and Mr G Wintrip, Age Restricted Products Enforcement Officer, both from the Directorate of the Urban Environment, Ms D McNulty, Office of Public Health and Ms K Turley, Planning and Licensing Officer, West Midlands Police.

Following introductions by the Chair, the Licensing Enforcement Officer then presented the report on behalf of the Council.

Mr King then presented the representations of Trading Standards and in doing so highlighted that the grounds of the review had been based on the serious undermining of the two licensing objectives, namely, the prevention of crime and disorder and the protection of children from harm due to the poor management of the premises following the sale of alcohol to a person under the age of eighteen.

Mr King informed the Sub-Committee that on 29th November, 2013, a fifteen year old male child test purchaser had been sold alcohol from the premises contrary to section 146(1) of the Licensing Act 2003 and in direct contravention to the licensing objectives.

It was noted that an application to transfer the premises licence from Blakemore Retail Ltd to K.A.S Convenience Stores Ltd, with immediate effect, was made on 6th December, 2013. The application submitted by Trading Standards related to the new premises licence holders, K.A.S Convenience Stores Ltd, even though it appeared that transfer of the licence had not been completed by the date of the sale to the test purchaser.

Mr King reported that there had been no advisory visits to the premises under the new regime, as they had not been notified of the change in ownership of the business. He further stated that under the previous owners, there was a sale of alcohol to a test purchase volunteer on 18th July, 2012, and a sale of tobacco to another test purchase volunteer on 15th May, 2013.

On 29th November, 2013, Trading Standards together with West Midlands Police, carried out a test purchase exercise to determine compliance with the law on the sale of alcohol to children. On that occasion, a fifteen year old male child test purchase volunteer purchased a bottle of Koppaburg cider with 4% alcohol by volume. The seller made no attempt to ask the age of the volunteer or proof of identification.

Following the sale, and having returned to the premises, it was discovered that the individual who sold the alcohol to the test purchaser had been a Miss L Hyde. When cautioned, Miss Hyde made no reply.

On inspection of the premises, it was noted that there were several Age Restricted Products displayed but no age verification policy such as "challenge 25" in place. It was noted that there was a till prompt in operation that required the seller to check the purchaser's age if buying alcohol, which Miss Hyde would have had to override to complete the sale. Miss Hyde was then issued with a Fixed Penalty Notice.

In concluding, Mr King stated that should the Sub-Committee be minded not to revoke or suspend the premises licence, they could consider including additional conditions to the licence. A full list of the proposed conditions had been circulated to all parties prior to the meeting.

Ms McNulty then presented the representations of Public Health, which had been circulated to all parties in accordance with the Licensing Act 2003. She made particular reference to the number of well-documented impacts on the health of adolescents as a consequence of alcohol consumption.

It was noted that in the opinion of Ms McNulty, the sale of alcohol to underage young people was considered to be very serious and supported the recommendations made by Trading Standards.

Ms K Turley then presented the representations of West Midlands Police and in doing so informed the Sub-Committee that the Police had carried out checks on the police systems and there was no recent intelligence in relation to counterfeit goods at the premises or any issues such as anti-social behaviour or crime in the area.

Ms Turley further stated that the sale of alcohol to a minor was a serious matter and supported the recommendations made by Trading Standards.

Mr Rafi then presented his case and in doing so informed the Sub-Committee that he had purchased the business on 4th November, 2013, and closed the premises for one week for refurbishment, and then reopened as K.A.S. Convenience Stores Ltd.

He further stated that he had taken on all of the Blakemore staff as part of the purchase of the business, who then had to learn how to work under Londis as the registers and practices were different to the previous regime.

Reference was made to the comments made by Trading Standards in respect of Miss Hyde, and Mr Rafi agreed that Miss Hyde would have had to override the register in order to sell alcohol to the underaged volunteer, and confirmed that following the sale on 29th November, 2013, she had received additional training.

Mr Rafi further stated that there was a "Challenge 25" policy in place, and that along with his other business in Birmingham, the sale on 29th November, 2013 had been the first underaged sale. He informed the Sub-Committee that managers would brief staff members on Monday mornings to enforce their responsibility for requesting proof of identification.

Following a question by the Chair, Mr Rafi confirmed that there was no connection between K.A.S Convenience Stores Ltd and Blakemore, who operated as Spar, and that the process for the sale of the business took over two years to complete.

Mr Rafi further stated that there was no explanation to excuse the sale of alcohol to a child by Miss Hyde, however he had decided not to terminate her contract as she had family commitments. He further stated that he had previously undertaken test purchasing exercises to determine compliance from his members of staff, which had been very positive and no sales were made.

In responding to a question by a member, Mr Rafi confirmed that he was a franchise owner and all stock at the premises was branded to Londis.

In responding to a question by Mr King as to why Mr Rafi was trading on Blakemore's premises licence during the time of the sale on 29th November, 2013; Mr Rafi responded that there had been delays in his application to transfer the licence, and that he had informed Blakemore that he would be trading under their licence until the transfer had been completed.

Reference was made in respect of the Refusals Register, and Mr Rafi informed the Sub-Committee that the register was logged electronically and backed up by a USB. At this juncture, Mr Rafi circulated copies of the Refusals Register and photographs highlighting the posters displayed at the premises.

In responding to a question by Mr King in relation to the CCTV footage of the sale on 29th November, 2013, Mr Rafi agreed that he could re-position the cameras in order to view customers more clearly.

In responding to a question by the Legal Advisor, Mr Rafi confirmed that he was in agreement with the conditions suggested by Trading Standards, subject to some minor amendments to the wording in relation to the Refusals Register to enable Mr Rafi to continue logging refusals electronically.

In responding to a question by a member, Mr Rafi confirmed that he was unable to override the refusals register system, and that the information was held for a period of five years.

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

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

RESOLVED

That, subject to the following conditions being applied to the premises licence, no further action to be taken in relation to the review of the premises licence in respect of Londis, 202 High Street, Lye: -

Conditions

- (1) A written Proof of Age Policy (Challenge 25) is to be put in force, which all staff authorised to sell alcohol will be trained in and adhere to. Valid proof of identification will only include passport, photographic driving licence or a Proof of Age standards Scheme (PASS) proof of age card such as Citizen card. No other form of identification shall be accepted.
- (2) A4 notices to be displayed on the door to the premises and near the point of sale stating that it is an offence to buy alcohol for persons under the age of 18.
- (3) A Register of Refusals of Sale of Alcohol which indicates the date, time and reason for refusal will be operated and maintained at the premises. The Premises Licence Holder shall review the record once a week ensuring it is completed and up-to-date. The Premises Licence Holder will sign the record each time it is checked. This record shall be made available for inspection by an officer of any responsible authority.
- (4) CCTV to be in place at the premises and to be recording at all times when the premises are open for licensable activity, to the specifications of the West Midlands Police Crime Reduction Officer so that the alcohol display area and the point of sale area can be viewed. All images are to be recorded and kept for a minimum of 28 days and made available to any responsible authority upon request immediately, and all staff are to be trained and able to operate and download CCTV. The hard drive is to be locked but readily accessible to staff.
- (5) The Premises Licence Holder will take proportionate steps to review the premises CCTV on a weekly basis in order to identify persons under the age of 18 who are attempting to buy alcohol or persons over the age of 18 buying on their behalf. A record of these checks shall be maintained and be available for inspection upon request by an officer of any responsible authority.

- (6) All persons engaged to sell alcohol must complete a training programme, which includes a written test, to verify the competency of that person prior to them being authorised to sell alcohol.
- (7) The premises licence holder shall ensure that monthly reviews are conducted with any persons authorised to sell alcohol in order to reinforce training, promote best practice and policy. The monthly reviews will be recorded in writing.
- (8) A file shall be maintained at the premises for each person authorised to sell alcohol (with proof of identity which will be a copy of passport and/or driving licence). This file shall contain all training records for each person along with copies of monthly reviews as stated in point 7. This file shall be made available for inspection by any officer from a responsible authority upon request.
- (9) Any person who is suspected of purchasing alcohol for any person under the age of 18, shall be refused service.

REASONS FOR DECISION

This is a review of a premises licence of Londis, 202 High Street, Lye, brought by Trading Standards as a result of a failed test purchase on 29th November, 2013.

At the time of the test purchase, the premises licence was held by Blakemore Retail Ltd, and an application for transfer was made on 6th December, 2013. However, the premises were being run by a new business, K.A.S Convenience Stores Ltd as at 29th November, 2013, and the person who sold the alcohol was a Ms Hyde, an employee of Londis but previously Blakemore, and she was issued with a fixed penalty notice. Age restricted posters were on display and a till prompt was in operation. This however must have been ignored as a sale was made to a 15 year old test purchaser, no age check was made.

The Manager of the business has now provided Ms Hyde with further training. The new Designated Premises Supervisor Mr Kashif Razwan Rafi also stated that there was a single Challenge 25 poster near the red wine section, but admitted that further posters should have been displayed. The business had been bought on 4th November, 2013, closed for one week for refurbishment, and then reopened and was therefore operating as K.A.S. rather than Blakemore's at the time of the test purchase. K.A.S took on all of the Blakemore staff as part of the purchase of the business, and Ms Hyde was previously employed by Blakemore's.

The Sub-Committee does not take any steps to revoke or suspend the premises licence but does attach the conditions proposed by Trading Standards, to the premises licence. This step will ensure that training of staff is adequate, that CCTV records appropriate information and that all attempts to purchase age restricted products are both recorded and reviewed by management.

Mr Rafi was informed of his right to the appeal the decision of the Sub-Committee.

50 APPLICATION FOR REVIEW OF PREMISES LICENCE – BOOZE CORNER, 10 HOWLEY GRANGE ROAD, HALESOWEN

A report of the Director of Corporate Resources was submitted on an application for the review of the premises licence in respect of Booze Corner, 10 Howley Grange Road, Halesowen.

Mr A Bahia (Premises Licence Holder) was in attendance together with his Solicitor, Mr M Banahan and his son, Mr S Bhopal.

Also in attendance were Mr C King, Trading Standards Officer, and Mr G Wintrip, Age Restricted Products Enforcement Officer, both from the Directorate of the Urban Environment, Ms D McNulty, Office of Public Health and Ms K Turley, Planning and Licensing Officer, West Midlands Police.

Following introductions, it was noted that Mrs K Kaur, Designated Premises Supervisor, was not in attendance at the meeting due to work commitments at the premises.

Following further discussion, the parties withdrew from the meeting in order to enable the Sub-Committee to consider whether the meeting could continue without the presence of Mrs Kaur.

RESOLVED

That consideration of the application made for the review of the premises licence in respect of Booze Corner, 10 Howley Grange Road, Halesowen be adjourned to a re-convened meeting to be held in April, 2014.

The Sub-Committee requested that both Mr A Singh and Mrs K Kaur attend the re-convened hearing.

51 APPLICATION FOR CONSENT TO ENGAGE IN STREET TRADING – MR S TEZGEL- RYEMARKET, STOURBRIDGE

A report of the Director of the Corporate Resources was submitted on an application made by Mr S Tezgel for the grant of consent to engage in street trading to sell American Burgers, Chips and Salad, Monday to Sunday, 9pm to midnight inclusive in Ryemarket, Stourbridge.

Mr S Tezgel, Applicant, was in attendance at the meeting together with his Barrister, Mr J Philips, and his wife, Mrs Tezgel.

Following introductions, Mr B Hughes, Licensing Enforcement Officer, Directorate of Corporate Resources, presented the report on behalf of the Council.

Mr J Philips then presented the case on behalf of Mr S Tezgel, and in doing so apologised to the Sub-Committee for Mr Tezgel's non-attendance at the previous hearing, as there had been some misunderstanding in the wording of the letter that was sent to Mr Tezgel.

Mr Philips stated that the application was for a burger van to be sited in a central location, which was used by a Jacket Potato van in the day. He stated that Mr Tezgel had ten years experience in the catering trade, and that he owned a pizza business, and employed four members of staff, in Stourbridge for the past four years.

It was noted that Mr Tezgel would undertake a litter sweep each night surrounding the area and anticipated that there would be no impact to the area should the consent be granted.

Reference was made to Mr Tezgel's failure to register the business with the Environmental Health Department; Mrs Tezgel stated that they had received advice from a third party that informed them that they did not need to register the business until after consent had been granted. She further stated that the pizza business had been registered.

In responding to a question by a member as to how Mr Tezgel envisaged accessing the location, as there were bollards at the site, which were removed by the Ryemarket Manager only, Mrs Tezgel confirmed that she had spoken to the Ryemarket Manager who agreed access to the location.

In responding to a question by the Chair in relation to the days requested, Mrs Tezgel confirmed that although the application requested all week, the business may not trade during the quieter days in the week.

Following a brief discussion, it was

RESOLVED

That the application made by Mr S Tezgel for the grant of consent to engage in street trading in Ryemarket, Stourbridge, be approved for a period of twelve months.

The meeting ended at 11.35 am

CHAIR

LICENSING SUB-COMMITTEE 4

Tuesday 4th March, 2014 at 10.05 am
in the Council Chamber, The Council House, Dudley

PRESENT:-

Councillors Bills, Cowell and Perks

Officers: -

Mr R Clark (Legal Advisor), Mrs L Rouse (Licensing Clerk), Mr B Hughes (Observer) and Mrs K Taylor – All Directorate of Corporate Resources.

19 ELECTION OF CHAIR

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

RESOLVED

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

(Councillor Bills in the Chair)

20 APOLOGIES FOR ABSENCE

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

21 APPOINTMENT OF SUBSTITUTE MEMBERS

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

22 DECLARATIONS OF INTEREST

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

23 MINUTES

RESOLVED

That the minutes of the meeting of the Sub-Committee held on 10th December, 2013, be approved as a correct record and signed.

24 APPLICATION FOR A LICENSED PREMISES GAMING MACHINE PERMIT – THE WHITE HORSE, 12 DUDLEY STREET, SEDGLEY

A report of the Director of Corporate Resources was submitted on an application for the grant of a Licensed Premises Gaming machine permit for three machines in respect of The White Horse, 12 Dudley Street, Sedgley.

Mr G Roberts (Designated Premises Supervisor), and Mr S Beale (Area Manager) were in attendance at the meeting.

Following introductions by the Chair, the Licensing Clerk presented the report on behalf of the Council.

Following a brief discussion in relation to the layout of the premises, it was

RESOLVED

That the application made for the grant of a licensed premises gaming machine permit for three machines in respect of The White Horse, 12 Dudley Street, Sedgley, be granted.

25 APPLICATION FOR REVIEW OF PREMISES LICENCE – HARRY'S, 19 BRADFORD ROAD, DUDLEY

A report of the Director of Corporate Resources was submitted on an application for the review of the premises licence in respect of Harry's, 19 Bradford Road, Dudley.

Mr H S Bagry, Premises Licence Holder and Designated Premises Supervisor was in attendance at the meeting.

Also in attendance were Mr C King, Principal Trading Standards Officer and Mr G Wintrip, Age Restricted Products Officer, both from the Directorate of the Urban Environment; Ms D McNulty, Office of Public Health; and Ms K Turley and PC A Baldwin, both Planning and Licensing Officers, West Midlands Police.

Following introductions by the Chair, the Licensing Clerk presented the report on behalf of the Council.

Mr King then presented the representations of Trading Standards and in doing so highlighted that the grounds for the review had been based on the serious undermining of the two licensing objectives, namely, the prevention of crime and disorder and the protection of children from harm due to the poor management of the premises following the sale of alcohol to a person under the age of eighteen.

Mr King informed the Sub-Committee that on 4th December, 2013, a sixteen year old child test purchaser had been sold alcohol from the premises contrary to section 146(1) of the Licensing Act 2003 and in direct contravention to the licensing objectives.

On 30th January, 2013, an officer from Trading Standards carried out a visit to the premises and spoke to Mr Bagry. The purpose of the visit was to provide advice in relation to preventing underage sales of age restricted products, and Mr Bagry was given detailed advice including information in respect of acceptable proof of age and the importance of keeping a refusals register. Mr Bagry was provided with an information pack that included an advice booklet, a Challenge 25 poster, a refusals register, a poster about proof of age and a sample Proof of Age Standards Scheme card. He was also requested to ensure that it was brought to the attention of all staff to ensure they were aware of their obligations under the Licensing Act 2003, Mr Bagry also signed an ARP form 0789 to acknowledge receipt of the information pack during the visit.

Mr King further stated that on 4th December, 2013, Trading Standards together with West Midlands Police, carried out a test purchasing exercise which was part of an ongoing series of test purchase exercises to test compliance once a premises had been advised. On that occasion, a sixteen year old male test purchaser volunteer purchased a bottle of Magners Pear and Ginger cider with 4% alcohol by volume. The seller made no attempt to ask the age of the volunteer or proof of identification.

Following the sale, and having returned to the premises, it was discovered that the individual who sold the alcohol to the test purchaser had been a Mr J Singh, which was witnessed by the officer. When cautioned, and having been informed of the sale to the test purchaser, Mr Singh replied, "Oh I'm sorry sir", a Fixed Penalty Notice was then issued.

On inspection of the premises, it was noted that there were age restricted products literature displayed, and a "Challenge 25" was advertised.

In concluding, Mr King stated that should the Sub-Committee be minded not to revoke or suspend the premises licence, they could consider including additional conditions to the licence. A full list of the proposed conditions had been circulated to all parties prior to the meeting.

Ms McNulty presented the representations of Public Health, which had been circulated to all parties in accordance with the Licensing Act 2003. She made particular reference to the number of well-documented impacts on the health of adolescents as a consequence of alcohol consumption.

It was noted that in the opinion of Ms McNulty, the sale of alcohol to underage young people was considered to be very serious and supported the recommendations suggested by Trading Standards.

Ms K Turley then presented the representations of West Midlands Police and in doing so informed the Sub-Committee that the Police had carried out checks on the police systems and that there was no recent intelligence in relation to underage sales at the premises or any issues such as anti-social behaviour or crime in the area.

Mr Bagry then presented his case, and in doing so stated that he had operated the premises for three years, and owned a number of premises' in Telford. He further stated that he was sorry that the sale had been made as the operation of the business was usually strict, and assured the Sub-Committee that the incident would not happen again.

Mr Bagry further reported that there had been a number of test purchase exercises at the premises that resulted in no sale being made, which was evidenced in writing. In responding, Mr King stated that there had not been any previous test purchase exercises at the premises, and that Trading Standards did not send out letters following test purchase exercises.

In responding to a question, Mr Bagry confirmed that Mr J Singh was his cousin, who lived above the premises, and was a competent member of staff who had received appropriate training.

In responding to a question by the Chair, it was confirmed that a "Challenge 21" prompt had been installed on the registers, however Mr J Singh had made a mistake in selling alcohol to a child. Mr Bagry further stated that Mr Singh had worked at the premises for two years.

In responding to a question by the Legal Advisor, Mr Bagry confirmed that he was in agreement with the conditions suggested by Trading Standards.

Reference was made to the Refusals Register and it was confirmed that despite a request made for the Refusals Register to be brought to the Sub-Committee, Mr Bagry had failed to do so. It was further noted that on 4th December, 2013, following a request by officers, Mr Bagry was unable to locate the register.

In responding to a question by a Member, Mr Bagry confirmed that Mr Singh had been made aware of his responsibility to request for proof of identification.

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

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

RESOLVED

That, subject to the following conditions being applied to the premises licence, no further action to be taken in relation to the review of the premises licence in respect of Harry's, 19 Bradford Road, Dudley : -

Conditions

- (1) A written Proof of Age Policy (Challenge 25) is to be put in force, which all staff authorised to sell alcohol will be trained in and adhere to. Valid proof of identification will only include passport, photographic driving licence or a Proof of Age standards Scheme (PASS) proof of age card such as Citizen card. No other form of identification shall be accepted.
- (2) A4 notices to be displayed on the door to the premises and near the point of sale stating that it is an offence to buy alcohol for persons under the age of 18.
- (3) A Register of Refusals of Sale of Alcohol which indicates the date, time and reason for refusal will be operated and maintained at the premises. The Premises Licence Holder shall review the book once a week ensuring it is completed and up-to-date. The Premises Licence Holder will sign the book each time it is checked. This book shall be made available for inspection by an officer of any responsible authority.

- (4) CCTV to be in place at the premises and to be recording at all times when the premises are open for licensable activity, to the specifications of the West Midlands Police Crime Reduction Officer so that the alcohol display area and the point of sale area can be viewed. All images are to be recorded and kept for a minimum of 28 days and made available to any responsible authority upon request immediately, and all staff are to be trained and able to operate and download CCTV. The hard drive is to be locked but readily accessible to staff.
- (5) The Premises Licence Holder will take proportionate steps to review the premises' CCTV on a weekly basis in order to identify persons under the age of 18 who are attempting to buy alcohol or persons over the age of 18 buying on their behalf. A record of these checks shall be maintained and be available for inspection upon request by an officer of any responsible authority.
- (6) All persons engaged to sell alcohol must complete a training programme, which includes a written test, to verify the competency of that person prior to them being authorised to sell alcohol.
- (7) The premises licence holder shall ensure that monthly reviews are conducted with any persons authorised to sell alcohol in order to reinforce training, promote best practice and policy. The monthly reviews will be recorded in writing.
- (8) A file shall be maintained at the premises for each person authorised to sell alcohol (with proof of identity which will be a copy of passport and/or driving licence). This file shall contain all training records for each person along with copies of monthly reviews as stated in point 7. This file shall be made available for inspection by any officer from a responsible authority upon request.
- (9) Any person who is suspected of purchasing alcohol for any person under the age of 18, shall be refused service.

REASONS FOR DECISION

This is an application by Trading Standards, to review the premises licence in respect of Harry's, 19 Bradford Road, Dudley.

The review has been brought as a result of a failed test purchase on 4th December, 2013, in which a twenty-two year old employee sold a bottle of cider to a sixteen year old test purchaser. Mr Joban Singh, the seller, admitted the sale and received a fixed penalty notice.

Age restricted literature was on display in the premises, in accordance with advice given on an advisory visit on 30th January, 2013. However, no refusals register could be located and Mr Bagry did not bring it today, despite being asked to do so in writing.

The Premises Licence Holder stated that he had considered the conditions that Trading Standards suggested could be imposed on his licence, and that he could comply with them all and accepted them.

The Sub-Committee is concerned that Mr Bagry has not taken the issue of refusing under age sales as seriously as he should have done, and therefore imposes the conditions recommended by Trading Standards, in order to ensure that the premises are properly managed.

26

APPLICATION FOR REVIEW OF PREMISES LICENCE – YEW TREE STORES, YEW TREE HILLS, NETHERTON, DUDLEY

A report of the Director of Corporate Resources was submitted on an application for the review of the premises licence in respect of Yew Tree Stores, Yew Tree Hills, Netherton, Dudley.

Mrs S Samra, Premises Licence Holder and Designated Premises Supervisor was in attendance at the meeting together with her husband, Mr S Singh Samra.

Also in attendance were Mr C King, Principal Trading Standards Officer and Mr G Wintrip, Age Restricted Products Officer, both from the Directorate of the Urban Environment; Ms D McNulty, Office of Public Health; and Ms K Turley and PC A Baldwin, both Planning and Licensing Officers, West Midlands Police.

Following introductions by the Chair, the Licensing Clerk presented the report on behalf of the Council.

Mr King then presented the representations of Trading Standards and in doing so highlighted that the grounds for the review had been based on the serious undermining of the two licensing objectives, namely, the prevention of crime and disorder and the protection of children from harm due to the poor management of the premises following the sale of alcohol to a person under the age of eighteen.

Mr King informed the Sub-Committee that on 4th December, 2013, a sixteen year old child test purchaser had been sold alcohol from the premises contrary to section 146(1) of the Licensing Act 2003 and in direct contravention to the licensing objectives.

It was noted that a tobacco test purchase exercise was undertaken at the premises on 30th November, 2012 with no sale being made.

On 30th January, 2013, an officer from Trading Standards carried out a visit to the premises and spoke to a Mr Samra, husband of Mrs Samra. The purpose of the visit was to provide advice in relation to preventing underage sales of age restricted products, and Mr Samra was given detailed advice including information in respect of acceptable proof of age and the importance of keeping a refusals register. Mr Samra was provided with an information pack that included an advice booklet, a Challenge 25 poster, a refusals register, a poster about proof of age and a sample Proof of Age Standards Scheme card. He was also requested to ensure that it was brought to the attention to all staff and that they were aware of their obligations under the Licensing Act 2003, Mr Samra also signed an ARP form 0759 to acknowledge receipt of the information pack during the visit.

Mr King stated that on 5th July, 2013, a tobacco test purchase exercise was conducted at the premises. On that occasion, an underage volunteer purchased a packet of 10 cigarettes, and it was discovered that the individual who sold the cigarettes was Mr Samra. Mr Samra was interviewed under caution and received a warning letter.

On 10th October, 2013, a yearly advisory visit was carried out at the premises and officers spoke to Mr Samra, who was present at the time of the visit. The purpose of the visit was to provide further advice relating to the law concerning the sale of age restricted products. Mr Samra signed an ARP form 0980 to acknowledge that the visit had taken place.

Mr King further stated that on 4th December, 2013, Trading Standards together with West Midlands Police, carried out a test purchasing exercise which was part of an ongoing series of test purchase exercises to test compliance once a premises had been advised. On that occasion, a sixteen year old male test purchaser volunteer purchased a can of Carling cider with 4% alcohol by volume. The seller made no attempt to ask the age of the volunteer or proof of identification.

Following the sale, and having returned to the premises, it was discovered that the individual who sold the alcohol to the test purchaser had been Mr Samra, which was witnessed by the officer. When cautioned, and having been informed of the sale to the test purchaser, Mr Samra replied "Jesus Chris, not again", a Fixed Penalty Notice was then issued.

On inspection of the premises, it was noted that there were some age restricted products poster displayed.

In concluding, Mr King stated that should the Sub-Committee be minded not to revoke or suspend the premises licence, they could consider including additional conditions to the licence. A full list of the proposed conditions had been circulated to all parties prior to the meeting.

Ms McNulty presented the representations of Public Health, which had been circulated to all parties in accordance with the Licensing Act 2003. She made particular reference to the number of well-documented impacts on the health of adolescents as a consequence of alcohol consumption.

It was noted that in the opinion of Ms McNulty, the sale of alcohol to underage young people was considered to be very serious and supported the recommendations suggested by Trading Standards.

Ms K Turley then presented the representations of West Midlands Police and in doing so informed the Sub-Committee that the Police had carried out checks on the police systems and that there was no recent intelligence in relation to underage sales at the premises or any issues such as anti-social behaviour or crime in the area.

It was noted that Mr and Mrs Samra had operated the premises for twenty-three years.

In responding to a question by the Chair, Mr Wintrip confirmed that the Refusals Register was at the premises during the visit on 4th December, 2013, and that it had always been displayed when he visited the premises.

Mr Samra then presented the case on behalf of his wife, Mrs Samra, and in doing so referred to a recent bereavement of a family member, that had caused a lot of stress, in particular, that they travelled to Leeds on a number of occasions to support the family member.

In responding to a question by the Chair, it was confirmed that Mr and Mrs Samra lived above the premises, and although a till prompt had not been installed, there were Challenge 25 stickers displayed by the register.

Arising from comments made by Mr Samra, Mr King stated that although he sympathised with Mr and Mrs Samra, he remained concerned as there had been two sales to under age children within a five month period, and requested what steps had been introduced by Mrs Samra since the sales. In responding, Mrs Samra stated that she would insist on proof of identification should any persons appear to be under the age of eighteen, and that she was very sorry.

It was noted that there were four members of staff at the premises, which comprised of Mr and Mrs Samra and their two sons. In responding to a question, Mr Samra confirmed that it was not the intention to transfer the business over to his sons.

In responding to a question by the Chair, Mr Samra stated that appropriate training had been provided and that only passports and driving licences were accepted as proof of identification.

Reference was made to the conditions suggested by Trading Standards, Mr Samra confirmed that although he could replay CCTV footage he was unable to download any data, however, he would be willing to undertake training.

In responding to a question by the Legal Advisor, Mrs Samra confirmed that she was in agreement with the conditions suggested by Trading Standards.

In summing up, Mr King on behalf of Trading Standards, stated that although he sympathised and accepted the circumstances outlined by Mr and Mrs Samra, he remained concerned that there had been two age restricted products sales to underage children due to the poor management of the premises.

In summing up, Mr and Mrs Samra apologised for the sales, and assured the Sub-Committee that it would not happen again.

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

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

RESOLVED

That, subject to the following conditions being applied to the premises licence, no further action to be taken in relation to the review of the premises licence in respect of Yew Tree Stores, Yew Tree Hills, Netherton, Dudley : -

Conditions

- (1) A written Proof of Age Policy (Challenge 25) is to be put in force, which all staff authorised to sell alcohol will be trained in and adhere to. Valid proof of identification will only include passport, photographic driving licence or a Proof of Age standards Scheme (PASS) proof of age card such as Citizen card. No other form of identification shall be accepted.
- (2) A4 notices to be displayed on the door to the premises and near the point of sale stating that it is an offence to buy alcohol for persons under the age of 18.
- (3) A Register of Refusals of Sale of Alcohol which indicates the date, time and reason for refusal will be operated and maintained at the premises. The Premises Licence Holder shall review the book once a week ensuring it is completed and up-to-date. The Premises Licence Holder will sign the book each time it is checked. This book shall be made available for inspection by an officer of any responsible authority.
- (4) CCTV to be in place at the premises and to be recording at all times when the premises are open for licensable activity, to the specifications of the West Midlands Police Crime Reduction Officer so that the alcohol display area and the point of sale area can be viewed. All images are to be recorded and kept for a minimum of 28 days and made available to any responsible authority upon request immediately, and all staff are to be trained and able to operate and download CCTV. The hard drive is to be locked but readily accessible to staff.

- (5) The Premises Licence Holder will take proportionate steps to review the premises' CCTV on a weekly basis in order to identify persons under the age of 18 who are attempting to buy alcohol or persons over the age of 18 buying on their behalf. A record of these checks shall be maintained and be available for inspection upon request by an officer of any responsible authority.
- (6) All persons engaged to sell alcohol must complete a training programme, which includes a written test, to verify the competency of that person prior to them being authorised to sell alcohol.
- (7) The premises licence holder shall ensure that monthly reviews are conducted with any persons authorised to sell alcohol in order to reinforce training, promote best practice and policy. The monthly reviews will be recorded in writing.
- (8) A file shall be maintained at the premises for each person authorised to sell alcohol (with proof of identity which will be a copy of passport and/or driving licence). This file shall contain all training records for each person along with copies of monthly reviews as stated in point 7. This file shall be made available for inspection by any officer from a responsible authority upon request.
- (9) Any person who is suspected of purchasing alcohol for any person under the age of 18, shall be refused service.

REASONS FOR DECISION

This is an application by Dudley Trading Standards to review the premises licence of Yew Tree Stores.

The review has been brought as a result of a failed test purchase on 4th December, 2013, in which Mr Sewa Samra, sold a bottle of Carling cider to a sixteen year old test purchaser. No attempt was made to ask for age or proof of identity. A fixed penalty notice was issued after Mr Samra admitted making the sale.

Advisory visits had been made to the premises on 30th January, 2013 and again on 10th October, 2013, to provide information and support in relation to avoiding under age sales. Despite the visit in January, Mr Samra sold a packet of cigarettes to a test purchaser on 5th July, 2013. Whilst this was not a sale of alcohol, the Sub-Committee finds that this is evidence of the premises licence holder's response to advice in respect of protecting young persons, and the management of the premises generally. Mrs S Samra is both the Premises Licence Holder and Designated Premises Supervisor, and she attended the review hearing today, with her husband.

The Sub-Committee does not find there is sufficient evidence to remove Mrs Samra as the Designated Premises Supervisor today but it does have concerns about her management of the premises as the Designated Premises Supervisor. The business does need to consider this issue seriously.

The Sub-Committee does however impose the conditions put forward by Trading Standards, upon the premises licence. Both Mrs and Mr Samra confirmed that they had read the conditions, understood them and were prepared to accept them upon the premises licence.

Mrs Samra was informed of her right to appeal the decision of the Sub-Committee.

The meeting ended at 12 pm

CHAIR

TAXIS COMMITTEE

Wednesday, 12th March, 2014 at 5.30 p.m.
in Committee Room 3 at the Council House, Dudley

PRESENT:-

Councillor Body (Chair)
Councillors A. Ahmed, Mrs. Ameson, Cowell, Hemingsley, Roberts, Taylor and Vickers

Officers:-

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

107. APOLOGY FOR ABSENCE

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

108. APPOINTMENT OF SUBSTITUTE MEMBER

It was reported that Councillor J. Martin had been appointed as a substitute for Councillor A. Aston for this meeting of the Committee only.

109. DECLARATIONS OF INTEREST

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

110. MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 6th February, 2014, be approved as a correct record and signed.

111. EXCLUSION OF THE PUBLIC

RESOLVED

That the public be excluded from the meeting for the following items of business, on the grounds that they involve the likely disclosure of

exempt information, as defined in Part I of Schedule 12A to the Local Government Act, 1972, as indicated below, and in all the circumstances, the public interest in disclosing the information is outweighed by the public interest in maintaining the exemption from disclosure.

<u>Description of item</u>	<u>Relevant Paragraph of Part I of Schedule 12A</u>
Grant of private hire and hackney carriage drivers' licences – Mr. S.R.	1
Grant of hackney carriage driver's licence - Mr. M.R.	1
Grant of hackney carriage and private hire drivers' licences – Mr. M.A.	1
Renewal of private hire and hackney carriage drivers' licences – Mr. M.H.	1
Renewal of hackney carriage and private hire drivers' licences - Mr. T.A.	1
Review of private hire driver's licence - Mr. K.H.	1
Review of private hire driver's licence - Mr. W.Y.	1
Grant of private hire and hackney carriage drivers' licences - Mr. M.S.	1

112. GRANT OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES - MR. S.R.

A report of the Director of Corporate Resources was submitted on an application for the grant of private hire and hackney carriage drivers' licences in respect of Mr. S.R.

Mr. S.R. was in attendance at the meeting and responded to questions raised in respect of the offences indicated in the report submitted.

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

RESOLVED

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

113. GRANT OF HACKNEY CARRIAGE DRIVER'S LICENCE - MR. M.R.

A report of the Director of Corporate Resources was submitted on an application for the grant of a hackney carriage driver's licence in respect of Mr. M.R.

The Authority had been notified that Mr. M.R. was being represented by Mr. Schiller, who unfortunately, was involved in a court case in Croydon and because of this, had requested an adjournment of this hearing.

However, Mr. M.R. was in attendance at the meeting, together with a supporter, Mr. Z. Ali, and it was indicated that he wished to proceed with the hearing in the absence of his solicitor.

Mr. M.R. responded to questions raised by the Committee in respect of the offences indicated in the report submitted, in particular, those for which he had received a conviction resulting in imprisonment on 28th August, 2003. Mr. Ali made representations on behalf of Mr. M.R.

RESOLVED

That, arising from the information contained in the report submitted, and as reported at the meeting, the application submitted on behalf of Mr. M.R. for the grant of a hackney carriage driver's licence, be refused on the grounds that Mr. M.R. is not a fit and proper person, given the offences that he had committed, as outlined in the report submitted, including offences for which he had been convicted on 28th August, 2003, resulting in concurrent terms of imprisonment.

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

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

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

Mr. M.A. was in attendance at the meeting together with his representative, Mr. D. Khan, who made representations on behalf of Mr. M.A., commenting in particular on the circumstances surrounding the caution received by Mr. M.A. on 12th November, 2008. Mr M.A. also commented on those circumstances. It was also reported that there were no matters pending that needed to be brought to the attention of the Committee.

RESOLVED

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

115. RENEWAL OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR. M.H.

Mr. M.H. was in attendance at the meeting and it was reported that his solicitor, Mr. Schiller, had requested that the renewal hearing be adjourned in view of his involvement in a court case in Croydon. Mr. M.H. confirmed that he would wish the matter to be adjourned.

RESOLVED

That consideration of the renewal of the private hire and hackney carriage drivers' licences issued to Mr. M.H. be adjourned to a future meeting of the Committee.

116. CHANGE IN ORDER OF BUSINESS

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

RESOLVED

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

Agenda Item Nos. 12, 13, 14 and 11

117. REVIEW OF PRIVATE HIRE DRIVERS' LICENCE - MR. K.H.

A report of the Director of Corporate Resources was submitted on a review of the private hire driver's licence issued to Mr. K.H. in the light of offences committed as indicated in paragraph 7 of the report submitted. It was noted that Mr. K.H. currently had 9 penalty points endorsed on his DVLA driver's licence and that his latest offence for speeding had occurred after he had received a very strong written warning as to his future conduct arising from previous offences of speeding.

Mr. K.H. was in attendance at the meeting and responded to questions asked by the Committee in relation to the offences committed. He also informed the Committee that there were no matters pending, that they needed to be made aware of. Mr. K.H. also made representations regarding his personal circumstances.

RESOLVED

That, following careful consideration of the information contained in the report submitted and as reported at the meeting, the private hire driver's licence issued to Mr. K.H. be suspended for a period of two weeks in the light of the latest speeding offence as indicated in paragraph 7 of the report submitted.

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

118. REVIEW OF PRIVATE HIRE DRIVER'S LICENCE - MR. W.Y.

A report of the Director of Corporate Resources was submitted on a review of the private hire driver's licence issued to Mr. W.Y. in the light of an offence committed, as indicated in paragraph 4 of the report submitted. Mr. W.Y. was also in breach of Condition 10 of his private hire driver's licence, as he had not reported the points within the required seven day period.

Mr. W.Y. was in attendance, together with a representative and responded to questions raised in connection with the offence committed. During the course of the questioning, he indicated that there was a matter that needed to be brought to the attention of the Committee and in the light of this information, it was reported that Mr. W.Y.'s licence had recently been suspended in connection with another matter.

RESOLVED

That, in the light of the information reported at the meeting, consideration of the review of the private hire driver's licence issued to Mr. W.Y. be deferred until the matter referred to leading to the suspension of his licence had been resolved.

119. GRANT OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES - MR. M.S.

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

Prior to the consideration of this matter, it was reported that a letter had been received from the wife of Mr. M.S. indicating that he was currently in Pakistan for personal reasons and would be returning to this country within eight weeks.

Arising from consideration of the information submitted, it was:-

RESOLVED

That consideration of the grant of private hire and hackney carriage drivers' licences to Mr. M.S. be deferred to a future meeting of the committee when he was back in the United Kingdom.

120. RENEWAL OF HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS' LICENCES - MR. T.A.

A report of the Director of Corporate Resources was submitted on the renewal of the hackney carriage and private hire drivers' licences issued to Mr. T.A. in the light of the information contained in the report submitted.

Mr. T.A. was not in attendance at the meeting and a reason for his absence had not been received.

In view of this, it was:-

RESOLVED

That consideration of the renewal of the hackney carriage and private hire drivers' licences issued to Mr. T.A. be deferred to a future meeting of the Committee and that Mr. T.A. be informed that should he not attend when the matter was to be considered, it may be considered in his absence.

The meeting ended at 6.55 p.m.

CHAIR

MEETING OF THE CABINET

Wednesday, 12th February, 2014 at 6.00 p.m.
in Committee Room 2 at the Council House, Dudley

PRESENT:-

Councillor Sparks (Leader of the Council) (Chair)
Councillor Lowe (Deputy Leader)
Councillors K Ahmed, Branwood, Crumpton, Foster, Partridge,
S Turner, Waltho and Wood.

Conservative Group Members appointed to attend meetings of the
Cabinet: Councillors Evans, Harley, James, Kettle, Vickers and Wright.

OFFICERS:-

Chief Executive, Director of Corporate Resources, Director of the Urban
Environment, Interim Director of Children's Services, Director of Public
Health, Treasurer, Assistant Director of Adult, Community and Housing
Services, Assistant Director of Corporate Resources (Human Resources
and Organisational Development), Assistant Director of the Urban
Environment and the Assistant Principal Officer (Democratic Services).

57

APOLOGY FOR ABSENCE

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

58

CHANGES IN REPRESENTATION OF OPPOSITION GROUP MEMBERS

It was reported that Councillor Evans was serving in place of Councillor
Mrs Simms for this meeting only.

59

DECLARATIONS OF INTEREST

The following Members declared non-pecuniary interests, in accordance
with the Members Code of Conduct, in relation to Agenda Item No. 6
(Revenue Budget Strategy and Setting the Council Tax 2014/15):-

Councillor Vickers – as the Chair of the Tenterfields Children's Centre
Management Committee.

Councillor Evans – as a Member of the Advisory Board of the Queen
Victoria Children's Centre.

60

MINUTES

RESOLVED

That the minutes of the meeting of the Cabinet held on 5th December, 2013, be approved as a correct record and signed.

61

ANNUAL AUDIT LETTER 2012/13

A joint report of the Chief Executive and the Treasurer was submitted on the External Auditor's Annual Audit Letter for 2012/13.

The Cabinet Member for Finance reported that the Letter gave a positive assessment of the Council's financial statements and its arrangements to secure value for money. K. Bellingall was present at the meeting representing the Council's External Auditors, Grant Thornton.

RESOLVED

That the External Auditor's Annual Audit Letter for 2012/13, together with the views of the Auditor, be noted.

62

REVENUE BUDGET STRATEGY AND SETTING THE COUNCIL TAX 2014/15

A joint report of the Chief Executive and the Treasurer was submitted on the deployment of General Fund revenue resources, a number of statutory calculations that had to be made by the Council and, subject to the receipt of the Police and Fire precepts, the Council Tax to be levied for the period from 1st April, 2014 to 31st March, 2015.

The Cabinet Member for Finance presented the report and noted that:-

- The figures in the report were based on the provisional local government finance settlement. The final settlement had now been received, however, this required only minor changes and did not affect the overall budget strategy. Revised figures would be incorporated in the report to the Council.
- Dudley Youth Council had submitted electronic and paper petitions calling for the views of young people to be taken into account and for the Council not to be cut funding for youth services. The report to the Council would be amended accordingly.

- The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 required that a named vote be taken on the revenue budget strategy and setting the Council Tax 2014/15 at the full Council meeting.

The Cabinet Member for Finance referred to the scale of the financial challenges faced by the Council as a result of reductions in Government funding. Significant efforts had been made to lobby for a fair deal for Dudley. Particular reference was made to the New Homes Bonus funding, which would now remain in Council control.

Full copies of the Equality Impact Assessments had been provided to Cabinet Members and the Opposition Members appointed to attend meetings of the Cabinet.

RESOLVED

- (1) That the Council be recommended to approve:-
- (a) The budget for 2014/15 and service allocations as set out in the report.
 - (b) That the statutory amounts required to be calculated for the Council's spending, contingencies and contributions to reserves; income and use of reserves; transfers to and from its collection fund; and council tax requirement, as referred to in Section 67(2)(b) be now calculated by the Council for the year 2014/15 in accordance with Sections 31A, 31B and 34 to 36 of the Local Government Finance Act 1992 as shown in Appendix 9 to the report.
 - (c) That, having calculated the aggregate in each case of the amounts in Appendix 9, the Council, in accordance with Section 30(2) of the Local Government Finance Act, 1992, agrees the following levels of Council Tax for Dudley Council services for 2014/15:-

Valuation Bands

A	B	C	D
£750.24	£875.28	£1000.32	£1125.36
E	F	G	H
£1375.44	£1625.52	£1875.60	£2250.72

Plus the amounts to be notified for the Police and Fire and Rescue Authority precepts.

- (d) The revision of 2013/14 budgets to reflect the variances set out in paragraph 15 of the report.
 - (e) That the Chief Executive, in consultation with the Director of Public Health and the Cabinet Member for Health and Wellbeing, be authorised to determine the allocation of the available public health grant funding for 2014/15.
 - (f) The Medium Term Financial Strategy as set out in the report.
- (2) That the Treasurer be authorised, in consultation with the Cabinet Member for Finance and the Opposition Spokesperson for Finance, to approve any changes to the budget proposals resulting from the final local government settlement and the setting of the Integrated Transport Authority Levy prior to the Council meeting on 3rd March, 2014, as set out in paragraphs 30 and 37 of the report.
 - (3) That the Council be recommended to determine that a referendum relating to Council Tax increases is not required in accordance with Chapter 4ZA of Part 1 of the Local Government Finance Act 1992.
 - (4) That Cabinet Members, the Chief Executive and Directors be authorised to take all necessary steps to implement the proposals contained in the report, in accordance with the Council's Financial Management Regime.
 - (5) That the Chief Executive and Directors be reminded to exercise strict budgetary control in accordance with the Financial Management Regime and care and caution in managing the 2014/15 budget, particularly in the context of commitments into later years and the impact that any overspending in 2014/15 will have on the availability of resources to meet future budgetary demands.
 - (6) That the Chief Executive and Directors, in consultation with the Leader, Deputy Leader and relevant Cabinet Members, be authorised to explore the areas set out in paragraph 55 of the report and report back to the Cabinet in July, 2014 with specific proposals.

- (7) That the arrangements for Local Government Pension Scheme employer contributions, set out in paragraph 31 of the report, including the implications for the Council's budgets for 2017/18 – 2019/20, be noted and that the Treasurer, in consultation with the Cabinet Member for Finance and the Opposition Spokesperson for Finance, be authorised to continue discussions with the Pension Fund and bring final proposals for approval by the Council on 3rd March, 2014.
- (8) That Directors be authorised to offer, through Human Resources, the opportunity of volunteering for redundancy to employees whose service is undergoing a restructure involving the saving of posts.
- (9) That the continued use of the delegated approvals process for any voluntary or compulsory redundancies be authorised.
- (10) That the Council be recommended to approve the Pay Policy Statement 2014 as set out in Appendix 11 to the report now submitted.

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

63

DEPLOYMENT OF RESOURCES: HOUSING REVENUE ACCOUNT AND PUBLIC SECTOR HOUSING CAPITAL

A joint report of the Director of Adult, Community and Housing Services and the Treasurer was submitted on proposals for the deployment of the Housing Revenue Account and associated matters for 2014/15 and in respect of the Housing Capital Programme for the period from 2014/15 to 2018/19.

RESOLVED

- (1) That a rent increase for Housing Revenue Account dwellings on 7th April, 2014, with an average increase of £1.22 (1.5%) and a maximum increase of £2.17 as outlined in paragraph 3 of the report, be approved.
- (2) That an increase of 3.2% in service charges, as outlined in paragraphs 5 and 7 of the report, be approved.
- (3) That an increase of 12% in heating and lighting charges for sheltered housing from an average weekly charge of £13.11 to an average weekly charge of £14.43, other than at The Gables and Netherton Lodge where charges will remain at their current rates, as set out in paragraph 6 of the report, be approved.

- (4) That an increase from £2.10 to £2.20 for laundry tokens, as outlined in paragraph 8 of the report, be approved.
- (5) That an increase of 1.5% to the current charge for pitch licences at Oak Lane, as outlined in paragraph 9 of the report, be approved.
- (6) That an increase of 1.5% in water charges at Oak Lane to £6.25 per week, as set out in paragraph 9 of the report, be approved.
- (7) That maintaining the leaseholders' administration fee at current levels, as outlined in paragraph 10 of the report, be approved.
- (8) That maintaining charges for private Telecare clients at current levels, as outlined in paragraph 11 of the report, be approved.
- (9) That an increase of 11.8% for garage plot rent and access agreements, and the dates proposed for future increases, as set out in paragraphs 13 and 15 of the report, be approved.
- (10) That an increase in garage rents as outlined in paragraph 14 and the dates proposed for future increases, as set out in paragraph 15 of the report, be approved.
- (11) That the Council be recommended:-
 - (a) To approve the revised Housing Revenue Account budget for 2013/14 and the Housing Revenue Account budget for 2014/15, as outlined in Appendix 1 of the report.
 - (b) To approve the public sector housing revised capital budget for 2013/14 and the capital budget for 2014/15 to 2018/19 attached as Appendix 2 to the report.
 - (c) To authorise the Director of Adult, Community and Housing Services and the Director of Corporate Resources to bid for and enter into funding arrangements for additional resources to supplement investment in the public sector housing stock as outlined in paragraphs 25 and 26 of the report.
 - (d) To authorise the Director of Adult, Community and Housing Services, in consultation with the Cabinet Member for Housing and Community Safety, to manage and allocate resources to the capital programme as outlined in paragraph 27 of the report.

- (e) To confirm that all capital receipts arising from the sale of HRA assets (other than those specifically committed to support private sector housing) continue to be used for the improvement of council homes, as set out in paragraph 27 of the report.
- (f) To authorise the Director of Adult, Community and Housing Services to procure and enter into contracts for the delivery of the capital programme, as outlined in paragraph 28 of the report.
- (g) To receive the Housing Revenue Account medium term financial strategy and thirty year business plan attached as Appendix 4 to the report.

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

64

CAPITAL PROGRAMME MONITORING

A joint report of the Chief Executive and the Treasurer was submitted on progress with the implementation of the Capital Programme and proposing certain amendments. The report also set out proposals in relation to the "Prudential Indicators" as required to be determined by the Chartered Institute of Public Finance and Accountancy (CIPFA) Prudential Code for Capital Finance in Local Authorities and the Local Government Act, 2003. The report also sought approval in relation to the Council's Minimum Revenue Provision (MRP) Policy for 2014/15.

RESOLVED

- (1) That the result of the Post Completion Review of relevant capital projects, as set out in Appendix C of the report, be noted.
- (2) That the Council be recommended:-
 - (a) That current progress with the 2013/14 Capital Programme, as outlined in Appendix A, be noted and that budgets be amended to reflect the reported variance.
 - (b) That the Disabled Facilities Grant allocation for 2014/15 be noted and the associated expenditure funded from this and other available Housing capital resources be included in the Capital Programme, as set out in paragraph 7 of the report.

- (c) That the revised funding for the Tiled House Lane Residential Home project be approved, and the Capital Programme amended accordingly, as set out in paragraph 8 of the report.
- (d) That it be noted that the programme to be funded from Adult Personal Social Services Capacity Grant this year includes £17,000 of expenditure on fire safety compliance work at Halesowen Library, and also that the Director of Adult, Community and Housing Services be authorised to allocate such funding for similar purposes, as appropriate within the overall objectives of the grant allocations, as set out in paragraph 9 of the report.
- (e) To approve the revised project for the provision of an MOT Testing Facility, as outlined in paragraph 10 of the report.
- (f) To approve the project to renew all Pay and Display machines and its inclusion in the Capital Programme, as outlined in paragraph 11 of the report.
- (g) To approve the Better Bus Area project and its inclusion in the Capital Programme, as set out in paragraph 12 of the report.
- (h) That the Schools Basic Need allocations for 2015/16 and 2016/17 be noted and the associated expenditure included in the Capital Programme, as set out in paragraph 13 of the report.
- (i) That the Schools Capital Maintenance allocation for 2015/16 be noted and the associated expenditure included in the Capital Programme, as set out in paragraph 14 of the report.
- (j) That the Schools Devolved Capital allocation for 2015/16 be noted and the associated expenditure included in the Capital Programme, as set out in paragraph 15 of the report.
- (k) That the Universal Infant Free School Meals allocation be noted and the associated expenditure included in the Capital Programme, as set out in paragraph 16 of the report.
- (l) That the Prudential Indicators as required to be determined by the CIPFA Prudential Code for Capital Finance in Local Authorities and the Local Government Act 2003, as set out in Appendix D to the report, be approved.

- (m) That the Minimum Revenue Provision Policy for 2013/14 be approved as set out in paragraph 21 of the report.

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

65

DUDLEY BUSINESS INVESTMENT ZONE

A joint report of the Directors of the Urban Environment and Corporate Resources was submitted on the creation of the Dudley Business Investment Zone at the Waterfront area of Brierley Hill.

RESOLVED

That the Council be recommended:-

- (1) To approve the creation of a Dudley Business Investment Zone at the Waterfront area of Brierley Hill from the start of the 2014/15 financial year.
- (2) That the Cabinet Member for Regeneration be authorised to determine the composition of the Management Board.
- (3) That the Directors of the Urban Environment and Corporate Resources, in consultation with the Cabinet Members for Regeneration and Finance, be authorised to:-
 - (i) Negotiate and enter into the required legal agreements for the Dudley Business Investment Zone.
 - (ii) Create appropriate delegations for the financial administration of the Dudley Business Investment Zone.
 - (iii) Update and amend the draft management framework.
 - (iv) Amend the Council's discretionary rate relief policy to allow the reduction in business rates for businesses within the designated area for the Dudley Business Investment Zone, as detailed in the report.

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

66

ADOPTION OF THE MEMBERS AND OFFICERS CODE OF CONDUCT –
PLANNING MATTERS

A report of the Director of the Urban Environment was submitted on the amended Members and Officers Code of Conduct for Planning Matters. A query was raised concerning references in the Code to formal and informal site visits and a response would be provided accordingly.

RESOLVED

That the Council be recommended to approve the revised Members and Officers Code of Conduct for Planning Matters.

67

HIGH STREET INNOVATION FUND AND EMPTY SHOPS GRANT

A report of the Director of the Urban Environment was submitted on the expenditure of the High Street Innovation Fund and the remainder of the Empty Shops Grant.

RESOLVED

- (1) That the allocation of the Empty Shops Grant and High Street Innovation Fund, on the basis outlined in paragraphs 14 to 16 of the report, be approved.
 - (2) That the Director of the Urban Environment, in consultation with the Cabinet Member for Regeneration, be authorised to prepare eligibility criteria for the allocation of Empty Shops Grant and High Street Innovation Fund and issue grants to eligible applicants up to the limit of the Department of Communities and Local Government grant allocations.
 - (3) That the Director of Corporate Resources be authorised to determine applications for funding from the High Street Innovation Fund and the remainder of the Empty Shops Grant, based on recommendations from Community Forums, in the same manner as the existing Community Forum Area Grants process.
-

68

PROVIDING SOCIAL HOUSING FOR LOCAL PEOPLE – STATUTORY
GUIDANCE ON SOCIAL HOUSING ALLOCATIONS FOR LOCAL
AUTHORITIES IN ENGLAND.

A report of the Director of Adult, Community and Housing Services was submitted summarising the statutory guidance on Social Housing allocations for Local Authorities in England.

RESOLVED

- (1) That a residency requirement be included as part of the qualification criteria requiring the applicant (or member of the applicant's household) to have lived in the Dudley Borough, subject to exemptions, for a period of two years; this to be implemented initially for a period of twelve months to enable a full evaluation and assessment of the overall impact.
- (2) That the Cabinet Member for Housing and Community Safety and the Director of Adult, Community and Housing Services be authorised to consider the guidance and ensure that the allocations policy is in line with the requirements of this statutory guidance.

69

ISSUES ARISING FROM SCRUTINY COMMITTEES.

No issues were reported under this item.

The meeting ended at 6.55pm

LEADER OF THE COUNCIL

MEETING OF THE CABINET

Wednesday, 12th March, 2014 at 6.00 p.m.
in Committee Room 2 at the Council House, Dudley

PRESENT:-

Councillor Sparks (Leader of the Council) (Chair)
Councillor Lowe (Deputy Leader)
Councillors K Ahmed, Branwood, Foster, Partridge, S Turner and Waltho.

Conservative Group Members appointed to attend meetings of the Cabinet: Councillors Evans, Harley, James, Kettle, Miller and Mrs Simms.

OFFICERS:-

Chief Executive, Director of Adult, Community and Housing Services, Director of Corporate Resources, Director of the Urban Environment, Interim Director of Children's Services, Director of Public Health, Treasurer, Planning Policy Manager, Head of Economic Development and the Democratic Services Manager.

OBSERVER:-

Councillor Perks.

70 APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received on behalf of Councillors Crumpton, Vickers, Wood and Wright.

71 CHANGES IN REPRESENTATION OF OPPOSITION GROUP MEMBERS

It was reported that Councillors Evans and Miller were serving in place of Councillors Vickers and Wright for this meeting only.

72 DECLARATIONS OF INTEREST

Councillors Evans and Sparks declared non-pecuniary interests, in accordance with the Members Code of Conduct, in relation to Dudley Town Centre Regeneration and associated matters as Directors of Dudley Zoo.

73

MINUTES

RESOLVED

That the minutes of the meeting of the Cabinet held on 12th February, 2014, be approved as a correct record and signed.

74

CAPITAL PROGRAMME MONITORING

The Cabinet considered a report on progress with the implementation of the Capital Programme and proposing certain amendments.

The Director of the Urban Environment undertook to provide information to Councillor Evans concerning plastic and cardboard recycling.

RESOLVED

- (1) That the results of the Post Completion Reviews of relevant capital projects, as set out in Appendix C to the report, be noted.
- (2) That the Interim Director of Children's Services be authorised to submit an application for funding to Salix for the Schools Energy Efficiency project, as set out in paragraph 6 of the report.
- (3) That the Council be recommended:-
 - (a) That current progress with the 2013/14 Capital Programme as set out in Appendix A to the report be noted and that budgets be amended to reflect the reported variance.
 - (b) That in respect of the Mortgage Rescue Scheme, expenditure of £500,000 plus the value of any associated Housing and Communities Agency Grant be added to the public sector housing capital programme over five years, and that the Director of Corporate Resources be authorised to acquire properties suitable for Mortgage Rescue on behalf of the Council, as set out in paragraph 5 of the report.
 - (c) That, subject to the application for funding being successful, the Schools Energy Efficiency project be approved and included in the Capital Programme, as set out in paragraph 6 of the report.

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

75 CORPORATE QUARTERLY PERFORMANCE MANAGEMENT REPORT

The Cabinet considered a report on the corporate quarterly performance management report for the period 1st October to 31st December, 2013.

Councillor Miller raised a concern about advice given to a resident about the Mortgage Rescue Scheme. The Deputy Leader noted the comments and suggested that any individual cases should be raised with the relevant Directorate.

Councillor Harley referred to the tourism strategy and action plan and asked for an update on the development of the strategy. He also expressed concerns about the lack of progress on improving the website to promote tourism. The Deputy Leader indicated that he would investigate progress on the website development. A report on the tourism strategy would be submitted to a future meeting.

RESOLVED

- (1) That the corporate quarterly performance management report be approved.
- (2) That the consideration of the report by the Corporate Performance Management, Efficiency and Effectiveness Scrutiny Committee be noted.

76 PUBLIC CONSULTATION ON THE DUDLEY AREA ACTION PLAN
'ISSUES AND OPTIONS' STAGE DOCUMENT

The Cabinet considered a report on the Dudley Area Action Plan (AAP) Issues and Options document to be used as a basis for public consultation.

RESOLVED

That the Dudley Area Action Plan Issues and Options document be approved as the basis for public consultation, commencing on 14th March, 2014, for a period of six weeks.

77 DUDLEY TOWN CENTRE REGENERATION

The Cabinet considered a report on regeneration activity in and around Dudley Town Centre together with associated financial issues.

Councillor Harley referred to the three approved planning applications for major foodstores in the Town Centre and raised concerns about the timescale for development and potential delays over land ownership issues. The Cabinet Member for Regeneration indicated that a decision on the preferred scheme was expected by the end of the summer 2014. Professional advice and guidance was being obtained to minimise any potential delays in regeneration schemes.

A query was raised concerning the projected revenue implications of the proposed Tower Street multi-storey car park. The Cabinet Member for Regeneration reported that the Council would only proceed with the scheme once it was satisfied that the financial implications were sustainable. The Cabinet Member also emphasised the links between the retail/shopping opportunities, the improvements to car parking provision, public realm works and the wider regeneration activity in and around the Town Centre.

The Leader responded to issues raised concerning the transport infrastructure taking account of the ambition to attract a significant amount of additional visitors to the Town Centre.

RESOLVED

- (1) That the Council be recommended to approve and include the proposed Tower Street car park in the Capital Programme.
- (2) That the regeneration activity underway in and around Dudley Town Centre be noted.
- (3) That authority be given to incur capital expenditure of up to £9 million on regeneration activity in Dudley Town Centre and Castle Hill in advance of capital receipts from the project.
- (4) That reports be submitted to the Cabinet at least annually to review the implications on the Dudley Town Centre Area Development Framework programme of any variances in the value and timing of project costs and capital receipts.

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

APPROVAL FOR CONSULTATION OF THE COMMUNITY INFRASTRUCTURE LEVY DRAFT CHARGING SCHEDULE AND DRAFT REGULATION 123 LIST

The Cabinet considered a report on the development of a Community Infrastructure Levy (CIL) and seeking approval for the Draft Charging Schedule (DCS) and Draft Regulation 123 List to be published for a six-week period of public consultation.

RESOLVED

That approval be given to the publication of the Draft Charging Schedule, for a six-week period of public consultation, commencing on 14th March, 2014.

79

RAIL DEVOLUTION

The Cabinet considered a report seeking support to ongoing negotiations by Centro for a devolved rail contract for the West Midlands to be known as 'West Midlands Rail'.

RESOLVED

That approval be given to the signing of a letter of 'in principle' support for the proposal for rail devolution in the West Midlands and the outline governance arrangements.

80

BLACK COUNTRY JOINT EXECUTIVE COMMITTEE – COLLABORATION AGREEMENT

The Cabinet considered a report seeking approval for the Council to enter into a Collaboration Agreement in relation to the Black Country Executive Joint Committee.

RESOLVED

- (1) That the Council enter into a Collaboration Agreement with Walsall, Wolverhampton and Sandwell Councils and the Black Country Consortium.
 - (2) That the Directors of Corporate Resources and the Urban Environment be authorised to negotiate the terms of the Collaboration Agreement and to renegotiate them as and when required.
 - (3) That the Cabinet Member for Regeneration represent the Council on the Black Country Executive Joint Committee's Advisory Board.
 - (4) That the Cabinet Member for Regeneration, in consultation with the Directors of Corporate Resources and the Urban Environment, be authorised to agree the procedures for the development of projects to be considered for approval by the Black Country Executive Joint Committee.
-

81

ISSUES ARISING FROM SCRUTINY COMMITTEES

No issues were reported under this item.

The meeting ended at 6.40pm

LEADER OF THE COUNCIL

DELEGATED DECISION SUMMARIES

(Copies of Decision Sheets on the new decisions database can be accessed by logging on to

<http://online.dudley.gov.uk/dudco/decision/decisions.asp>)

1.

Delegated Decision Summary

Exempt
Yes No

Decision Made By Cllr Khurshid Ahmed

Authorised By Cllr Khurshid Ahmed, Cabinet Member for Transport

In Consultation With John Millar, Director of the Urban Environment

Ward(s) Affected Coseley East

Date of Decision 21 February 2014

Reference DUE/07/2014

Allocation of new road name off Martin Close, Coseley

1.1 That the road identified on plan no. T&T/D/RN/193 be named 'Growers Meadow'.

2.

Delegated Decision Summary

Exempt
Yes No

Decision Made By Cllr Khurshid Ahmed

Authorised By Cllr Khurshid Ahmed, Cabinet Member for Transport

In Consultation With John Millar, Director of the Urban Environment

Ward(s) Affected All

Date of Decision 24 February 2014

Reference DUE/08/2014

TRANSPORTATION FEES AND CHARGES 2014/2015

That approval is given for the fees and charges relating to services as described in the appended document.

3.

Delegated Decision Summary

Exempt
Yes No

Decision Made By Cllr Khurshid Ahmed

Authorised By Cllr Khurshid Ahmed, Cabinet Member for Transport

In Consultation With John Millar, Director of the Urban Environment

Ward(s) Affected Belle Vale
Halesowen South

Date of Decision 27 February 2014

Reference DUE/10/2014

Pedestrian Facilities Programme 2013/14 – (B4183) Hagley Road, Halesowen

1.1 That the Zebra Crossing along Hagley Road, Halesowen outside Hasbury C of E Primary School, be implemented as advertised.

4.

Delegated Decision Summary

Exempt
Yes No

Decision Made By Cllr Khurshid Ahmed
Authorised By Cllr Khurshid Ahmed, Cabinet Member for Transport
In Consultation With John Millar, Director of the Urban Environment
Ward(s) Affected All
Date of Decision 27 February 2014

Reference DUE/09/2014

Local Transport Plan 3 Integrated Transport Block Allocation for 2014/15

1.1 That the Local Transport Plan (LTP3) Integrated Transport (IT) Block Allocation for 2014/15 be approved.

5.

Delegated Decision Summary

Exempt
Yes No

Decision Made By Cllr Khurshid Ahmed
Authorised By Cllr Khurshid Ahmed, Cabinet Member for Transport
In Consultation With John Millar, Director of the Urban Environment
Ward(s) Affected Wollaston & Stourbridge
Town
Date of Decision 14 March 2014

Reference DUE/11/2014

To make experimental order of Parking Places, in Drury Lane, Stourbridge, permanent

1.1 That the experimental Traffic Regulation Order (TRO) The Borough Council of Dudley (Drury Lane, Stourbridge) (Experimental Parking Places) (No 3 Order type) (Amendment 1) Order 2013 be made permanent.

6.

Delegated Decision Summary

Exempt
Yes No

Decision Made By Councillor Tim Crumpton
Authorised By Councillor Tim Crumpton, Children's Services and Lifelong Learning
In Consultation With Pauline Sharratt, Interim Director of Children's Services
Ward(s) Affected All
Date of Decision 24 February 2014

Reference DCS/05/2014

Catering and Client Services Price Increases 2014 - School Meals

To increase the price charged for a school meal by 10p in all Primary and Special Schools and to increase the prices charged for individually priced food items in Primary and Secondary Schools by up to 5.2% as from the 28 April 2014. Proposed meal price will be as follows:

Pupil Meals price will increase from £1.90 to £2.00.

The price of an adult meal will increase from £3.00 to £3.15 (including VAT at 20.0%).

The increase is based on a 5.2% rise, which includes inflation to cover increases in food and overheads, and an element to contribute towards recouping the true labour costs brought about by the corporate job evaluation process.

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

Decision Made By Councillor Tim Crumpton
Authorised By Councillor Tim Crumpton, Children's Services and Lifelong Learning
In Consultation With Pauline Sharratt, Interim Director of Children's Services
Ward(s) Affected All
Date of Decision 14 March 2014 **Reference** DCS/08/2014

Dudley Schools Forum Non School Member Appointment

In respect of Dudley Schools Forum, to approve the appointment of one Non Schools' Member representative for the Early Years Provider Reference Group, nominated by the Private, Voluntary and Independent from 1 March 2014, to replace the existing representative who has resigned from the role.

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

Decision Made By Councillor Tim Crumpton
Authorised By Councillor Tim Crumpton, Children's Services and Lifelong Learning
In Consultation With Pauline Sharratt, Interim Director of Children's Services
Ward(s) Affected Norton
Pedmore & Stourbridge East
Wollaston & Stourbridge
Town
Date of Decision 14 March 2014 **Reference** DCS/06/2014

New Instrument of Government for Thorns Community College

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

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

Decision Made By Councillor Tim Crumpton
Authorised By Councillor Tim Crumpton, Children's Services and Lifelong Learning
In Consultation With Pauline Sharratt, Interim Director of Children's Services
Ward(s) Affected All
Date of Decision 14 March 2014 **Reference** DCS/07/2014

Dudley Schools Forum School Member Appointments

In respect of Dudley Schools Forum, to approve the appointment of Mr K Bate, Principal and Chief Executive of Halesowen College as a non Schools Member to represent the Providers of Further Education for 16-19 Education in Dudley from 1 January 2014 for the three year period to 30 April 2017.

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

Decision Made By Councillor Tim Crumpton
Authorised By Councillor Tim Crumpton, Children's Services and Lifelong Learning
In Consultation With Pauline Sharratt, Interim Director of Children's Services
Ward(s) Affected All
Date of Decision 20 March 2014 **Reference** DCS/09/2014

Dudley Schools Forum School Member Appointment

In respect of Dudley Schools Forum, to approve the appointment of one Schools' Member from 1 January 2014 to replace an existing head teacher who is retiring.

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

Decision Made By Councillor Tim Crumpton
Authorised By Councillor Tim Crumpton, Children's Services and Lifelong Learning
In Consultation With Pauline Sharratt, Interim Director of Children's Services
Ward(s) Affected Wollaston & Stourbridge
Town
Pedmore & Stourbridge East
Lye and Stourbridge North
Date of Decision 24 March 2014 **Reference** DCS/13/2014

New Instrument of Government for Blanford Mere Primary School

To approve the sealing of a new Instrument of Government for Blanford Mere Primary School.

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

Decision Made By Councillor Tim Crumpton
Authorised By Councillor Tim Crumpton, Children's Services and Lifelong Learning
In Consultation With Pauline Sharratt, Interim Director of Children's Services
Ward(s) Affected Wollaston & Stourbridge
Town
Pedmore & Stourbridge East
Lye and Stourbridge North
Date of Decision 24 March 2014 **Reference** DCS/10/2014

New Instrument of Government for Peter's Hill Primary School

To approve the sealing of a new Instrument of Government for Peter's Hill Primary School.

13.

Delegated Decision Summary

Exempt

Yes No

Decision Made By Councillor Tim Crumpton

Authorised By Councillor Tim Crumpton, Children's Services and Lifelong Learning

In Consultation With Pauline Sharratt, Interim Director of Children's Services

Ward(s) Affected Brierley Hill
Brockmoor & Pensnett

Date of Decision 24 March 2014

Reference DCS/11/2014

New Instrument of Government for Brierley Hill Primary School

To approve the sealing of a new Instrument of Government for Brierley Hill Primary School.

14.

Delegated Decision Summary

Exempt

Yes No

Decision Made By Councillor Tim Crumpton

Authorised By Councillor Tim Crumpton, Children's Services and Lifelong Learning

In Consultation With Pauline Sharratt, Interim Director of Children's Services

Ward(s) Affected Kingswinford North &
WallHeath
Kingswinford South
Wordsley

Date of Decision 24 March 2014

Reference DCS/12/2014

New Instrument of Government for Glynne Primary School

To approve the sealing of a new Instrument of Government for Glynne Primary School.

15.

Delegated Decision Summary

Exempt
Yes No

Decision Made By Councillor Judy Foster
Authorised By Councillor Judy Foster, Cabinet Member for Regeneration
In Consultation With John Millar, Director of the Urban Environment
Ward(s) Affected Brierley Hill
Date of Decision 18 March 2014 **Reference** DUE/12/2014

Article 4 Direction – Waterfront, Brierley Hill

1.To request that the Council’s Cabinet Member for Economic Regeneration approve the making of a Direction under Article 4(1) of the Town and County Planning (General Permitted Development) Order 1995 so that at The Waterfront Brierley Hill (as shown on the map appended to this decision as Figure 1).

a.the change of use of the office accommodation (Class B1a) to residential accommodation (Class C3) in respect of all of area edged black but excluding area edged red on the plan.

b.the demolition of the office accommodation, in respect of the areas edged red and black on the plan.

Comes under the control of the Local Planning Authority.

1.1 To serve notice of the Direction in accordance with Article 5.

1.2 To submit a copy of the Direction to the Secretary of State in accordance with Article 6(2).

1.3 Delegated authority to the Director of the Urban Environment to confirm the order within the required 6 month period post service.

16.

Delegated Decision Summary

Exempt
Yes No

Decision Made By Councillor Judy Foster
Authorised By Councillor Judy Foster, Cabinet Member for Regeneration
In Consultation With John Millar, Director of the Urban Environment
Ward(s) Affected All
Date of Decision 21 March 2014 **Reference** DUE/14/2014

Economic Regeneration Fees and Charges 2014/2015

That approval is given for the fees and charges relating to services as described in the Appended Documents:

- Dudley Markets 2014 to 2015
- Section 106 Landscape Services Works 2014 to 2015

That the Director of the Urban Environment, in consultation with the Cabinet Member for Regeneration, be authorised to set temporary Dudley Market stall rents for the period of the Market Place refurbishment works.

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

Decision Made By Councillor Peter Lowe
Authorised By Councillor Peter Lowe, Deputy Leader and Cabinet Member for Finance
In Consultation With Iain Newman, Treasurer
Ward(s) Affected All
Date of Decision 20 February 2014 **Reference** DCR/04/2014

The approval to waive Standing Order No. 9.1

Approval be given to waive standing order 9.1, in respect of a contract negotiated with Learn Direct (formerly JHP) for delivery of qualification based training for Apprenticeships until September 2016.

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

Decision Made By Councillor Peter Lowe
Authorised By Councillor Peter Lowe, Deputy Leader and Cabinet Member for Finance
In Consultation With Philip Tart, Director of Corporate Resources
Ward(s) Affected All
Date of Decision 21 March 2014 **Reference** DCR/05/2014

Changes to the Council's Business Rates Discretionary Rate Relief (DRR) Policy

That the Council's Business Rates Discretionary Rate Relief (DRR) Policy is changed in order to facilitate a discount of up to £1,000 for qualifying retail premises recently announced by the Government.

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

Decision Made By Councillor Peter Lowe
Authorised By Councillor Peter Lowe, Deputy Leader and Cabinet Member for Finance
In Consultation With Iain Newman, Treasurer
Ward(s) Affected All
Date of Decision 27 March 2014 **Reference** DCR/06/2014

Approval to waive Standing Order 9 to award a contract extension by negotiation for an enhancement to the current Housing Benefit /Council Tax Reduction system

That approval is given to waive Standing Order 9 in respect of extending a contract by negotiation with Northgate Information Solutions UK Limited, to provide a Data Capture Service for Housing Benefit and Council Tax Reduction (HB/CTR) Application Forms.

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

Decision Made By Councillor Gaye Partridge
Authorised By Councillor Gaye Partridge, Cabinet Member for Human Resources, Legal
In Consultation With Philip Tart, Director of Corporate Resources
Ward(s) Affected St James's
Date of Decision 17 February 2014 **Reference** DCR/03/2014

APPROPRIATION OF LAND TO THE REAR OF ASHENHURST ROAD, DUDLEY

That the land to the rear of Ashenhurst Road, Dudley be appropriated from the purposes of the Housing Act to the purposes of the Education Act 1996.

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

Decision Made By Councillor Gaye Partridge
Authorised By Councillor Gaye Partridge, Cabinet Member for Human Resources, Legal
In Consultation With Teresa Reilly, Assistant Director
Ward(s) Affected All
Date of Decision 17 February 2014 **Reference** HOPSS/08/2014

Termination of employment on the grounds of redundancy.

To seek approval to terminate the contract of employment of DM on the grounds of redundancy in accordance with the Council's Redeployment & Retraining Policy (October 2011) and Managing Employees at Risk of Redundancy Policy (November 2013)

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

Decision Made By Councillor Gaye Partridge
Authorised By Councillor Gaye Partridge, Cabinet Member for Human Resources, Legal
In Consultation With Teresa Reilly, Assistant Director
Ward(s) Affected Norton
Pedmore & Stourbridge East
Wollaston & Stourbridge
Town
Date of Decision 24 February 2014 **Reference** HOPSS/09/2014

Approval to recruit a temporary Heritage Ranger for the Mary Stevens Park restoration project, funded by Heritage Lottery Funding.

Approval is given to the recruitment and appointment of a Heritage Ranger for the Mary Stevens Park restoration project for the next 3 years, funded by Heritage Lottery Funding.

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

Decision Made By Councillor Gaye Partridge
Authorised By Councillor Gaye Partridge, Cabinet Member for Human Resources, Legal
In Consultation With Teresa Reilly, Assistant Director
Ward(s) Affected All
Date of Decision 24 February 2014 **Reference** HOPSS/10/2014

Sessional Supervisors (zero hours), Dudley Youth Offending Service.

To create 5 part time sessional work supervisors (zero related contract) to deliver and supervisor reparation activity requirements.

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

Decision Made By Councillor Gaye Partridge
Authorised By Councillor Gaye Partridge, Cabinet Member for Human Resources, Legal
In Consultation With Teresa Reilly, Assistant Director
Ward(s) Affected All
Date of Decision 28 February 2014 **Reference** HOPSS/11/2014

The appointment of a temporary(1 year) Senior Transport Officer Post within the Children's Services Travel Support Team to deliver savings in the travel budgets

To appoint a temporary Senior Transport Officer to deliver planned savings against the Special Educational Needs Transport Budget

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

Decision Made By Councillor Gaye Partridge
Authorised By Councillor Gaye Partridge, Cabinet Member for Human Resources, Legal
In Consultation With Teresa Reilly, Assistant Director
Ward(s) Affected All
Date of Decision 06 March 2014 **Reference** HOPSS/12/2014

Change of Post, Catering Assistant to Assistant Cook to implement Universal Free School Meals, Funded by Queen Victoria Primary School

To change the vacant Catering Assistant post to Assistant Cook at Queen Victoria Primary School. 26½ hours per week, 9.00am – 2.15pm, Monday – Thursday, 9.00am – 2.30pm Friday. Term time only, in order to implement Universal Free School Meals. Funded by the School.

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

Decision Made By Councillor Gaye Partridge
Authorised By Councillor Gaye Partridge, Cabinet Member for Human Resources, Legal
In Consultation With Teresa Reilly, Assistant Director
Ward(s) Affected All
Date of Decision 13 March 2014 **Reference** HOPSS/13/2014

Create a Temporary Senior Social Worker for 1 year funded by Dudley CCG

Create a temporary full time senior reviewing social worker to carry out reviews of high cost complex learning disability packages of care on a one year contract funded by the Dudley CCG

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

Decision Made By Councillor Gaye Partridge
Authorised By Councillor Gaye Partridge, Cabinet Member for Human Resources, Legal
In Consultation With Teresa Reilly, Assistant Director
Ward(s) Affected All
Date of Decision 28 March 2014 **Reference** HOPSS/14/2014

Approval to recruit a Vehicle Inspector

Approval is given to the recruitment and appointment of a Vehicle Inspector to work from the Lister Road depot and the Environmental Management Division's new Taxi Testing, MOT & Driver Training Facility scheduled to open in May 2014.

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

Decision Made By Councillor Gaye Partridge
Authorised By Councillor Gaye Partridge, Cabinet Member for Human Resources, Legal
In Consultation With Teresa Reilly, Assistant Director
Ward(s) Affected All
Date of Decision 28 March 2014 **Reference** HOPSS/15/2014

Creation and appointment to post of Public Health Programme Manager Substance Misuse

To request the approval of a new post of Public Health Programme Manager (Substance Misuse) funded from deletion of two existing posts, releasing savings for investment in services for clients.

29.**Delegated Decision Summary****Exempt**

Yes No

 Decision Made By Councillor Gaye Partridge**Authorised By** Councillor Gaye Partridge, Cabinet Member for Human Resources, Legal**In Consultation With** Teresa Reilly, Assistant Director**Ward(s) Affected** All**Date of Decision** 28 March 2014**Reference** HOPSS/16/2014**Creation of approximately 191 additional hours of employment across Dudley Kitchen's in response to the initiative to provide free School meals for 5-7year olds**

To create approximately 191 hours of employment within Catering Services to ensure that schools are ready to fulfil their obligation to provide free school meals to children aged 5-7 years in September 2014 and to support an approach where existing catering staff are given the opportunity to increase hours with advertising of remaining vacancies.

30.**Delegated Decision Summary****Exempt**

Yes No

 Decision Made By Councillor David Sparks**Authorised By** Councillor David Sparks, Cabinet Member for Policy and Leader of the**In Consultation With** John Polychronakis, Chief Executive**Ward(s) Affected** All**Date of Decision** 27 February 2014**Reference** CE/01/2014**Substitute Member for the Black Country Consortium Ltd Directors Meetings and the Black Country Local Enterprise Partnership (LEP) Board Meetings**

To appoint the Cabinet Member for Transport as the authorised substitute to attend both the LEP Board meetings and the Black Country Consortium Directors meetings in the absence of the Leader.

31.**Delegated Decision Summary****Exempt**

Yes No

 Decision Made By Councillor Stuart Turner**Authorised By** Councillor Stuart Turner, Cabinet Member for Health and Wellbeing**In Consultation With** John Millar, Director of the Urban Environment**Ward(s) Affected** All**Date of Decision** 17 February 2014**Reference** DUE/06/2014**Environmental Health & Trading Standards Fees and Charges 2014/2015**

That approval is given for the fees and charges relating to services as described in the appended document.

32.**Delegated Decision Summary****Exempt**

Yes No

 Decision Made By Councillor Stuart Turner**Authorised By** Councillor Stuart Turner, Cabinet Member for Health and Wellbeing**In Consultation With** John Millar, Director of the Urban Environment**Ward(s) Affected** Castle & Priory**Date of Decision** 19 March 2014**Reference** DUE/13/2014**Suspension of Environmental Permit for non-payment of subsistence fee – Alusteel Foundry Limited, 1 Dormston Trading Estate, Dudley, DY1 2UF**

1.1 To suspend the Environmental Permit held by Alusteel Foundry Limited in accordance with Regulation 65(5) of the Environmental Permitting (England and Wales) Regulations 2010 (As Amended) for non-payment of a subsistence fee.

33.**Delegated Decision Summary****Exempt**

Yes No

 Decision Made By Councillor Steve Waltho**Authorised By** Councillor Steve Waltho, Cabinet Member for Housing and Community**In Consultation With** Andrea Pope-Smith, Director of Adult, Community and Housing Services**Ward(s) Affected** All**Date of Decision** 11 March 2014**Reference** DACHS/002/2014**Mortgage Rescue**

To become a syndicated partner to the Mortgage Rescue Scheme currently led by Orbit First Step (a Registered Provider).

To authorise the Director of Corporate Resources to agree the acquisition of individual properties on a case by case basis.

To authorise the Director of Adult, Community & Housing Services to determine the type of tenancy and rent regime offered on a case by case basis.