

COMMITTEE AND SUB- COMMITTEE MINUTES

**SEPTEMBER 2013
TO
NOVEMBER 2013**

**AND
DELEGATED DECISION
SUMMARIES**

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

LIST OF MEETINGS

<u>Committee/Fora</u>	<u>Dates</u>	<u>Pages</u>	
		<u>From</u>	<u>To</u>
<u>COMMUNITY FORA</u>			
Netherton, Woodside and St Andrews and Quarry Bank and Dudley Wood	04/11/2013	NWSAQBDWCF/9	NWSAQBDWCF/13
Castle and Priory, St James's and St Thomas's	04/11/2013	CPSJSTCF/9	CPSJSTCF/13
Coseley East and Sedgley	05/11/2013	CESCF/6	CESCF/9
Gornal and Upper Gornal and Woodsetton	05/11/2013	GUGWCF/9	GUGWCF/14
Norton, Pedmore and Stourbridge East and Wollaston and Stourbridge Town	06/11/2013	NPSEWSTCF/8	NPSEWSTCF/11
Halesowen North and Halesowen South Community Forum	06/11/2013	HNHSCF/8	HNHSCF/10
Kingswinford North and Wall Heath, Kingswinford South and Wordsley	12/11/2013	TO FOLLOW	
Amblecote, Cradley and Wollescote and Lye and Stourbridge North	12/11/2013	TO FOLLOW	
Brierley Hill and Brockmoor and Pensnett	12/11/2013	TO FOLLOW	
Belle Vale, Hayley Green and Cradley South	13/11/2013	BVHGCSCF/7	BVHGCSCF/9
<u>SCRUTINY COMMITTEES</u>			
Children's	23/09/2013	CS/3	CS/8
Adult, Community and Housing Services	24/09/2013	ACHS/13	ACHS/19
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Health	07/11/2013	HSC/10	HSC/15
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REGULATORY COMMITTEES

Appeals (Children's Services Transport Appeals Sub-) Committee

Appeals (Children's Services Transport Appeals Sub-) Committee	10/10/2013	APCST/3	APCST/4
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Development Control

Development Control Committee	08/10/2013	DC/45	DC/48
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Licensing and Safety

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Licensing Sub-Committee 1	15/10/2013	LSBC1/27	LSBC1/33
Licensing Sub-Committee 1	29/10/2013	LSBC1/34	LSBC1/39
Licensing Sub-Committee 1	05/11/2013	LSBC/40	LSBC/52
Licensing Sub-Committee 3	24/09/2013	LSBC3/19	LSBC3/23

Taxis

Taxis Committee	17/10/2013	T/23	T/29
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APPOINTMENTS COMMITTEE

Appointments Committee	06/11/2013	APP/1	APP/2
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DUDLEY HEALTH AND WELLBEING BOARD

Dudley Health and Wellbeing Board	26/09/2013	DHWB/4	DHWB/12
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ERNEST STEVENS TRUSTS
MANAGEMENT COMMITTEE

31/10/2013

EST/6

EST/8

Ernest Stevens Trusts Management
Committee

CABINET

Meeting of the Cabinet

30/10/2013

C/17

C/24

**ACTION NOTES OF THE MEETING OF NETHERTON, WOODSIDE AND
ST ANDREWS/QUARRY BANK AND DUDLEY WOOD
COMMUNITY FORUM**

Monday 4th November, 2013 at 6.30 pm at
Woodside Community Centre, Highgate Road, Dudley

PRESENT:-

Councillor Zada (Chair)
Councillor Cotterill (Vice-Chair)
Councillors Cowell, Duckworth, Sparks and Wood

Officers

Mr M Williams (current Lead Officer to the Forum) (Assistant Director, Environmental Management – Directorate of the Urban Environment), Mr A Tromans (Prospective Lead Officer to the Forum) and Mrs M Johal (both Directorate of Corporate Resources) and Ms Nichola Dakin – Dudley Council Plus

Together with eighteen members of the public.

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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.

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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) Reference was made to the need for a new Wardens base at the Saltwells Nature Reserve and it was commented that the matter seemed to have stagnated and that no information was forthcoming on its progress.

- (b) Complaints were being made by residents residing in flats in Knighton Road that the new wheelie bins were too big and problems were being experienced in storing them due to the limited space available for them. It was queried whether consideration could be given to offering them smaller bins.
- (c) Queried whether the choice based lettings system was fair as some tenants were able to get bigger houses than was required for their household. It was also queried whether tenants were being appropriately vetted as some families were coming into the area and causing disruption and trashing Council houses and subsequently the Council were having to repair those properties, which was a complete waste of Council resources. It was commented that bordering Councils were not giving an accurate and true report of tenants moving to the Dudley area and that Dudley were then experiencing the problems.

The Chair requested that individuals speak to the current Lead Officer to the Committee after the meeting with a view to providing further details and examples of issues that were occurring and that the Lead Officer be requested to submit a full report to the Chair and Vice-Chair. The Chair indicated that he would provide an update to the next meeting of the Community Forum and requested that an agenda item for the next meeting be included in this regard.

- (d) Although reported at the last meeting the blocked drains in Bradford Road had still not been cleared.
- (e) Several complaints were made about the service received from Dudley Council Plus in that service users had to wait for long periods on the telephone before their call was answered, messages were not being passed, staff would not put customers through direct to Directorates or Officers that they wished to speak to and that inappropriate questions were being asked of residents. However, some members of the public reported good service experiences from Dudley Council Plus.

The Leader of the Council stated that he would be requesting that a complete and thorough investigation of the service and complaints procedure be undertaken. There were varying responses and experiences in how matters were dealt with and he indicated that there should be a consistent approach and that everyone should receive the same service and response whether you are a member of the public or a Councillor. He urged that members of the public experiencing difficulties should contact him direct and he would ensure that the matter was passed to the relevant Officer with a view to action being taken.

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

- In response to a query an update on air pollution in Netherton was given in that a meeting had been held and that there were various plans to be implemented such as making Crossley Street into a one-way street and other traffic management schemes. The Cabinet Member for Environment and Culture undertook to provide a copy of the plan to the questioner.
- Request whether consideration could be given to extending the green bin collection to finish in November rather than October as leaves continued to fall. The Lead Officer stated that the action to cease collection in October had been taken to save money owing to budget constraints.
- Comments made that communication given regarding the consolidation of collection days was not clear and led to confusion. It was also requested whether consideration could be given to collecting additional black bags to compensate for the longer period that some households would have to wait to get their rubbish collected owing to the movement in collection days.

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WORKING WITH YOU – TOPICS RAISED BY LOCAL COUNCILLORS

Councillor Cotterill

- (a) Referred to Paint Cup Row, off Dudley Wood Road and requested that further information be made available relating to its unadopted status.
- (b) Commented that Westfield should take responsibility and maintain land owned by them without having to be reminded and in particular reference was made for the need to cut bushes at the top of High Street, Quarry Bank.
- (c) Referred to the clothing bin on Saltwells Road and indicated that he was trying to contact relevant people with a view to removing it as it was an eyesore.

Councillor Wood updated the Forum regarding problems that had been experienced in getting appointments at the Netherton Health Centre and she indicated that the Commissioning Support Unit (CSU) were investigating the complaint and that a survey would be undertaken to ascertain the problem. She undertook to provide an update to the next meeting.

Councillor Sparks referred to the parking of cars on the grass verge on Park Road, Quarry Bank and again requested that consideration be given to the installation of bollards to prevent further damage.

Councillor Duckworth referred to leaflets that had been circulated regarding “Dudley’s Big Switch” and urged people to register.

Councillor Cowell referred to the future of the Walk in Centre at Holly Hall and indicated that a consultation exercise was being undertaken and she urged members of the public to attend a drop-in session to express their views.

Councillor Zada

- (a) Informed the meeting that he had requested that Officers identify a suitable location for the placing of a Christmas Tree at Woodside.
- (b) Indicated that he had spoken to the Head of Traffic and Transportation with a view to consideration being given to the removal of waiting restrictions on the top part of Cradley Road.
- (c) Referred to disabled parking at Netherton Health Centre and indicated that a draft scheme had been drawn up.
- (d) Reported that there were uncertain rumours about Netherton Police Station and it was requested that investigative work be undertaken to ascertain its future.

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AREA GRANTS

A report of the Lead Officer was submitted on applications for funding. The Lead Officer also verbally reported on two further applications that had been received from Bowling Green Tenants and Residents Association and Unit3sixty since submission of the report.

AGREED TO RECOMMEND

That the Director of Corporate Resources approve the following:-

- (a) A grant in the sum of £750.64 to the Girl Guides – 5th Cradley Heath to help fund the purchase of Information Technology, storage and health and safety equipment.
- (b) A grant in the sum of £4000 to Brownies – 1st Quarry Bank to help fund activities and events to celebrate their centenary celebrations at local, district, divisional and national level.
- (c) A grant in the sum of £2162.20 to Dudley MBC – Directorate of the Urban Environment (Environmental Management Division) for the provision of Christmas Trees at Castleton Street, Netherton and High Street/Park Road, Quarry Bank.
- (d) Subject to a suitable location being identified a grant in the sum of £1081.10 to Dudley MBC – Directorate of the Urban Environment (Environmental Management Division) for the provision of a Christmas Tree at Woodside.

- (e) A grant in the sum of £5000 to Bowling Green Tenants and Residents Association for the erection of fencing around the land for security reasons.
- (f) A grant in the sum of £1000 be allocated from Quarry Bank and Dudley Wood Ward's allocation to Fast+Aid Charity No 1147703 to fund the purchase of a second vehicle to be used in the Dudley area so that they can respond quickly to 999 calls.

That the Director of Corporate Resources refuse the following:-

- (g) A grant in the sum of £5000 to Unit3sixty towards capital set up costs for an indoor recreation centre for the reasons that funding from the Community Forum should be allocated to local initiatives to directly benefit the people of Netherton.

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DATE, TIME AND VENUE OF NEXT MEETING

Noted that the next meeting of the Community Forum would be held on Wednesday 29th January, 2014 at Dudley wood Neighbourhood Learning and Community Centre, Pavillion Gardens, Dudley Wood Road, DY2 0DB.

The meeting ended at 8.15 p.m.

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

Monday 4th November, 2013 at 6.30 p.m.
at St Thomas's Community Network, Beechwood Road, Dudley

PRESENT: -

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

M Bowsher (Lead Officer to the Forum) – Directorate of Adult, Community and Housing Services, S Griffiths – Directorate of Corporate Resources; together with R Dugdale – Directorate of the Urban Environment; 2 representatives of Dudley Clinical Commissioning Group and 16 Members of the public .

15. **APOLOGIES FOR ABSENCE**

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

16. **WELCOME AND INTRODUCTIONS**

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

The Lead Officer referred to information circulated concerning Dudley's 'Big Switch' initiative and the 'Big Question' budget consultation.

17. **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) Request for improved lighting in Pearce Close, Russells Hall.
- (2) Request to remove green moss on pavements in Pearce Close, Russells Hall.

- (3) Request for improved marking of bus stops in Ashenhurst Road, Russells Hall.
- (4) Request to further extend a 'white line' road marking at the bottom of Pearce Close, Russells Hall.
- (5) Request to deal with rubbish at the top of Bushey Fields Road, Russells Hall and replace a road sign that had been thrown into the bushes.
- (6) Request for additional investment and improvements to Russells Hall playing field.
- (7) Request for the re-marking of disabled parking place at 1 Pearce Close, Russells Hall.
- (8) Request to attend to ivy on the side of 38 Ashenhurst Road, Russells Hall and remove rubbish from the back garden.
- (9) Concerns about the slippery road surface in Wrens Nest Road, Dudley and a request for the Council to carry out suitable testing.
- (10) Concerns relating to the installation of 'mismatched' floor tiles and units during a kitchen replacement to a property in Laurel Road, Dudley.

Reference was made to the severe financial constraints faced by the Council and the need for community activity to help deal with some of the issues of concern.

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

- Concerns about the effectiveness of road sweepers operating in the Wrens Nest area. Ward Councillors undertook to investigate this matter.
- Consultation concerning the re-opening of Blackacre Road, Dudley. The Cabinet Member for Transport reported that the consultation process was ongoing and no decisions had been taken. All consultation responses would be considered. It was acknowledged that this issue needed to be viewed in a wider context taking account of traffic flow in the town centre and other roads in the local vicinity.
- The Black Country Tool Bank initiative was promoted along with the ongoing efforts to establish a tool library.
- Request to reconsider the opening of public toilets in Dudley Town Centre on Sundays. Reference was made to ongoing consideration of this matter and potential discussions with the local business community.

- Issue of the 'no entry' gap in King Street, Dudley not being adhered to, and not being enforced.
- Various issues were raised concerning the Hippodrome in Castle Hill, Dudley, including a recent site visit by Members and Officers to view the outside of the building only; concerns about votes taken at the Development Control Committee on 5th August, 2013; the lack of responses to questions and the non-attendance of Councillors/MP at a recent public meeting. It was confirmed that the Development Control Committee had deferred the planning applications and no decision had yet been taken regarding demolition. The planning and regeneration issues were subject to separate processes. Mr Dugdale responded to issues concerning the conclusions of the independent consultant appointed to consider the business case and undertook to liaise with the Head of Planning concerning the responses to questions previously raised.
- Representatives of Dudley Clinical Commissioning Group (CCG) referred to the ongoing consultation on a new vision for Urgent Care in Dudley. The current consultation process would close on 24th December, 2013 and responses were encouraged. The proposals involved the closure of the Walk in Centre at Holly Hall, Dudley.

Members registered their concerns regarding the consultation process. The Community Forum also expressed its opposition to the closure of the Holly Hall Walk in Centre. However, Members were of the view that should the closure be pursued by the CCG, the Walk In facility should be relocated in Dudley Town Centre and not at Russells Hall Hospital.

18. WORKING WITH YOU – TOPICS RAISED BY LOCAL COUNCILLORS

- Councillor Ali made reference to regeneration initiatives affecting Dudley Town Centre and queried the position and timescales concerning proposed supermarket developments. Mr Dugdale reported on the ongoing process to identify the Council's preferred option and undertook to confirm the timescales involved. A request was made for the Councillors in the 3 wards represented on the Forum to be updated and consulted on future developments.
- Councillor Ali referred to the timing of the traffic lights on Bunns Lane, Dudley and the adverse affect this had on traffic flow.
- Councillor A Finch requested a progress report relating to the former King Arthur Public House.

19.

AREA GRANTS

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

Councillor Ali declared a non-pecuniary interest as a Director of St Thomas's Network.

AGREED:-

- (1) That the Director of Corporate Resources be recommended to approve the following:
 - A grant in the sum of £1,000 to Fast+Aid Charity towards the purchase of a second vehicle to be used in the Dudley area to be funded on the basis of equal contributions from the three wards represented on this Community Forum.
 - A grant in the sum of £2,500 to Wrens Nest Community Centre to carry out various internal improvements and enhancements across the site to be funded from the allocation to the Castle and Priory ward.
 - A grant in the sum of £250 to St Edmund King and Martyr Church, Castle Street, Dudley to replace lighting for the Church Tower Clock to be funded from the allocation to the St James's ward.
 - A grant in the sum of £1,000 to Old Park Tenants and Residents Association, towards a community fun day, to be funded from the allocation to the Castle and Priory Ward, subject to the additional £1,000 requested being referred to the Gornal/Upper Gornal and Woodsetton Community Forum for consideration as match funding.
 - A grant in the sum of £2,173.50 to the Whole Child Foundation CIC to provide a pilot extended project session for young people at St Thomas's Network during the February, 2014 half-term school holidays to be funded from the allocation to the St. Thomas's ward.

- (2) That the Lead Officer, in consultation with the Chair and Vice-Chair, be authorised to make an urgent recommendation to the Director of Corporate Resources on the application for up to £2,536.94 received from the Environmental Management Division relating to Christmas trees, subject to clarification of the contributions made by the former Area Committees and consideration of the funding mechanism for future expenditure of this nature.
 - (3) That the application received in relation to Unit 3sixty, Stourbridge be deferred until the next meeting of the Forum.
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20. NEXT MEETING

The next meeting of the Community Forum would be on Tuesday, 28th January, 2014 at 6.30pm at St Barnabas Church, Middlepark Road, Russells Hall, Dudley.

The meeting ended at 8.15 pm

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

Tuesday 5th November 2013 at 6.30 pm
at Age Concern, Ettymore Road, Sedgley

PRESENT:-

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

Officers:-

Mr B Clifford (current Lead Officer to the Forum) (Assistant Director, Health Reform Programme Lead – Directorate of Adult, Community and Housing Services), Mr S Cooper (Prospective Lead Officer to the Forum) (Head of Strategic Asset Planning) and Mrs M Johal (both Directorate of Corporate Resources)

Together with eight members of the public.

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WELCOME AND INTRODUCTIONS

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

15

LISTENING TO YOU – QUESTIONS AND COMMENTS FROM LOCAL RESIDENTS

Local residents raised issues and made comments as set out below.

Nature of issue/question/comment

- Complaints made about yellow lines that had been placed on Nicholds Close, Coseley and that it caused parking problems as there was no where for residents and visitors to park. Also parking problems were created by people using Coseley Train Station and that vehicles were being double parked on the bend at Christchurch C of E School which was dangerous.

In responding the Vice-Chair stated that parking restrictions had been placed around the area because of complaints made by residents that they were being blocked in by people using their cars to drop off and pick children up from school and from people using Coseley Train Station. However, she undertook to ascertain the times of the restrictions owing to some confusion. Ward Members also stated that consideration would be given to removing restrictions from streets if requested by residents. During the debate the meeting were informed that attempts had been made to try and persuade Centro to provide adequate parking for their customers but the final response from them was that they would not extend parking facilities in Coseley.

- Dissatisfaction expressed about the possible increase in levy rates for Community Associations.
- Complaints made about the volume and speed of traffic around the area, particularly on the Northway and that there was no weight restriction which led to large commercial vehicles using the road which caused problems as they did not have sufficient room to manoeuvre. It was requested that consideration be given to introducing a weight restriction of 7.5 tonnes on the Northway.
- Although not in this jurisdiction a signpost at Wodehouse Island on the A449, and when using satellite navigation systems, directed traffic (particularly heavy goods vehicles) to Walsall via Sedgley. It was suggested that relevant Authorities be contacted to agree to direct heavy vehicles to use the Birmingham New Road to get to the Black Country Route and then on to Walsall. It was also requested that consideration be given to introducing a 7.5 tonnes weight restriction on Wodehouse Lane or at the Sedgley Boundary on Gospel End Road.
- The proposed housing development at Baggeridge Brick Works would generate additional vehicles and extra traffic from prospective residents and there would also be additional heavy goods vehicles using the roads whilst construction takes place. This further supported the need for the introduction of a 7.5 tonnes weight restriction on Gospel End Road.
- Complaint made about speeding on the Northway, particularly at the Wolverhampton Road end and several incidents that had occurred were referred to. Complaints had been made to the Police and to the Council and fixed penalty notices had been issued and other measures had taken place but with limited effect. It was requested that consideration be given to an overall engineering solution to minimise the facility to travel at speed.
- Traffic coming into the Bull Ring from the Dudley direction was halted by traffic lights outside the Clifton which created problems as it consistently blocked egress from Etymore Road. It was requested that consideration be given to a box junction being provided at that location.

- There were ongoing parking violations of double yellow lines opposite Vicar Street and it was suggested that consideration be given to increased parking wardens and police attention for a period of time to issue enforcement notices.
- A request that the disused toilet facilities opposite All Saints and the Police Station in Gospel End Street be demolished. In responding the Chair reported that the site had been sold.
- It was queried why the car park at Tenscore was locked at certain times as it discouraged use of the playground and sports pitches and it was requested that consideration be given to extending the opening hours. In response the Chair reported that the decision to close the car park at certain times had been made because of anti social behaviour and problems being experienced such as people driving their cars onto the football pitches and doing “wheelies” and demolishing the fence.
- A representative from the Clinical Commissioning Group referred to public consultation in relation to provision of urgent care in Dudley and circulated information and forms for feedback in this regard.

16

WORKING WITH YOU – TOPICS RAISED BY LOCAL COUNCILLORS

Councillor Ridney

- (a) Referred to previous discussions regarding public toilet facilities at Roseville and stated that there were no disabled facilities in Roseville at all and she was of the opinion that facilities could be made available in the area with community support. She asked that residents submit their views direct to her to enable a case to be made for the provision.
- (b) Thanked those that helped in clearing the Remembrance Gardens in Roseville.

Councillor Evans indicated that he was pleased with the new footpath in Gospel End Street and it was now safer for people to walk on.

Councillor Caunt referred to the query raised at the last meeting about traffic calming at Tipton Road/Gate Street and indicated that the matter was being investigated with a view to including any works in the next financial year.

17

AREA GRANTS

A report of the Lead Officer was submitted on applications for funding. The Lead Officer also verbally reported on three further applications that had been received from Unit3sixty, St Andrews Methodist Church and Bayer Street Allotment Association since submission of the report.

Following consideration of the applications it was agreed to defer the following applications:-

- (a) A grant in the sum of £5000 to Unit3sixty towards capital set up costs for an indoor recreation centre pending further information to be submitted on the number of participants from the Coseley East/Sedgley Wards that used the existing facilities run by the organisation.
- (b) A grant in the sum of £5102.04 to St Andrews Methodist Church for a new entrance to the Church pending submission of three quotes for undertaking the work.

AGREED TO RECOMMEND

- 1. That the Director of Corporate Resources approve the following:-
 - (a) A grant in the sum of £2162.20 to Dudley MBC – Directorate of the Urban Environment (Environmental Management Division) for the provision of Christmas Trees at Vicarage Road (Roseville) and Sedgley (Bull Ring).
 - (b) A grant in the sum of £5000 to Sedgley Community Association for Christmas Lights in Sedgley.
 - (c) A grant in the sum of £3000 to Bayer Street Allotment Association to replace existing gates and install more fencing for security reasons.
- 2. That the Director of Corporate Resources refuse the following:-
 - (d) A grant in the sum of £1000 to Fast+Aid Charity No 1147703 to fund the purchase of a second vehicle to be used in the Dudley area so that they can respond quickly to 999 calls for the reasons that funding from the Community Forum should be allocated to local initiatives to directly benefit the people of Coseley East and Sedgley.

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DATE, TIME AND VENUE OF NEXT MEETING

It was noted that the next meeting of the Community Forum would be held on Tuesday, 28th January, 2014 at 6.30 pm at Christchurch C of E School, Church Road, Coseley, WV14 8YB.

The meeting ended at 7.45 pm

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

HELD AT 6.30PM ON TUESDAY 5TH NOVEMBER 2013

**AT THE BAGGERIDGE SOCIAL WELFARE CENTRE, 1 THE STRAITS, LOWER GORNAL,
DUDLEY**

PRESENT:-

Councillor Casey (Chair)
Councillor Branwood (Vice-Chair)
Councillor S Turner.

Officers:-

Mr D Lowndes (Current Lead Officer to the forum) (Assistant Director Culture and Leisure) – (Directorate of the Urban Environment), Ms J. Jennings (prospective Lead Officer to the forum) (Head of Communications and Public Affairs – Chief Executive's Directorate) and Mrs K Buckle (Directorate of Corporate Resources).

together with sixteen members of the public

11 **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were submitted on behalf of Councillors Mrs Ameson, A Aston and Wright.

12 **INTRODUCTIONS BY THE CHAIR**

The Chair welcomed those present to the meeting, outlining the purpose of the Forum and Members and Officers introduced themselves.

13 **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 Residents of Temple Street, Gornal Wood handed in a Petition requesting traffic calming measures in Temple Street, referring to a blind bend and several accidents and near misses that had occurred. They referred to heavy traffic that accessed the road which was causing a danger to local residents, residents of a nearby residential home and two schools in Zoar Street. The Lead Officer to the Committee undertook to forward the Petition onto the relevant Officers and confirmed that a written response would be given to the first named Petitioner.
- 2(a) The signage in Moden Hill, Upper Gornal warning of the unsuitability for heavy goods traffic was now facing the wrong way due to recent heavy winds resulting in heavy goods traffic attempting to access the road and causing a danger.
- 2(b) Problems which a sharp bend and parked vehicles on the Sedgley end of the Ridgeway were referred to and a request for white lines to denote the sharpness of the bend were requested. The Chair undertook to request relevant Council Officers to attend a site visit to both Moden Hill and the Ridgeway.
- 3 The street sign at the end of Louise Street and Summitt Place in Lower Gornal had been wrongly positioned failing to warn motorists of the no entry. Council Officers were requested to change the position of the signage.
- 4 Incidents of anti social behaviour in Gornal Village including dog fighting were raised and Councillor S Turner responded stating that the new Sergeant was taking a much more robust approach which had resulted in arrests and preventative work was ongoing. He also referred to a new online system that was being introduced in order for local shop owners to report such problems. Details of the new camera that was to be installed in Gornal Village which would be linked to Sedgley Police Station and monitored twenty four hours every day were provided.

A Member of the Gornal Tenants and Residents Association confirmed that she would raise the above concerns at the forthcoming PACT meeting.

- 5 Concerns were raised in relation to the cutbacks in the Social Care budget and whether members of the public would be consulted on those cutbacks.

Jan Jennings referred to the “Your Council Tax The Big Question Budget Consultation” leaflet that had been distributed to those present which was requesting members of the Borough to voice their views on what they valued most and least about their Council Services. She also referred to a survey which could be completed on the internet and advised that adverts had appeared in the local press and details of the consultation could be accessed through public facing areas such as libraries. Once details of those areas that residents of the Borough valued the most had been obtained a further consultation would take place with service users and stakeholders.

The Vice-Chair advised that work was continuing on how services could be delivered differently as there would be more emphasis on reducing the cost of delivering those services.

The Vice-Chair referred to the closure of two small units with the same number of beds being provided at one location rather than two. He confirmed that there would be extensive consultation with residents in the Borough in relation to Care Homes. He confirmed that consultations would commence the following week in relation to the Social Care budget cuts for 2014/15.

Councillor S Turner outlined details of the extensive budget cuts resulting from a reduction in Government Funding over a five year period.

Doctor J Rathore representative from the Clinical and Commissioning Group referred to money which was to be set aside by the group next year in order to work closely with the Council in relation to social care in order to deliver a service whereby people received home care rather than spend a large amount of time in hospital beds. He referred to continuing work with the Council’s Health and Wellbeing Board to ensure that there was a strategy in place where there was sufficient capacity in order to meet older peoples demands for care. He outlined the amount of the money that would be set aside to the Group in order to work on the most effective way that the money could be used for this purpose.

Councillor S Turner referred to work that would be undertaken in order to deliver savings to hospitals by freeing up hospital beds.

Dr J Rathore also referred to continuing work with the Council in order to provide patients with social care packages at home, in residential and nursing homes.

In responding to a member of the public’s concerns Dr Rathore referred to the Friends and Family Test feedback forms which could be completed by Hospital in and out patients.

6 Concerns were raised in relation to the state of alleyways on the Old Park Farm Estate and recurring problems with these on Parkes Hall Road. The Chair requested members of the public to advise himself or Councillor A Aston of the problematic areas and they would raise issues with the relevant Officers.

7 Concerns were raised in relation to blocked drains in Gornal and Councillor S Turner urged those present to raise their concerns and provide details of the areas where there are blocked drains to either himself or the Vice-Chair.

Ms Brazier of Dudley Council Plus referred to the Council's Street Cleansing Division advising that those staff may be diverted to other areas for example where there had been accidents in order to clear roads from glass and debris and also from oil spillages.

8 A query was raised in relation to the outcome of an application to change the use of the Pupil Referral Unit at the Sycamore Centre.

The Chair advised that an up date would be provided at the Tenants and Residents Association Meeting that was to take place on the following Monday and indicated that discussions were ongoing.

10 A concern was raised in relation to the cost that theft and misappropriation was posing for the National Health Services and whether measures were being taken to investigate these issues.

Dr J Rathore responded stating that there was a counter fraud scheme which operated in the National Health Service and this would target high value fraud and that there were security devices installed in hospitals in order to prevent petty theft.

11 A request was made for consideration to be given in relation to those plastic items that could not be recycled within the Dudley Borough.

Ms K Brazier of Dudley Council Plus referred to trials that had been carried out in parts of the Borough during the last two years, advising that certain plastic items bearing a triangle logo could not be recycled within the Borough and due to transport costs these would not be accepted as recyclable items as it would be too expensive to resource due to transport costs. She also advised that the roll out of the new recycling system was to be completed by spring 2014.

14 WORKING WITH YOU: TOPICS RAISED BY LOCAL COUNCILLORS

The Chair referred to the attendance of Dr J Rathore representative from the Clinical and Commissioning Group.

Dr Rathore gave a verbal presentation on the consultation that was taking place in relation to urgent care in order to ascertain patients views on how they would wish to access urgent care.

He advised that there were plans to create an urgent Care Centre at Russells Hall Hospital. He referred to leaflets that were available at General Practitioners surgeries and that members from the Clinical Commissioning Group were canvassing for patients views. The consultation would continue until the end of December, 2013 and any changes would be implemented in 2014.

Dr Rathore advised of the ability of the Clinical Commissioning Group to be able to provide General Practitioner appointment time for patients by using the monies that were invested in current Walk In Centres. He confirmed that following the closure of General Practitioner's surgeries at 6.30pm there would be an area located at the local Accident and Emergency Department which patients could access out of the hours of 8.30am and 6.30pm which would be staffed by General Practitioners.

The Chair and Councillor S Turner urged the public to engage with the Consultation, as concerns were raised about the lack of provision that may result from the proposed changes.

15 COMMUNITY FORUM FUNDING

A report of the Lead Officer was submitted on two applications for funding. The Lead Officer also referred to a further two applications that had been received and an Addendum to his report in relation to four further applications for funding that had been received.

AGREED TO RECOMMEND

1. That the Director of Corporate Resources approve the following:-

- (a) A grant in the sum of £3,500 to Gornal Business Watch towards the total cost of £5,000 to purchase new decorations, the installation costs and any maintenance requirements of the full Christmas Decorations Scheme in Gornal Village to be met from the Gornal Ward funding allocation.
- (b) A grant in the sum of £2009.80 to Dudley MBC Environmental Management Division for Christmas Trees in the Gornal/Upper Gornal and Wodsetton Wards divided equally between the two wards for the purchase, installation and energy costs for the Christmas trees in each ward.
- (c) A grant in the sum of £276.80 to Ellowes Hall Tenants and Residents Association to purchase a flag together with the costs of prize certificates for the children from local schools who took part in the design competition.

- (d) A grant in the sum of £2,205 to Lower Gornal Darby and Joan Club towards a total project cost of £4,332 towards the cost of a range of electrical and associated works at their venue.
 - (e) A grant in the sum of £1,000 to the Old Park Farm Tenants and Residents Association to meet part of the costs of providing for a community fun day.
 - (f) A grant of £5,000 to the Woodsetton Charitable Trust, to be met from the Upper Gornal and Woodsetton Ward funding allocation.
 - (g) A grant of £7,500 to the Baggeridge Social Welfare Centre, to be met from the Gornal Ward funding allocation, for security fencing and a new clubhouse.
- 2 That the Director of Corporate Resources refuse the application received from Unit3sixty for the sum of £5,000 to meet part of the costs of creating a local community enterprise/facility for young people in Stourbridge.
-

16 DATE, TIME AND VENUE OF NEXT MEETING

It was noted that the next meeting of the Community Forum would be held on Wednesday 29th January, 2013 at 6.30 pm at The Upper Gornal Methodist Church, Kent Street, Spills Meadow, Dudley.

The meeting ended at 8.30pm

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

Held at 6.30pm on Wednesday 6th November, 2013
at Wollaston Village Hall, Bridgnorth Road, Wollaston, Stourbridge

PRESENT:-

Councillor Attwood – Chair
Councillors Elcock, Hale, Kettle, Marrey, Rogers, Sykes and C Wilson.

OFFICERS:-

Mrs S Holmyard (Lead Officer to the Forum), (Assistant Director of Planning and Environmental Health) - (Directorate of the Urban Environment) and Miss H Shepherd (Directorate of Corporate Resources).

Together with 17 members of the public.

14 **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.

15 **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 questions/comments

- (1) A resident raised a concern in relation to the potholes in Kempton Way, Norton, which was now considered to be dangerous. It was recognised that Kempton Way was an un-adopted road, but clarification of who was responsible for the maintenance of the road was requested.

Councillor Mrs Rogers confirmed that the road was un-adopted highway, but the Council did own the land that surrounded the road. An email had been sent to the Cabinet Member for Transport in early November and the relevant Directorate with regards to this issue, but to date, no response had been received.

- (2) A resident raised concerns in relation to the potholes in the access road leading to the Wollaston Village Hall from Bridgnorth Road and requested that these be repaired.

Councillor Sykes stated that ownership of the access road was still being identified and Councillor Hale confirmed that the Council had agreed to pay 50% of the repair costs and funding options for the remainder of the repair costs were being explored.

Councillor Rogers referred to a meeting of the Stourbridge Area Committee where this issue had been raised previously and the maintenance work had been agreed to be carried out by the Council and requested that this be investigated.

- (3) A resident wanted to know why, at a time when the Council was reducing spending, a road sweeper was also being followed by a larger maintenance vehicle in the Hagley Road/Manor Way, Halesowen area.
- (4) A question was submitted in relation to the exclusion of members of the public from commenting on Community Forum Funding.

Other Issues raised to which responses were given at the meeting:-

- A member of the public, in his capacity as a Governor of the Ambulance Service, referred to the Fast+Aid Charity Number 1147703 funding application which would be considered at agenda item 5 and confirmed that it was a genuine charity which worked extremely well in rural areas where the ambulance service could not always provide a quick response, but raised concerns of the relevance for this service within the Dudley Borough.
- Representatives of Dudley Clinical Commissioning Group (CCG) gave a presentation in relation to the on-going consultation on a new vision for urgent care in Dudley. Councillors and residents expressed their views and concerns in relation to the consultation process and the proposed re-location of the NHS walk-in centre.
- At the request of a resident, a progress update was provided by the Lead Officer to the Forum on the collapsed wall at Red Hill. Further concerns were raised by a Member in relation to the wall continuing to lean and requested that a structural survey on the whole wall be carried out. The Lead Officer agreed to report back the concerns and ascertain how often the structure was being monitored.
- It was requested that feedback on issues raised at previous meetings should be provided at the next meeting. The Lead Officer confirmed that the format of the Community Forum was different in comparison to the former Area Committees and that those residents that had raised a query and requested a response would receive one direct, but an update would not be provided at the following meeting.
- A resident referred to the on-going issue in relation to the trees at the rear of 23 Dorset Road. Councillor Hale confirmed that this issue was in hand.

16 WORKING WITH YOU – TOPICS RAISED BY LOCAL COUNCILLORS

- Councillor Sykes informed the forum of the winter warm helpline telephone number 01384 817086, which provided support to residents during the winter months.
- Councillor C Wilson referred to the collapsed wall at Red Hill and requested if the option to purchase the land that had now been identified as being owned by West Midlands Police, had been explored, as this could be used by the Council in the future for a possible carriageway and footway widening scheme.

17 COMMUNITY FORUM FUNDING

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

AGREED:-

- (1) That the application from Fast+Aid Charity Number 1147703 for the sum of £10,000 in total, across all 10 community forums, to purchase a second vehicle to be used in the Dudley area so that they can respond quickly to 999 calls, be deferred until further information was provided by the applicant in relation to how the charity works; where the vehicle will be located/based; assurance that the vehicle will not be used outside of the Borough; the area in which the vehicle will cover; what training and medical qualification the volunteers had and their insurance indemnity.

AGREED TO RECOMMEND:-

That the Director of Corporate Resources:-

- (1) Approve the application from Dudley MBC – Directorate of Urban Environment, Environmental Management Division for the sum of £2,273.37 for the provision of Christmas trees at 2 locations within the Forum area.
- (2) (i) Approve, in principal, the application from Unit3sixty C.I.C for the sum of £5000 to provide a skate park, subject to planning permission being obtained and to the submission of further information on the overall funding of the project.
(ii) That a further report be submitted to the Community Forum in due course following the receipt of the additional information referred to above and prior to any funding being released by the Director of Corporate Resources.

18 DATE, TIME AND VENUE OF NEXT MEETING

It was noted that the next meeting of the Community Forum would be on Thursday 30th January, 2014 at 6.30pm at St Michaels and All Angels Church, Maynard Avenue, Norton, Stourbridge.

The meeting ended at 8.20 pm.

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

Held at 6.30 p.m. on Wednesday, 6th November, 2013 at
Manor Way Primary School, Brier Mill Road, Halesowen

PRESENT:-

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

Officers:-

Mr. S. Beckett, Customer Services Manager, Dudley Council Plus (Directorate of Corporate Resources) (Lead Officer to the Committee) and Mr J. Jablonski (Directorate of Corporate Resources)

together with two members of the public

15. **APOLOGIES FOR ABSENCE**

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

16. **WELCOME**

The Chair welcomed those present to the meeting.

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

No issues were raised under this heading.

18. **WORKING WITH YOU - TOPICS RAISED BY LOCAL COUNCILLORS**

No issues were raised under this heading.

19. AREA GRANTS

A report of the Lead Officer was submitted on applications for funding from four organisations and in respect of the application deferred from the last meeting of the Forum in respect of the Leaps and Bounds Organisation, further information on which was reported at the meeting.

In connection with the applications, Councillor Bills declared a non-pecuniary interest in the Leaps and Bounds application and Councillor Mrs. Shakespeare reported that she had been involved with the Unit3Sixty application.

Arising from consideration given to the applications submitted, including consideration of details presented by a representative from Unit3Sixty, it was:-

AGREED TO RECOMMEND:-

That the Director of Corporate Resources

- (1) Approve the application received from Leaps and Bounds but only in relation to the costs of providing 30 polo shirts and a first aid kit in the sum of £380 and inform the organisation that a further application from them would be welcomed based specifically on items they wished to fund relating to production matters involving the young people concerned.
- (2)
 - (a) Approve in principle the application from Unit3Sixty in the sum of £2,500 only subject to planning permission being obtained and to the submission of further information on the overall funding of the project.
 - (b) That a further report be submitted to the Forum in due course, following the receipt of the additional information referred to above and prior to any funding being released by the Director of Corporate Resources.
 - (c) That subject to (a) and (b) above, further consideration be given by the Forum to the making of additional funds available up to a further £2,500 subject to the funding being available from this year's balances.
- (3) Approve the application from Fast+Aid for the sum of £1,000 for a vehicle to assist with 999 emergency calls .

- (4) Approve the application from Halesowen in Bloom in the sum of £2,074.80, representing 50% of the total amount requested, it being understood that the application would also be considered by the Belle Vale/Hayley Green and Cradley South Community Forum at a forthcoming meeting.
 - (5) Approve the making of a grant of £1,000.90 for the provision of a Christmas Tree in Long Lane, Halesowen, submitted by the Council's Environmental Management Division.
-

20. DATE, TIME AND VENUE OF NEXT MEETING

Noted, that the next meeting of the Community Forum would be held at 6.30 p.m. on Thursday, 30th January, 2014 at Hurst Green Primary School, Halesowen.

The meeting ended at 7.20 p.m.

**ACTION NOTES OF THE MEETING OF BELLE VALE, HAYLEY GREEN
AND CRADLEY SOUTH COMMUNITY FORUM**

Wednesday, 13th November, 2013 at 6.30 p.m.
at Lutley Community Centre, Brookwillow Road, Halesowen

PRESENT:-

Councillor Burston (Chair)
Councillor Ms. Nicholls (Vice Chair)
Councillors James, Russell, K. Turner and Mrs. H. Turner

OFFICERS:-

Mr. P. Coyne (Lead Officer to the Forum), Directorate of the Urban Environment and Mr. R. Sanders - Directorate of Corporate Resources together with 11 members of the public.

14. **WELCOME AND INTRODUCTIONS**

The Chair welcomed everyone to the meeting and made announcements in relation to the literature circulated.

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

- A local resident raised a question and requested a response on an issue he had raised previously regarding potholes and the poor condition of a length of Hagley Road past the Lidl supermarket. The Lead Officer agreed to arrange for a response to be expedited.
- A member of the Forum requested information regarding the repair cycle for potholes. The Lead Officer agreed to arrange for a copy of the maintenance policy to be forwarded to the member.
- A local resident queried the position regarding over-hanging branches and bushes at a property situated on the corner of High Farm Road and Phillip Road. The issue was referred to the relevant Directorate for a response.
- A local resident asked about progress on a request he had made previously for the Council to reconsider the situation concerning railings along the footpath outside 4 Abbey Road, Halesowen. The Lead Officer advised that this was being looked at and agreed to arrange for an update to be provided.

- In the context of site security and anti-social behaviour, a local resident raised the issue of poor lighting at Bredon Court. The issue was referred to the relevant Directorate for a response.
- A local resident raised the issue of leaf fall at Fallowfield Road. The Lead Officer agreed to arrange for the issue to be raised with the relevant Directorate.
- A member of the public, supported by members of the Forum, referred to the need for resurfacing of the footpath from Fox Lea Road to Moor Foot, via the Squirrels and Mendip. The matter was referred to the relevant Directorate.

16. WORKING WITH YOU – TOPICS RAISED BY LOCAL COUNCILLORS

Further to issues concerning the Community First Panel having been raised at the previous meeting by Councillor Ms. Nicholls, at the request of that Member, an update on the funding arrangements of the Panel was given by Councillor James. In this regard, Councillor James explained the manner in which applications for funding were to be submitted and the arrangements made for meetings to determine applications received.

17. AREA GRANTS

A report of the Lead Officer was submitted on two applications for funding, those received were from the Halesowen in Bloom Group, towards the Group's work in providing and maintaining planters, etc. and from Unit 3 Sixty CIC towards the creation of a local community enterprise/facility for young people at Mill Race Lane in Stourbridge, this revolving primarily around the provision of an indoor skate park and associated facilities. A representative of Unit 3 Sixty CIC attended the meeting to expand on their proposal and answer questions.

After some debate by members it was:

AGREED

- (1) That the Director of Corporate Resources be recommended to approve the making of a grant of £2074.80 to the Halesowen in Bloom Group towards the Group's work in providing and maintaining planters, etc., as referred to in the report now submitted.
- (2) That the Director of Corporate Resources be recommended that the application by Unit 3 Sixty CIC be refused.

18. DATE, TIME OF VENUE OF NEXT MEETING

The next meeting of the Forum would be held at Windsor High School on Wednesday, 5th February, 2014 at 6.30 p.m.

The meeting ended at 7.20 p.m.

CHILDREN'S SERVICES SCRUTINY COMMITTEE

Monday, 23rd September, 2013 at 6.00 p.m.
in Committee Room 2 at the Council House, Dudley

PRESENT:-

Councillor Marrey (Chair)
Councillor Boleyn (Vice-Chair)
Councillors Arshad, Bills, Casey, Hill, Islam, Perks, Mrs. Simms, Vickers and Mrs. Walker; Mr. Lynch, Mr. Ridley, Ms. Sinden, Mr. Taylor, Mrs. Verdegem and Mrs. Ward.

Councillor Crumpton (Cabinet Member for Children's Services and Lifelong Learning) attended at the invitation of the Committee

OBSERVER

Councillor Harley

OFFICERS

Assistant Director of Adult, Community and Housing Services (Housing Management) - Lead Officer to the Committee;
Director of Children's Services, Assistant Director of Children's Services (Children and Families), Assistant Director of Children's Services (Quality and Partnership), Divisional Lead - Family Support (Directorate of Children's Services) and the Democratic Services Manager (Directorate of Corporate Resources)

7. APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were submitted on behalf of Mrs. Coulter, Mr Nesbitt and Reverend Wickens.

8. DECLARATIONS OF INTEREST

Councillor Vickers declared a non-pecuniary interest as the Chair of the Management Committee in connection with Tenterfields Children's Centre.

Councillor Mrs Simms declared a non-pecuniary interest in view of her involvement with a looked after child attending Kates Hill and Sledmere Children's Centres.

9. MINUTES

RESOLVED

That the Minutes of the meeting of the Committee held on 13th June, 2013, be approved as a correct record and signed.

10. PUBLIC FORUM

As there were no items raised in the Public Forum, the Chair indicated that the Committee would take the opportunity later in the meeting to receive feedback on the Children's Centre visits undertaken by Members.

11. INTRODUCTION FROM THE CHAIR

The Chair welcomed the following witnesses in connection with the scrutiny of Children's Centres in Dudley and thanked them for their attendance and work in preparation for this meeting:

H Ruffles – Head Teacher and Children's Centre Lead – Netherton Park Children's Centre

J Tilly – Parent (now working) at Netherton Park Children's Centre

S Tuck – Woodside Children's Centre Leader

S Bloomer – Head Teacher – Woodside Primary School.

Members received a briefing note on the work of the Scrutiny Committee's Shaping Group, giving an update on Children's Centre visits, Sexual Exploitation training, the proposed attendance of members of the Sexual Exploitation Sub-Group at a future scrutiny meeting, safeguarding general awareness training for all Members of the Council and the attendance of Councillors Boleyn and Vickers as observers at a recent meeting of the Safeguarding Children's Board.

In advance of the discussion of the item referred to in Minute No. 12 below, Councillor Mrs Walker thanked the Director of Children's Services and all officers concerned for the presentation of the report in terms of its clarity and the level of information contained in the document presented for scrutiny.

12. CHILDREN'S CENTRES IN DUDLEY

A report of the Director of Children's Services was submitted advising the Scrutiny Committee of the purpose of Children's Centres service delivery, the legal framework under which they were delivered and the impact of the services provided.

In the detailed discussion of the report, reference was made to the impact on standards in schools and the need for measurable outcomes to demonstrate the effectiveness of early intervention through the services offered by children's centres. Officers referred to the impact of work in the Early Years Foundation Stage (EYFS) and the ongoing collection of information to monitor effectiveness in future years. It was noted that, amongst other available data, information was available from parental satisfaction surveys. The Director of Children's Services noted concerns expressed by Members regarding the length of the survey and noted that this would be reviewed to ensure that it was not off-putting for some parents.

Reference was made to the Common Assessment Framework, and the role of children's centres in developing and implementing early intervention strategies. It was noted that the 'core staff' associated with children's centres was currently being reviewed and it was now a requirement for all children's centres to have a designated social worker. Comments were made regarding the cost of foster carer placements.

Officers noted comments concerning the balance between universal and targeted support from children's centres and issues concerning the referrals process. Particular reference was made to 'Time for Twos', the two-year old childcare/free education pilot, in the context of future budget provision. In relation to the financial context, the Committee noted potential issues concerning the future service capacity taking account of increasing levels of demand. This placed further emphasis on the need for the Council to work closely with schools and health partners to manage the ongoing pressures placed on services.

The Committee commented on ongoing work with health providers and the Office of Public Health and the associated funding review being carried out by the Clinical Commissioning Group. The Cabinet Member for Children's Services recognised that there was limited funding within Children's Services for initiatives that addressed a wider health perspective. Funding issues would need to be viewed in the national context taking account of the increasing expectations and needs of service users.

13. WITNESSES FOR CHILDREN'S CENTRES

The Committee received submissions from the following witnesses:

- H Ruffles – Head Teacher and Children's Centre Lead – Netherton Park Children's Centre

Reference was made to the positive outcomes for children and parents associated with the 'Time for Twos' programme. In relation to the accountability of children's centres, it was noted that internal monitoring was undertaken in addition to the formal Ofsted inspections. Referrals for 'Time for Twos' were made through children's centres subject to eligibility criteria. In view of financial restrictions, it was unlikely that there was capacity to meet all of the demands placed on the service. The Director of Children's Services acknowledged the possibility of voluntary organisations offering support with the Council's assistance, however, this required further consideration. It was also noted that links had been strengthened with social care in terms of referrals made to children's centres.

- J Tilly – Parent at Netherton Park Children's Centre

Ms Tilly shared her own personal experiences as a parent attending the children's centre and more recently by working at the centre. Ms Tilly explained how she had accessed support and services and recognised the difference the work of the children's centre had made to individual families and the wider community.

- S Tuck – Woodside Children's Centre Leader

Ms Tuck explained work undertaken towards achieving an 'outstanding' Ofsted inspection, including a flexible approach to service provision and developing key partnerships with health visitors, schools, police and the voluntary sector. A significant proportion of the work of the centre was 'outreach' by engaging with the wider community and relevant groups. Considerable activity was undertaken to engage with families who did not access services and also working in partnership with schools and health colleagues.

- S Bloomer – Head Teacher – Woodside Primary School.

Ms Bloomer reported on her experience of working in a Primary School with a children's centre attached, with particular reference to the benefits for children starting school and the positive impact on parents in terms of accessing support and advice. Reference was made to the close working relationship between the school and the children's centre and the associated benefits of improved communication and sharing of information, with staff undertaking joint planning and target setting with a clear focus on improvement.

Concerns were expressed regarding children's centres that were not directly linked to a particular primary school, both in terms of the effectiveness of the services provided and the potential implications of services being withdrawn by other providers. However, it was acknowledged that all children's centres should be viewed as a community resource.

The Committee noted all the submissions made. The Chair again expressed his sincere thanks to the witnesses for their attendance and contributions to the work of the Committee.

14. CHILDREN'S CENTRE VISITS – FEEDBACK SHEETS

The Committee received and considered feedback sheets from visits undertaken by Members of the Committee to the following Children's Centres:

- Butterfly Children's Centre, Lye – 15th August, 2013 (Councillors Bills and Vickers)
- Gornal Children's Centre – 27th August, 2013 (Councillors Boleyn, Casey and Mrs Simms)
- Kates Hill and Sledmere Children's Centre – 29th August, 2013 (Councillors Marrey and Perks)

Reference was made to the financial and other benefits of adopting an approach based on 'early intervention' as opposed to dealing with long-term issues if early intervention services were not provided. Although it was acknowledged that this was difficult to measure, the Director of Children's Services indicated that data/case studies could be produced to assist the Committee in its future deliberations.

15. PREPARATION FOR NEXT COMMITTEE – NEXT STEPS

The Committee discussed the next steps towards developing recommendations to be submitted to the Cabinet Member for Children's Services and Lifelong Learning.

RESOLVED:

- (1) That the Director of Children's Services send an e-mail to all Members of the Committee asking for any further thoughts about the way forward taking account of the information and submissions received to date.
 - (2) That all the responses received be collated in a document for further consideration by Members to shape the Committee's draft conclusions and recommendations to the Cabinet Member for Children's Services and Lifelong Learning.
 - (3) That the Chair arrange for correspondence to be sent to all Members, together with a copy of the associated report, encouraging all Councillors to visit children's centres in their wards.
-

16. COMMENTS OF THE CABINET MEMBER FOR CHILDREN'S SERVICES AND LIFELONG LEARNING

The Cabinet Member for Children's Services and Lifelong Learning reported that Jane Porter, Director of Children's Services, would be retiring from the Council's service during December, 2013. He thanked the Director for her past and ongoing support.

Reference was also made to arrangements for the Himley bonfire and the attendance of children and families from Pens Meadow Special School.

At the conclusion of the meeting, the Chair thanked all attendees and indicated that a further meeting would be arranged on a date to be confirmed in November, 2013.

The meeting ended at 8.35 p.m.

CHAIR

ADULT, COMMUNITY AND HOUSING SERVICES
SCRUTINY COMMITTEE

Tuesday, 24th September, 2013 at 6.00 p.m.
in Committee Room 2 at the Council House, Dudley

PRESENT:-

Councillor Islam (Chair)
Councillor James (Vice Chair)
Councillors Bills, Body, Miller, Russell and Vickers

Officers

Assistant Director, Customer Services (Lead Officer to the Committee);
Assistant Director, Quality and Commissioning, Assistant Director, Health
Reform Programme Lead and Head of Commissioning, Efficiency and Making it
Real (all Directorate of Adult, Community and Housing Services) and Mr. J.
Jablonski (Directorate of Corporate Resources)

Observer

Councillor Branwood

15. **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were submitted on behalf of
Councillors Evans, Herbert, J. Martin, Mottram and M. Wilson.

16. **APPOINTMENT OF SUBSTITUTE MEMBERS**

It was reported that Councillors Russell and Bills had been appointed as
substitute members for Councillors Herbert and J. Martin respectively for this
meeting of the Committee only.

17. **DECLARATIONS OF INTEREST**

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

18. **MINUTES**

Arising from consideration of the minutes, in particular resolution (3) to Minute
12 - Welfare Reform, it was

RESOLVED

That, subject to the addition of the words “of the Controlling Group” in the third line of resolution (3) to Minute 12 - Welfare Reform - after the word “Members” , the minutes of the meeting of the Committee held on 12th August, 2013, be approved as a correct record and signed.

19. THE MAKING IT REAL IN DUDLEY PROGRAMME

A report of the Director of Adult, Community and Housing Services was submitted on specific areas that members of the Committee at the meeting held on 12th June, 2013, had identified for further detailed scrutiny.

In connection with the terms of reference for this scrutiny topic, which were “To consider the impact of the Making it Real Programme on the people of Dudley”, a number of documents had been circulated electronically in advance of the meeting, comprising:-

- Programme Summary - an overview paper about Making it Real.
- Executive Summary of Adult Social Care Local Account
- The full Adult Social Care Local Account
- The Making it Real in Dudley Action Plan
- The Making it Real in Dudley Transformation Blueprint
- A Glossary of key terms/jargon buster

all of which were available on the Council's Committee Management Information System.

It was also noted that there was a dedicated website – www.makingitrealindudley.org.

In addition, paper copies of the above were circulated at the meeting.

The documents provided background information to the Making it Real in Dudley Programme which was the subject of a visual presentation by the Officers from the Directorate of Adult, Community and Housing Services present at the meeting.

A copy of the presentation would be e-mailed to all members of the Committee and be available on the Council's Committee Management Information System.

The presentation comprised:-

- Opening remarks about the Care and Support Bill, which should be enacted in April, 2014, bringing about fundamental changes to the way in which health and social care would be delivered.

The vision was to promote people's independence and well-being by enabling them to prevent and postpone the need for care and support; and to transform people's experience of care and support, putting them in control and ensuring that services respond to what they want.

- A short film about Making it Real
- Details of comparative performance information indicating a high degree of satisfaction in respect of social care - related quality of life and a higher than average proportion of people using social care who received self-directed support when comparing 2011/12 with 2012/13.
- How do we learn from the people of Dudley? Outlining in diagrammatic form from whom and how information data was received, these included the statutory and voluntary services, doctor's surgeries and could in future include the use of meetings of the Council's Community Forums.

It was considered that one of the key changes was how information was received by the right people at the right time.

- The Local Account - Reference was made to the four questions detailed in the presentation and the use of the format of "You Say, We Do".
- Emerging Themes - four areas for improvement were indicated, namely:-
 - the means of allocating resources (Resource Allocation System) takes too long.
 - carers assessments need to be quicker and more choice available
 - more overnight respite care is needed.
 - transportation needs to improve

There were also areas of success, some of which were:-

- that there had been over 10,000 hits on the Dudley Community Information Directory and over 80% had responded and said "it is easy to find information about adult social care".

- over 8,000 people have now benefited from the Telecare service; which enables people to stay at home.
- there are now over 30 micro-provider organisations in the Borough which were recently featured in the national press as an exemplar.
- the Dementia Gateway has proven very popular with people who use it and again received local and national praise having been shortlisted for an innovation award.

As regards the four areas for improvement, it was considered that there was a common denominator with these areas in that they were all aspects/reasons for no longer being able to live at home. Action to address all four areas for improvement were given at the meeting. Basically, the overall theme was what could be done differently and done better to manage down demand.

Following comments made on this aspect of the presentation, it was noted that of the 11,500 local account surveys sent out, approximately 10%, that is in excess of 1,000 had been returned and that there was considered to be further scope given the wide variety of voluntary organisations in the Borough to ensure further dissemination of information. It was further commented that any services commissioned from the various providers would have to be sustainable to ensure they were in business in future.

- The Future: Our Target Operating Model. This model showed the support that was available so that people could remain in their homes Steps 3 to 5, providing the support to enable this to happen.
- Prevention Activity: Dudley Community Information Directory. Details were given of the number of visits, unique visitors, page views and pages/visits to this site and an indication of the various activities that were available. The activities shown related to the period 1st April, 2013 to 19th September, 2013 and that an average of 573 visits were made from 437 unique visitors. It was also noted that approximately 10,000 people accessed community support information.

So that low level intervention could be effective there was a need to make more services visible and easily accessible so that they reached the people they needed to. It was again reiterated that the overall aim was to enable persons to stay living independently at home for as long as possible.

In response to a query from Councillor James on the actions a Dudley resident could take if they were being cared for in a hospital in another area, the Assistant Director, Health Reform Programme Lead, commented on this matter and also indicated that he would look into the issue and contact Councillor James direct.

In order to increase prevention activity, therefore, there was a need to ensure that services were visible and the view taken by Dudley was that Making it Real needed to be adapted in future to try to prevent needs becoming more complex, therefore, internal capacity was being focused on prevention unlike in some other Local Authorities. The aim was to re-design activity against the framework of reducing resources.

Regarding the making available at an early stage of information to assist prevention activity, a number of suggestions were made as to where information could be made available apart from doctor's surgeries and libraries, for example, in banks, pharmacies, at opticians and petrol stations, basically anywhere where people gathered. It was also considered that there was a need to go out into the community to engage with families and neighbours through the various outlets mentioned so that information was out in the community and again it was suggested that the Council's community forums could be used for this purpose. The use of Council Tax notification letters was also raised.

The aim of also engaging with people who did not usually wish to engage was also a task that it was considered needed to be addressed creatively so that the overall aim of maintaining people at home could be achieved. There was a need, therefore, to think about what could be done differently to achieve the various aims.

- Re-ablement Activity - Living Independently Team: It was noted that the Living Independently Team in 2012/13 provided 972 episodes of community-based re-ablement and that 44% of these led to no on-going care needs, whilst 78% of these led to a reduction in care needs. The preventative model was, therefore, the way to adapt to the future.

A number of members then commented that they agreed with the overall approach of prevention being the best method of future activity given the reducing resources in future years. The officers were also thanked for the work that had been carried out and for the comprehensive presentations that had been given.

In his concluding remarks, the Assistant Director, Quality and Commissioning commented that:-

- Over the last four financial years, the Directorate have lost over 400 employees and decreased the budget by in excess of £20 million. It was known that the financial context in the future would become increasingly challenging and whilst many Councils had taken a view that decreasing investment in preventative services was inevitable, in Dudley the Directorate were arguing a different approach and Making it Real was the means by which the Directorate would structure the future of Adult Social Care in the borough.

- As indicated in the information given in that part of the presentation on The future: Our Target Operating Model, the Directorate would be doing all it could to prevent care needs from becoming more complex. This would be done by supporting people at the earliest opportunity to remain independent in their own homes. Whilst it was acknowledged that there would always be a need for complex traditional services like residential care, internal capacity would focus on prevention, early intervention, intermediate care and re-ablement. Internally run services were more specialist and, therefore, more expensive. The Directorate had a duty to deploy its specialist resource where it would have the most impact and promote independent and good quality outcomes for the residents of the Dudley.
- The Directorate was already working in a mixed economy of care providers involving the private sector, independent and voluntary sector and in-house. The Directorate would continue to strengthen its approach to commissioning; to provide the most robust quality assurance, safeguarding and enable quality of life standards to be achieved.
- The Directorate had a shared philosophy with the Dudley Clinical Commissioning Group that any unplanned hospital or residential care admission would be viewed as a failure. Stronger preventative services would be built that were easier to access, via GP's, self-service and the Directorate's Access Team, many of which would operate on a 24/7 basis to meet demand. It was considered that this combined with the greater choice and control afforded by Making it Real would give the people of Dudley the greatest chance of fulfilled independent lives where institutions were the place of last resort.

The Assistant Director, Quality and Commissioning also reported that there were fortnightly briefing sessions on Making it Real, engaging with people in the borough and members of the Committee were invited to attend the sessions. He would arrange for dates for the sessions to be circulated to members in due course.

Following the presentation given and comments arising therefrom, consideration was then given to any further information/actions the Committee wished to undertake regarding the scrutiny of the impact of the Making it Real Programme on the people of Dudley.

In this connection, it was considered that the Committee should hear from the people of the Borough direct about the Making it Real Programme and receive further information on the Demand Management Tool relating to the resources employed given the need to adapt within the current financial climate.

RESOLVED

- (1) That the information contained in the report, as previously circulated to the Committee, and in the presentation given at the Committee on the Making it Real in Dudley Programme, be noted and that the officers concerned respond direct to members regarding queries raised at the meeting as indicated above.
- (2) That the Assistant Director, Quality and Commissioning, in consultation with other officers, as appropriate, be requested to draw up a rolling programme of visits by members of this Committee, and other members of the Council who wished to attend such visits, to a number of venues in the borough to hear from the people of the borough, including users of services and providers, regarding the Making it Real in Dudley Programme for consideration at a future meeting of this Committee, and that feedback from the visits together with the views of relevant persons, to be invited to attend a meeting of the committee, also be reported to a future meeting of the committee.
- (3) That the Assistant Director, Quality and Commissioning submit a report to a future meeting of the Committee on the Demand Management Tool used in connection with the Making it Real in Dudley Programme.

The meeting ended at 7.50 p.m.

CHAIR

HEALTH SCRUTINY COMMITTEE

Wednesday 25th September, 2013 at 6.00 p.m.
in Committee Room 2 at the Council House, Dudley

PRESENT:-

Councillor Ridney (Chair)
Councillor Kettle (Vice-Chair)
Councillors Cotterill, Hanif, Hemingsley, Jordan, Ms Nicholls, Mrs Rogers and Mrs Walker

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

Ms Mandy Green – Deputy Head of Communications and Patient Experience, Dudley Group National Health Service Foundation Trust
Dr Steve Mann – Clinical Executive for Acute and Community, Dudley Clinical Commissioning Group (CCG)
Mr P Maubach – Accountable Officer, Dudley Clinical Commissioning Group
Mr Richard Haynes – Head of Communications – Communications, Dudley Clinical Commissioning Group
Ms Laura Broster – Head of Communications, Dudley Clinical Commissioning Group
Ms Beryl Wickstead – Health Centre Manager, Dudley Borough Walk-in Centre
Mr Atiq-ur Rehman – Consultant Vascular & Endovascular Surgeon
Ms Kelly Pettifer – Operational Manager Black Country Vascular Centre

11 APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors Billingham, Harris and Roberts.

12 APPOINTMENT OF SUBSTITUTE MEMBERS

It was reported that Councillor Hanif had been appointed as a substitute member for Councillor Harris for this meeting only.

13 DECLARATIONS OF INTEREST

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

14 MINUTES

RESOLVED

That the minutes of the meeting of the Health Scrutiny Committee held on 16th July 2013 be approved as a correct record and signed.

15 PUBLIC FORUM

No issues were raised under this agenda item.

16 URGENT CARE PUBLIC CONSULTATION

A report of the Chief Accountable Officer, Dudley Clinical Commissioning Group was submitted on proposals for a public consultation on urgent care in Dudley.

In presenting the report, Mr Maubach informed the meeting that contracts for the walk-in Centre at Holly Hall Clinic and the primary care out-of-hours service had been extended until September of next year and that the National Health 111 Service would continue to be operated by the West Midlands Ambulance Service until October of next year, with the possibility of a further extension to enable a full consultation to take place to ascertain people's views. The CCG had carried out pre-consultation meetings and public feedback was that they would prefer to see their General Practitioner (GP). Further to this the Health and Wellbeing Board held an urgent care spotlight event and given direction to the CCG to simplify the system.

Arising from the presentation of the report Members made the following comments:-

- That the walk-in centre was an excellent and much needed facility in the Borough
- There were differing views in accessing local GP's as some people found it difficult to get appointments on the same day whereas some Members stated that their local GP service was excellent.
- People had made their views known at a meeting the previous day and the message was clear in that there should be consistency within all GP practices. There was also a very clear message from the public at the meeting that they would rather see their own GP's. Attendees at this meeting felt their views expressed in the summer had been reflected in the CCG proposals for consultation.
- The current hours of operation for the walk-in centre was questioned and it was queried whether it was necessary for the centre to be open all day or whether consideration should be given to the centre opening out of hours only.

- Some Members expressed concern about proposals for siting a new facility at the Russells Hall Hospital site as it was considered that problems would occur owing to increased demand, people would have to pay for car parking and that people already found it hard to park due to the limited car parking spaces available.
- The Corbett Hospital site could be used as a walk-in centre and a Member also requested consideration be given to the placement of a centre in the Halesowen area.
- The need to have computerised patient records which would avoid misplacing or the loss of paper files.
- It was suggested that figures and the cost implications be included in the consultation document
- It was requested that consideration also be given to a pharmacy being opened alongside the walk-in centre.

In conclusion Mr Maubach indicated that a Task and Finish Group would be set up to consider the matter, extensive consultation would take place to seek people's views, that consultation meetings had been planned to take place at schools and colleges and that a drop in session would also be held. He further stated that there were no plans to close the service but that this was about relocating the provision to continue to offer the best service given the budget restrictions.

RESOLVED

That the information contained in the report submitted, on urgent care public consultation, be noted and that the Clinical Commissioning Group be requested take into account the views expressed at this meeting as part of the consultation exercise.

17 KEOGH REVIEW UPDATE

A report of the Dudley Group NHS Foundation Trust was submitted on the Trust's response to the Keogh Review and progress to date. The Keogh Investigation Action Plan – July 2013 was also appended to the report submitted.

RESOLVED

That the information contained in the report, and the Appendix to the report, submitted on the Trust's response to the Keogh Review and progress to date, be noted.

18 DEVELOPMENT OF VASCULAR SERVICES HUB

A report of the Dudley Group NHS Foundation Trust was submitted on the Trust's progress in delivering the Black Country Vascular Centre.

RESOLVED

That the information contained in the report, and the Appendices to the report, submitted on the development of vascular services hub, be noted.

The meeting ended at 8.20 p.m.

CHAIR

HEALTH SCRUTINY COMMITTEE

Thursday 7th November, 2013 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, Ms Nicholls, Roberts, Mrs Rogers
and Mrs Walker

Officers

Assistant Director of Law and Governance (Lead Officer to the Committee),
Assistant Director Adult Social Care, Assistant Director Planning and Environmental
Health, Assistant Director Quality and Partnership, the Treasurer, Head of
Environmental Health and Trading Standards (Directorate of the Urban
Environment), Head of Accountancy (Directorate of Corporate Resources), Scrutiny
Officer (Directorate of Adult, Community and Housing Services) and Mrs M Johal
(Directorate of Corporate Resources)

Also in Attendance

Mr P Maubach – Accountable Officer (Dudley Clinical Commissioning Group)
Ms Nighat Hussain – Commissioning Engagement Manager (Dudley Clinical
Commissioning Group)
Mr Richard Beeken – Director of Operations and Transformation (Dudley Group of
Hospitals Foundation Trust)
Ms Anne Gregory – Stroke Co-ordinator (Dudley Group of Hospitals Foundation
Trust)

19 APOLOGY FOR ABSENCE

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

20 DECLARATIONS OF INTEREST

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

21 MINUTES

The Vice-Chair referred to the Minutes of the previous meeting and expressed concerns in that several queries had been raised at the last meeting which had been unanswered and that there had not been any feedback or responses given.

During the ensuing discussion Members considered that minutes of Council meetings, particularly Scrutiny Committees, should contain a more detailed record to capture the essence of discussions, comments made and questions asked for transparency purposes. It was agreed that the matter should be referred to the Overview and Scrutiny Management Board for consideration.

RESOLVED

- (1) That the minutes of the meeting of the Health Scrutiny Committee held on 25th September 2013 be approved as a correct record and signed.
- (2) That the Overview and Scrutiny Management Board be requested to give consideration to a format for recording minutes of Scrutiny Committees so that detailed information is included of comments made and questions asked to capture the essence of the debate.

22 PUBLIC FORUM

No issues were raised under this agenda item.

23 REVENUE BUDGET STRATEGY 2014-15

A joint report of the Chief Executive, Treasurer and Director of Public Health was submitted on the Revenue Budget Strategy for 2014/15 and the Medium Term Financial Strategy.

Arising from the presentation of the report Members expressed concerns about the ramifications on services arising from the significant budget cuts which would particularly impact on vulnerable adults and children. Dudley was renowned for its quality care services and the onus was on the Council to offer support to families where needed and it should be recognised that services for adults and children were more vital than some other services. It was further commented that the budget cuts would also have an impact on mental health services and on the vast number of carers in the Borough, particularly those that were young people, who gave up their lives to undertake this work.

Reference was made to service relating savings pertaining to the Directorate of the Urban Environment regarding the reduction in the footway reconstruction programme and public right of way maintenance and it was pointed out that consideration should be given to the impact this would have, in particular, on older people that used the footpaths and were prone to trips and falls.

Mr P Maubach – Accountable Officer (Dudley Clinical Commissioning Group) stated that the largest single savings target of £10.4m was linked to social services integration with health; that there was an equivalent level of savings needed in health on the same issue - so the combined total public sector savings on this one issue exceeded £20m and would therefore require unprecedented collaboration between the Council and the CCG.

Members of the Committee, although acknowledging and noting the report, wished their dissatisfaction to be recorded.

RESOLVED

That the Cabinet's Revenue Budget Strategy proposals for 2013/14 and the Medium Term Financial Strategy, as set out in the report, and Appendices to the report, submitted be noted and that the Cabinet be informed of the comments made above.

24 STROKE TRANSFORMATION PROGRAMME

A report of Sandwell and West Birmingham Clinical Commissioning Group was submitted on progress of the Birmingham, Solihull and Black Country Stroke Transformation Programme. Presentation slides on the Stroke Services Reconfiguration Project were also circulated at the meeting.

Arising from the presentation of the report and information contained in the slides Members made the following comments:-

- That the initial twenty minutes of having a stroke was crucial and quick and local access to services was vital as medication needed to be administered as soon as possible.
- Reference was made to figures and percentages given in the slides of patients who received Computerised Tomography (CT) scans within an hour of admission, percentage of patients thrombolysed and percentage of all conscious stroke patients to receive a swallow screen within four hours of admission and it was requested that specific figures relating to the Dudley Group of Hospitals be provided. With relation to the information provided it was also commented that up to date figures should be provided.
- Clarity was also sought on the target of 95% as stated in the slides of patients who received a CT scan within one hour of admission as it was understood that the target was 50% within an hour and 100% within twelve hours.

- There was no room for complacency and given that contracts were for a set number of years, standards and targets should initially be set high if striving for excellence.

Arising from questions from Members the following responses were given:-

- Targets had significantly improved as had access to CT scans and Ms Gregory reported that 100% of CT scans within twenty four hours and 50% within an hour had been undertaken in August of this year. The target in relation to thrombolysis was 10% and DGoH had exceeded and achieved 15% and 100% had also been achieved in screening Transient Ischemic Attack (TIA) patients within 24 hours. There was no complacency as attempts were made to aim higher.
- There had been 680 stroke patients treated last year but it was pointed out that there were a lot of problems that mimicked stroke and therefore the actual figure would be higher.
- The report had not been submitted to the Dudley Health and Well Being Board but social care leads had been written to with a view to submitting nominations to represent the Stroke Project Board Sub-Group. It was pointed out that all the CCG's involved in this review were in the midst of undertaking a scoping exercise with a view to consultation taking place in the future.

In conclusion it was requested that the scoping document be submitted to the Dudley Health and Well Being Board, Regional Scrutiny Chairs and that a further report be submitted to the Health Scrutiny Committee prior to consultation taking place.

RESOLVED

- (1) That the information contained in the report on the scope and approach of the Stroke Reconfiguration Programme and key project milestones be noted and that a further report be submitted to the Committee prior to consultation taking place.
- (2) That the Dudley Clinical Commissioning Group be requested to submit the scoping document to the Dudley Health and Well Being Board, the Regional Scrutiny Chairs and the Sandwell Clinical Commissioning Group, as the lead CCG in this review.

A report of the Chief Accountable Officer, Dudley Clinical Commissioning Group (CCG) was submitted on public consultation on urgent care in Dudley currently being carried out by the CCG.

In presenting the report Mr Maubach provided feedback from the consultation exercise and some of the points mentioned were that there had been limited views on the out of hours service, the public wanted access to the "111 service", people wanted to see improvements to General Practitioners (GP's) service, in particular to access and that there were mixed views about the walk in centre in that some people preferred it whilst others preferred their GP's. There were also mixed views in relocating the walk in centre to Russells Hall as some had concerns about parking whilst others felt the bus service to Russells Hall was better. With regard to the consultation exercise there had been two areas of criticism, firstly it had been suggested that the CCG should include as part of the consultation a presentation to Members of the Council and, secondly, that the drop in sessions had only been scheduled in the day and some people could not attend due to work commitments. In response to those criticisms, Mr Maubach confirmed that the CCG would be advertising and holding evening drop-in sessions during the second half of the consultation period and would also attend a Council meeting if asked to do so.

Arising from the presentation of the report members commented that there should be consistency in services provided across the Borough, very few Councillors had seen the consultation document, some Members had not known of the dates of the drop in sessions in their Wards, GP's and their staff were not aware of meetings and there was no literature at surgeries or pharmacies. The consultation aspect of the document was also queried as it was considered that the document was misleading and biased given the statement on the front page by Dr Mann (Clinical Executive for Acute and Community) which seemed to suggest that it was better for the public to access their own GP's as it was best for their health needs.

A member commented that the public were confused as to what they were being consulted on due to varying issues such as the "111 service", the closure of the walk in centre and the out of hours service and it was requested that consideration be given to separating them and clarifying what was being consulted on. With regard to the "111 Service" it was pointed out that whilst the previous provider, NHS Direct, covered the whole of the West Midlands, this had now been broken down into several areas and it was requested that a report be submitted from the West Midlands Ambulance Service on feedback and progress made since they had taken over the service for Dudley.

In responding to comments made Mr Maubach stated that although information had not been submitted to Chemists on the consultation, press advertisements on the consultation had taken place and he further stated that GP's would be encouraged to make leaflets on the consultation more available. With regard to the consultation document being biased, Mr Maubach stated that initially proposals had been submitted to all GP practices and that all GP's had responded by saying that, in their clinical opinion, the combined service that would be achieved by closing the walk in centre and relocating to Russells Hall would be safer and better and that it would further relieve pressure from the Accident and Emergency Department. He stated that it would be wrong not to portray the GPs' opinions however public views would also be considered. Regarding the concern raised about possible confusion over what was being consulted on, Mr Maubach confirmed that there were two main

elements to the consultation, firstly the proposal to close the walk-in-centre and out-of-hours service and relocate them to Russell's Hall to create a new urgent care centre and secondly the proposal to not reopen the weekday, in-hours part of the walk-in service and instead use this resource to improve GP access. On comments made about preference to see consistency of GP access it was confirmed that it was the CCG's intention but that there were 49 practices of different sizes with different staff and patients with different needs so it would probably require 49 different solutions to achieve the consistency of service.

With regard to submitting a report on the "111 service" provided by the West Midlands Ambulance Service, Mr Maubach undertook to liaise with the Sandwell and Birmingham Clinical Commissioning Group as they were the responsible body.

RESOLVED

- (1) That the information contained in the report submitted, on urgent care public consultation, be noted and that the Clinical Commissioning Group be requested take into account the views expressed at this meeting as part of the consultation exercise.
- (2) That the Accountable Officer (Dudley Clinical Commissioning Group) be requested to liaise with Sandwell and Birmingham Clinical Commissioning Group with a view to submitting a report to the Committee on feedback and progress made since the West Midlands Ambulance Service overtook the "111 Service".

26 TOBACCO REVIEW UPDATE

A verbal report was given by the Scrutiny Officer on meetings held in relation to the Tobacco Review.

The Scrutiny Officer informed the meeting that two recent meetings had been held in relation to the Tobacco Review and that evidence had been received from varying partners and organisations. A report on the key findings was currently being drafted and would be circulated to Members for information with a view to a report being submitted to the January meeting of the Committee.

RESOLVED

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

The meeting ended at 8.25 p.m.

CHAIR

HSC/15

URBAN ENVIRONMENT SCRUTINY COMMITTEE

Tuesday 29th October, 2013 at 6.00 p.m.
in Committee Room 2 at the Council House, Dudley

PRESENT:-

Councillor Tyler (Chair)
Councillor Hale (Vice Chair)
Councillors Ali, Duckworth, Hanif, Harley, J Jones, Sykes, K Turner and Mrs Westwood

Officers

Assistant Director of Adult, Community and Housing Services (Housing Strategy and Private Sector) (Lead Officer to the Committee), Assistant Director of Urban Environment (Environmental Management), Assistant Director of Urban Environment (Culture and Leisure), Project Development Manager, Head of Street and Green Care, Team Manager (Green Care), Countryside Manager (All Directorate of the Urban Environment) and the Assistant Democratic Services Officer (Directorate of Corporate Resources)

12 **APOLOGY FOR ABSENCE**

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

13 **DECLARATIONS OF INTEREST**

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

14 **MINUTES**

RESOLVED

That the minutes of the meeting of the Committee held on 9th September, 2013, be approved as a correct record and signed.

15 **PUBLIC FORUM**

No matters were raised under this Agenda Item.

16 **PARKS, NATURE RESERVES AND OPEN SPACES STRATEGY**

A report of the Director of the Urban Environment was submitted together with a detailed presentation on the development of a strategy and a hierarchy to guide both future investment and inform re-alignment of future revenue budgets.

A copy of the PowerPoint presentation slides, together with a list of town and local parks and nature reserves and an information sheet in relation to tree diseases, were circulated to Members at the meeting.

The Assistant Director of the Urban Environment (Environmental Management) introduced the presentation and stated that it was anticipated that the questions and queries raised at the previous meeting would be addressed during the presentation and that at the end of the presentation Members would be able to provide officers with some recommendations and focus in preparation for the November meeting.

The Head of Street and Green Care then highlighted to Members the different service delivery options that were available which could be considered for the management of Council services and referred to the advantages and disadvantages of each option. It was stated that not just one option may be suitable for all services but a combination could be considered.

In response to a question raised in relation to the proposed revenue savings for Green Care Services, the Lead Officer suggested that this information be discussed at the Scrutiny Committee in November when the Revenue Budget Strategy report would be submitted for consideration.

A Member expressed his concerns about the provision of information and considered that a combination of the service delivery options discussed should be explored.

Another Member referred to Shared Services between Local Authorities and considered that it was unfortunate that the Black Country Authorities had not embraced this option when it had had the opportunity. It was stated that the Council needed to make some radical changes to the way in which its services were delivered, including consideration of arms length management, third sector delivery and outsourcing.

In response to a question raised by a Member in relation to insourcing and bringing back services in-house, the Head of Street and Green Care provided a detailed response and highlighted the advantages and disadvantages involved with this service delivery.

A Member stated that a detailed options appraisal should be undertaken and the Assistant Director of the Urban Environment (Environmental Management) confirmed that full and proper appraisals would take place prior to implementing any option and that each service would be addressed individually taking into consideration all criteria.

The Head of Street and Green Care then referred to the Association of Public Service Excellence (APSE) Local Authority Parks Services Survey for 2012/13 and stated that 83% of the 112 Local Authorities that had participated in the survey, currently provided their services in-house and it was considered that this percentage would change significantly in the coming years.

He then highlighted to Members the ways in which performance management was measured and compared with other Authorities and referred to the array of monitoring of standards and accreditations obtainable. He referred to the issue raised at the previous meeting in relation to traded services for schools and some schools sourcing cheaper service providers and stated that Greencare provided a 3 star service and still maintained the majority of school grounds within the Dudley borough.

It was stated that the service reductions would be dependant on the severity of the budget cuts and the possible implications and impacts of these reductions were referred to.

At the previous meeting a discussion took place in relation to the possible income generation at parks. The Head of Street and Green Care referred to the APSE survey which identified what other authorities were currently doing and stated that there were potential areas that Dudley could explore and that this should be one of the recommendations within the final report.

Comments, questions and queries were then raised as follows:-

- That the two parks in the Dudley borough that had been awarded best grounds maintenance were Mary Stevens Park and Wollescote Park.
- It was requested that the percentage figure as to where Dudley sat in terms of cost comparison in relation to the results of the APSE survey be circulated to Members of the Committee by the Head of Street and Green Care.
- That discussions were currently taking place with Public Health and consideration was being given to funding options in relation to the future of the Healthy Hub park rangers, as current funding would come to an end in 2014.
- It was considered that any reduction in service standards, especially when an issue was highly visible such as grass not being cut, weed control, blocked drains etc, would generate an increase in complaints from the public.
- It was confirmed that the Healthy Hub equipment that had been installed in some parks throughout the Dudley borough, belonged to the Council and it was considered that this facility would remain free of charge for those residents who did not have access to private gym facilities.

The Project Development Manager then gave a presentation in relation to the development of a hierarchy of parks, nature reserves and open spaces and reiterated some of her comments made at the previous meeting.

She referred to the list of Town and Local parks and nature reserves document that had been circulated to Members and stated that under the Unitary Development Plan (UDP) policy, which is currently under review, Dudley was considered to have eleven town parks and forty-eight local parks and a considerable vast amount of countryside sites.

The Countryside Manager explained to Members the meaning of, and what, the Nature Conservation Designation and the English Heritage Designation represented. It was stated that there were sites of local, national and international importance in the Dudley borough and that more emphasis now needed to be made on improving the condition of the smaller surrounding sites.

Arising from a question raised by a Member, the Project Development Manager confirmed that the eleven town parks and the forty-eight local parks were what had been identified in the Unitary Development Plan (UDP) that was adopted in 2005 and not all area's that were considered to be a park were included.

She then referred to APSE which was a national benchmarking tool and would be used to establish a hierarchy of parks in the borough. APSE used a specific list of attributes to categories parks, but it was considered to be outdated and therefore additional options had been included to develop a more appropriate list for Dudley. In response to a query raised, the Assistant Director of the Urban Environment (Environmental Management) agreed that Dudley could try and influence Members of APSE to update their criteria and to take into consideration some of the options suggested by Dudley. This would be presented to Members at the West Midlands Forums and Natural England meetings where APSE representatives would be in attendance.

In response to a question raised it was stated that Green Flag was considered to be a good accreditation award scheme, however APSE would be a more scientific and robust tool for this particular exercise.

Catchment areas and buffers for Countryside and parks were explained to Members and identified on borough wide maps that were displayed at the meeting. Members had the opportunity to view the maps available and asked questions appropriately. It was stated that this exercise identified where there were gaps in the provision of green spaces and also identified areas of over-supply.

The Project Development Manager then referred to public engagement and provided feedback to Members received from Friends Groups that had attended the Greenspaces Forum on 22nd October. Friends Groups had been asked an array of questions in relation to the future of parks in the borough; what they would define as a park or nature reserve; the role of the Friends Group in the management of parks and how this could be developed in the future. Feedback received emphasised the need and importance of the advertisement and promotion of parks and that consensus from Friends Group was that they felt that they already provided as much as they could in relation to maintenance of their park and therefore would continue to require support from Council officers and would not feel comfortable taking on additional responsibility.

The Assistant Director of the Urban Environment (Environment Management) then summed up the presentation and reiterated that a further report would be submitted to the Committee in November. He outlined the next steps and the information that would be provided to the next meeting, building on recommendations associated with the Green Spaces Asset Management Plan.

Concerns were raised by a Member that an area of open space situated in a deprived area that currently had fewer facilities than others would be neglected by the Strategy. The Project Development Manager re-emphasised that it was essential that all residents had the same access and equality to parks or green spaces and that this would be fundamental to the Green Spaces Asset Management Plan which will encompass the hierarchy of parks, nature reserves and open spaces.

A Member asked if population, park usage, park access, bus and cycle routes could be included in the attributes criteria for consideration. It was stated that all criteria suggested had been considered, however it would be extremely difficult to determine and monitor the number of people that used each park.

A Member requested further information in relation to how the Council had benefited from Friends Group raising £232,000. He also stated that Friends of parks did a wonderful job, but sometimes it was only down to two or three of its members to carry out the work and therefore could not continue without the support from the Council. He also raised concerns in relation to areas that are currently disadvantaged and would continue to be and that this needed to be taken into consideration and that it was important to understand what works for Dudley and that proper option appraisals take place before making any decisions.

In response to a question raised in relation to surplus land it was stated that a consultation process would take place prior to any amenity land being sold or utilised for any other purpose.

RESOLVED

That the information contained in the report submitted, the detailed presentation, the information documents circulated and all comments made at the meeting, in relation to the development of a strategy and a hierarchy to guide both future investment and inform re-alignment of future revenue budgets, be noted.

17 UPDATE ON THE URBAN ENVIRONMENT SCRUTINY COMMITTEE WORKING GROUP PROGRESS AND THE TRAFFIC REGULATION ORDER PROCESS

The Lead Officer to the Committee gave a verbal update on the progress of the Urban Environment Scrutiny Committee Working Group considering Support to Local Businesses and the virtual scrutiny review of the Traffic Regulation Order (TRO) process.

In referring to the virtual TRO process, he stated that the feedback received from Members to date had been useful and that a final report on the process would be submitted to the Scrutiny Committee in March 2014.

In referring to the Working Group and the work currently being undertaken in relation to support for local businesses it was stated that following the previous meeting with regard to Dudley Business Loan Fund and the presentation from Black Country Reinvestment Society, a letter of thanks had been written to the Chief Executive of the company on behalf of the Scrutiny Committee and that the further information that had been requested at that meeting in relation to bad debts was currently being produced and would be circulated to Members in due course. It was stated that a final report for this area would also be submitted to the Scrutiny Committee in March 2014.

The Lead Officer then referred to an email that had been sent to all Members of the Scrutiny Committee informing them of the change of date and time of the next meeting of the Committee.

RESOLVED

- (1) That the verbal update provided by the Lead Officer of the Committee in relation to the Urban Environment Scrutiny Committee Working Groups progress relating to Support to Local Businesses and the virtual scrutiny review of the Traffic Regulation Order process, be noted.
- (2) That Members be requested to note that the next meeting of the Scrutiny Committee would now be held on 27th November, 2013 at 5pm in Committee Room 2.

The meeting ended at 8.40pm.

CHAIR

APPEALS COMMITTEE (CHILDREN'S SERVICES TRANSPORT APPEALS)
SUB-COMMITTEE

Thursday 10th October, 2013 at 10.00 am
in Committee Room 1 at The Council House, Priory Road, Dudley

PRESENT

Councillor J Martin (Chair)
Councillor Hale (Vice-Chair)
Councillor Mrs Turner

Officers

Tony Wells, Senior Transport Manager, (Directorate of Children's Services) and
Mrs K Buckle, Democratic Services Officer, (Directorate of Corporate
Resources).

6. **DECLARATIONS OF INTEREST**

No member declared an interest in accordance with the Members' Code of
Conduct, in respect of any matter to be considered at this meeting.

7. **MINUTES**

RESOLVED

That the minutes of the meeting of the Sub-Committee held on 24th July,
2013, be approved as a correct record and signed.

8. **EXCLUSION OF THE PUBLIC**

RESOLVED

That the public be excluded from the meeting for the following item of
business on the grounds that it involves the likely disclosure of exempt
information as defined in Part I of Schedule 12A to the Local Government
Act, 1972, as indicated below:-

<u>Description of Item</u>	<u>Relevant Paragraph of Part I of Schedule 12A</u>
Home to School/College Transport Appeal	1

9. **HOME TO SCHOOL/COLLEGE TRANSPORT APPEAL - JP**

The Sub-Committee considered an appeal relating to Home to School/College Transport.

The Applicant, Mr IP, was in attendance at the meeting.

Following introductions by the Chair, the Democratic Services Officer outlined the procedure to be followed.

The Senior Transport Manager, Directorate of Children's Services, presented the report on behalf of the Local Authority.

Following the presentation, the Applicant and the Panel were given the opportunity to ask questions of the Local Authority report.

The Applicant then presented his case as to why it was imperative that his child was provided with home to school transport.

Following the presentation by the Applicant, the Panel asked questions on the evidence provided.

Following a detailed discussion and questioning, both parties were asked to make final submissions and then withdrew from the meeting so that the Sub-Committee could continue its deliberations in respect of the Home to School Transport Appeal.

RESOLVED

- (1) That, following careful consideration of the written representations as circulated with the agenda papers and all the comments and submissions made at the meeting, the appeal be upheld and that transport for JP be provided to the Old Park School forthwith.
- (2) That the Director of Corporate Resources advise the applicant of the Panel's decision in writing.
- (3) That the Director of Children's Services be requested to:
 - (a) Expediate the Home to School/College Transport Appeal process in order that the Sub-Committee can determine appeals as soon as practicably possible.
 - (b) Ensure that prior to parents accepting a school place they are advised that although parental preferences for schools will be taken into account they may not automatically be provided with Home to School/College Transport by the Local Authority.

The meeting ended at 10.45am

CHAIR

APCST/4

DEVELOPMENT CONTROL COMMITTEE

Tuesday 8th October, 2013 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, Mr T Glews, Mrs H Martin, Mr D Owen, Mr P Reed, Mrs S Willetts, Ms H Yorke (all Directorate of the Urban Environment), Mrs G Breakwell and Mrs M Johal (Directorate of Corporate Resources)

38 **DECLARATION OF INTEREST**

In accordance with the Members' Code of Conduct, Councillor C Wilson declared a non-pecuniary interest in Planning Application No P13/1065 (Stourbridge College, Hagley Road, Stourbridge) in view of him being a Feoffee of Old Swinford Hospital.

39 **MINUTES**

RESOLVED

That the minutes of the meeting of the Committee held on 16th September, 2013, be approved as a correct record and signed.

40 **PLANS AND APPLICATIONS TO DEVELOP**

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

The following persons referred to had indicated that they wished to speak at the meeting and, unless indicated, spoke on the planning applications:-

Plan No P13/1073 – Councillor Miller (Ward Councillor) – an objector and Ms Inderpal Kaur – an agent/applicant

Plan No P13/1086 – Councillor Cowell (Ward Councillor) – an objector and Mr Lay – an agent/applicant

- (i) Plan No P13/1073 – 43 Summercourt Drive, Kingswinford – Crown Lift 1 Sycamore Tree to Remove the Three Lowest Branches Overhanging 2 Manderville Gardens

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

- (ii) Plan No P13/1086 – 40 Victoria Road, Quarry Bank, Brierley Hill – Conversion of Existing Dwelling to 2 No Flats. Erection of Detached Outbuilding in Rear Garden for Storage Purposes (Part Retrospective) (Resubmission of Withdrawn Application P13/0853)

The Committee noted comments made by a Member in that the term “bedroom tax” was incorrect and should instead be referred to as a spare room subsidy.

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

- (iii) Plan No P10/0665/E1 – Former Lomond Vale Nursing Home, Church Street, Lower Gornal, Dudley – Extension of Time of Previously Approved Application P10/0665 for the Demolition of Existing Building and Erection of a 2/3 Storey Block of 10 No Apartments

Decision: Approved, subject to conditions, numbered 1 to 10 (inclusive), as set out in the report submitted, together with additional conditions, numbered 11 to 13, as follows:-

11. No development shall commence until details of the footway improvements and visibility splay as shown on drawing 3663/7e have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the development has been carried out in accordance with the approved details.
12. None of the dwellings shall be occupied until details of cycle storage provision for each dwelling 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.

13. No development shall commence until details for the provision of external electric charging points have been submitted to and approved in writing by the Local Planning Authority. The charging points 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 P13/0622 – 99 Cole Street, Netherton, Dudley – Conversion of Dwelling House into 2 No Self Contained Flats with Provision of Entrance Door to Side Elevation and First Floor Rear Window

Arising from the presentation of the report some Members expressed concern about insufficient amenity and parking space and were also of the view that highway safety would be compromised.

Decision: Refused, for the following reasons:-

1. The proposed development would increase the intensity of the use of an access with limited width and visibility to the detriment of pedestrians and other users of the highway as vehicles manoeuvre into and out of the access in close proximity to a signal controlled junction and bus stop, contrary to saved policy DD4 of the UDP.
2. The development fails to provide adequate or appropriate car parking and amenity space in accordance with the adopted Car Parking Supplementary Planning Document and New Housing Supplementary Planning Document to the detriment of residential amenity and public safety contrary to saved policy DD4 of the UDP.

Having previously declared a non-pecuniary interest in the following item Councillor C Wilson withdrew from the meeting and rejoined following its consideration.

(v) Plan No P13/1064 – Stourbridge College, Hagley Road, Stourbridge – Part Demolition of Existing Reception Area, Construction of Building Extension to Provide New Reception, Teaching and Staff Areas, External Alterations Including Recladding of Existing Building, Associated Engineering and Landscape Works

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

- (vi) Plan No P13/1075 – Star News Shops Ltd, 62-64 Wynall Lane, Stourbridge – Change of use of Newsagents (A1) to Hot Food Takeaway (A5) with Rear Extraction Flue

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

- (vii) Plan No P13/1102 – Bache Pallets Ltd, Bromley Street, Lye, Stourbridge – Change of use from Highway (Sui Generis) to Private Land and Construction of Vehicle Turning Head and Erection of 2M High Palisade Fencing

Decision: Approved, subject to the following:-

- 1 The applicant being invited to make an application to the Secretary of State, under Section 247 of the Town and Country Planning Act 1990 to close, create and improve highways, based upon Drawing No XVDD10234/S (Dated 16 September 2013) to enable development authorised by planning permission to take place. The full costs and works to the local authorities' satisfaction shall be met by the developer.
2. Conditions numbered 1 to 3 (inclusive), as set out in the report submitted.

The meeting ended at 7.05 pm.

CHAIR

DEVELOPMENT CONTROL COMMITTEE

Monday 28th October, 2013 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 N Howell, Mr I Hunt, Mrs H Martin, Mrs S Willetts (all Directorate of the Urban Environment), Mrs G Breakwell and Mrs M Johal (Directorate of Corporate Resources)

41 **DECLARATIONS OF INTEREST**

In accordance with the Members' Code of Conduct, Councillors Zada and Perks declared a non-pecuniary interest in Planning Application No P13/0345 (Yew Tree Inn Public House, Hockley Lane, Netherton) as they knew the objector.

42 **MINUTES**

RESOLVED

That the minutes of the meeting of the Committee held on 8th October, 2013, be approved as a correct record and signed.

43 **PLANS AND APPLICATIONS TO DEVELOP**

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

The following persons referred to had indicated that they wished to speak at the meeting and, unless indicated, spoke on the planning applications:-

Plan No P13/0345 – Mr Daniels – an objector

Plan No P13/0634 – Mrs Colbourne – an objector and Mr Nick Carol
(Representative – PSP Dudley LLP – an agent/applicant)

Plan No P13/1233 – Ms Jane Beach – an objector

- (i) Plan No P13/0345 – Yew Tree Inn Public House, Hockley Lane, Netherton, Dudley – Outline Application for Residential Development (All Matters Reserved)

Decision: Approved, subject to conditions, numbered 1 to 10 (inclusive), as set out in the report submitted.

- (ii) Plan No P13/0634 – Land to the Rear of 6 St James’s Road, Dudley – Erection of Three and Four Storey Block of 14 Flats with Parking and Communal Areas. New Bin Store and Cycle Shelter

Decision: Approved, subject to conditions, numbered 1 to 14 (inclusive), as set out in the report submitted, together with an additional condition, numbered 15, as follows:-

15. Prior to the commencement of development, details of the cycle storage area to be provided shall be submitted to and approved in writing by the Local Planning Authority. The facilities, as agreed, shall be implemented on site prior to first occupation and thereafter maintained for the lifetime of the development.

- (iii) Plan No P13/1233 – Land at Rear of 1 and 3 Mons Hill, (Off Dawlish Road), Dudley – Erection of 3 No Dwellings (Part Retrospective) (Resubmission of Refused Application P13/0190)

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

14. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) no development covered by Schedule 2 Article 3 Part 1 Classes A, B, C, D, E and F or Part 2 Classes A and B of Schedule 2 of that order shall be carried out without planning permission granted by the Local Planning Authority.

- (iv) Plan No P13/0176 – Dudley MBC, 6 St James’s Road, Dudley – Conversion of Existing Offices into 6 Residential Flats with New Bin Store and Disabled Parking

Decision: Approved, subject to conditions, numbered 1 to 15 (inclusive), as set out in the report submitted, together with additional conditions, numbered 16 and 17, as follows:-

16. Prior to the commencement of development, details of the cycle storage area to be provided shall be submitted to and approved in writing by the Local Planning Authority. The facilities, as agreed, shall be implemented on site prior to first occupation and thereafter maintained for the lifetime of the development.
17. The basement area shall be ancillary to the use of the main building as residential apartments and shall not be sold off, sublet separately or used as a separate unit/s of accommodation without the prior written approval of the Local Planning Authority.

- (v) Plan No P13/1183 – Land at Ellowes Road, (To the Rear of 100-106 Park Road, Gornal, Dudley – Erection of 2 No Dwellings)

Decision: Approved, subject to Article 3(1)(b) of the Town and Country Planning Act 1990 The Stopping up of Highways (West Midlands) (No 33) Order 2009 being completed to the Council's reasonable satisfaction, the developer be invited to make an application to the Secretary of State to close up that section of Ellowes Road shown on plan 1347/002 under Section 247 of the Town and Country Planning Act 1990 to allow development authorised by planning permission to take place and conditions, numbered 1 to 10 (inclusive), as set out in the report submitted.

- (vi) Plan No P13/1218 – 11 Foxlands Drive, Lower Gornal, Dudley – Loft Conversion with Rear Dormer

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

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification) no development referred to in Schedule 2 Part 1 Class A of that Order shall be carried out without the prior written approval of the Local Planning Authority.

- (vii) Plan No P13/1246 – Land Adjacent to 3 Bird Street, Lower Gornal, Dudley – Erection of 4 No Dwellings (Resubmission of Refused Application P12/0741)

Decision: Approved, subject to conditions, numbered 1 to 17 (inclusive), as set out in the report submitted.

44 ADOPTION OF THE HALESOWEN AREA ACTION PLAN

A report of the Director of the Urban Environment was submitted on the adoption of the Halesowen Area Action Plan (AAP) and its status as part of the development plan for the Borough, to be used in the determination of planning applications for development within the plan area.

RESOLVED

That the information contained in the report, on the adoption of the Halesowen Area Action Plan (AAP) and its status as part of the development plan for the Borough, to be used in the determination of planning applications for development within the plan area, be noted.

45 ADOPTION OF THE STOURBRIDGE AREA ACTION PLAN

A report of the Director of the Urban Environment was submitted on the adoption of the Stourbridge Area Action Plan (AAP) and its status as part of the development plan for the Borough, to be used in the determination of planning applications for development within the plan area.

RESOLVED

That the information contained in the report, on the adoption of the Stourbridge Area Action Plan (AAP) and its status as part of the development plan for the Borough, to be used in the determination of planning applications for development within the plan area, be noted.

The meeting ended at 7.05 pm.

CHAIR

LICENSING SUB-COMMITTEE 1

Tuesday 8th October, 2013 at 10.00 am
in the Council Chamber, The Council House, Dudley

PRESENT:-

Councillor Bills (Chair)
Councillors Blood and Mrs H Turner

Officers: -

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

13 DECLARATIONS OF INTEREST

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

14 MINUTES

RESOLVED

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

15 APPLICATION FOR PREMISES LICENCE – TESCO STORES LIMITED, UNIT 9, CROWN CENTRE, STOURBRIDGE

A report of the Director of Corporate Resources was submitted to consider the application for the grant of a premises licence in respect of Tesco Stores Limited, Unit 9, Crown Centre, Stourbridge.

Ms S Griffiths (Store Manager) was in attendance at the meeting, together with Mr P Whur, Solicitor.

Also in attendance and objecting to the application were WPC N Lees and Ms Turley from West Midlands Police, Councillor Sykes (Ward Member), Councillor Marrey (Ward Member), Mr P Miles (Chairman of the Tenants and Residents Association – Baylie Court), together with two local residents.

Following introductions by the Chair, the Licensing Clerk presented the report on behalf of the Council, and in doing so stated that since the writing of the report mediation had taken place between West Midlands Police and Tesco, which resulted in Tesco reducing the hours during which it seeks to sell alcohol to between 6am and midnight, Monday to Saturday, together with additional conditions attached to the licence.

At this juncture, the Chair referred to the Cumulative Impact Policy that had been adopted in Stourbridge for a number of years to deal with any crime and disorder and anti-social behaviour in the area. She stated that for applications submitted for a licence in Stourbridge, the applicant would be expected to demonstrate in their operating schedule, the steps to be taken to prevent problems of nuisance and, public safety, and to promote the reduction of crime and disorder.

Councillor Sykes, Ward Member, then presented her representations and in doing so provided information background as to the reasons why a Cumulative Impact Policy had been introduced in Stourbridge, which was predominately due to the high levels of anti-social behaviour and nuisance from customers who attended the bars and clubs in the area, particularly during the weekend.

She further stated that following the support from West Midlands Police together with Street Pastors, the introduction of an alcohol banning order and taxi marshals, the levels of anti-social behaviour and nuisance had been reduced.

Councillor Sykes stated that the closing times of the bars and clubs were staggered and the break between the closure of supermarkets and the clubs was significant and should be maintained.

Further to concerns raised by Councillor Sykes in respect of the request by Tesco to apply for special variations during the December period; Mr Whur stated that the applicant no longer wished to apply for the variation.

Mr P Miles, on behalf of the residents of Baylie Court, Stourbridge, then presented his representations and in doing so informed the Sub-Committee that he echoed Councillor Sykes comments and that the residents of Baylie Court had already experienced levels of nuisance, including a large number of alcoholic cans and food waste discarded by members of the public.

Councillor Marrey, Ward Member, then presented his representations and in doing so acknowledged the modifications made to the application submitted by Tesco. He also referred to a number of applications previously submitted by various developers for a premises licence in Stourbridge, however due to the success of the Cumulative Impact Policy, the majority of applications were refused.

WPC Lees, on behalf of West Midlands Police, then presented her representations and in doing so informed the Sub-Committee that following successful mediation with Tesco, the initial objection submitted had since been withdrawn. She then referred to the licensable hours of supermarkets within Stourbridge, and stated that it would be difficult to compare those against Tesco.

She stated that Tesco confirmed that they would implement twenty-four hour security and a comprehensive CCTV system and that local officers would continue a strong working relationship and arrange crime prevention initiatives together with Tesco.

In response to Mr Miles's representation, the Legal Advisor stated that it would be difficult to identify the members of public who had discarded the litter, and the premises in which they purchased the items. Mr Miles responded that the litter nuisance was a regular occurrence and the majority of the items were alcoholic cans.

In responding to a question by a member in relation to the comparison between a supermarket selling alcohol later than usual to a restaurant licensing to similar hours than bars and clubs; Councillor Sykes responded by stating that there was no comparison and that the majority of customers would not consume alcohol in the street, and that she wished to maintain the status quo.

Councillor Marrey stated that the main concerns were that people were consuming alcohol during their journey and therefore not confined to the town centre, resulting in instances such as people walking over cars and causing noise nuisance to local residents.

In responding to a question by the Chair; WPC Lees stated that she did not believe that the levels of noise nuisance and anti-social behaviour would increase should the Sub-Committee be minded to approve the application, and that the majority of people appeared to consume alcohol before arriving in Stourbridge.

Councillor Sykes referred to the petitions submitted to the Sub-Committee prior to the hearing, by local residents objecting to the application, and stated that since the writing of the report a further 84 signatures had been included. The petitions had now been signed by 247 members of the public.

A member of the public raised concerns in relation to the possibility of drunk people entering and damaging the Crown Centre.

Mr Whur then presented the representations on behalf of Tesco Stores, and in doing so stated that he was grateful for the comments made and that the new premises would create 400 jobs for local people, and that Tesco had engaged with the community and Dudley MBC which had been reflected in the revised application. It was noted that the premises would open on 31st October, 2013.

Mr Whur further stated that there would be six personal licence holders employed at the premises and that Ms Griffiths would be happy to speak to the objectors to discuss local issues and contacts.

He stated that Tesco had received significant local support and that it was their intention to provide donations to the local Street Pastors, as he echoed Councillor Sykes comments that the scheme was successful.

Reference was made to the mediation between West Midlands Police and Tesco, and Mr Whur stated that he believed Tesco had been working hard in relation to local issues and that it was important to address concerns raised by Police including CCTV and Security. He stated that a budget had been provided for security and conversations would be undertaken with West Midlands Police in relation to the contracting of security.

Mr Whur stated that Tesco was a responsible operator and had maintained an excellent record; in particular that there had been no issues in relation to the selling of alcohol, and that they were able to identify how they would promote the Licensing Objectives.

It was noted that the alcohol products sold in a Tesco Store was significantly lower than other products, and that a car park containing 550 spaces would be available for general shopping.

Mr Whur further stated that the application should be approved as Tesco had amended the requested hours to sell alcohol and suggested additional conditions which had been circulated to members prior to the hearing, to address the concerns raised.

In responding to a question raised by Councillor Marrey in relation to the reduction of hours in which Tesco was applying for a premises licence, and the potential loss of profits should it be reduced further to mirror the existing supermarket licensable hours; Mr Whur stated that Tesco believed that by reducing the hours from 6 am until Midnight had already caused a detrimental effect on profits, however the hours reflected the existing staggered closing times already undertaken by bars and clubs in the area.

Reference was made to the security which would be undertaken at the premises, Ms Griffiths stated that security staff would be recruited from the company that will manage security for the Crown Centre.

Mr Whur informed the Sub-Committee that after the licensable hours had ceased, the aisle would be cornered off and a system implemented on the till register, which would not allow an alcohol product to be sold if it were accidentally scanned.

In summing up, Councillor Sykes, on behalf of the objectors present, stated that she appreciated the comments made by Tesco, however the concerns raised still remained.

In summing up, Mr Whur, on behalf of Tesco Stores, asked that the Sub-Committee consider the application submitted in particular the reduction of hours and suggested conditions.

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 the application for the grant of a premises licence in respect of Tesco Stores Limited, Unit 9, Crown Centre, Stourbridge be approved, in the following terms: -

Sale of Alcohol

Monday – Saturday 06.00 – 00.00

The following conditions will be attached to the premises licence: -

Conditions

- (1) The Premises will operate an extensive CCTV system with cameras located in many areas of the shop. Images, where retained, will be kept for a minimum of 31 days. Images will be made available on the request of a responsible authority. A person should be on the premises at all times who is capable of operating the CCTV system.
- (2) All staff that sell alcohol will be trained on the company Challenge 25 policy. Staff will be trained to look at the customer who is buying alcohol. If the member of staff believe that person to be under 25, photographic ID will be needed to purchase the alcohol.
- (3) Subject to a scheme being in operation, the Premises will be a member of the Dudley Borough Business Crime Partnership and have the retail radio link.
- (4) The Premises will have a security provision throughout the time licensable activities take place on the premises.

REASONS FOR DECISION

This application for a premises licence by Tesco, for the sale of alcohol 24 hours a day, Monday to Saturday, has attracted significant local objection. Representations have been made by elected Councillors, local street pastors, local residents and the Police. All had very reasonable concerns about the likely impact of additional alcohol being available to drinkers in Stourbridge, both before, but primarily after, the pubs and clubs close.

The management of Tesco's has met with local police, and listened to their concerns in terms of crime and disorder and public safety. As a result, Tesco's has reduced the hours during which it seeks to sell alcohol to between 6am and midnight, Monday to Saturday. It has a very well thought out operating schedule, intends to appoint six managers with personal licences and its security staff will be recruited from the company that will manage security for the whole Crown Centre, and work closely with local police.

The Police have therefore withdrawn their representations and accept that they can safely manage the sale of alcohol between the hours of 6am and midnight, Monday to Saturday. The Police are also satisfied that the hour of 12 midnight is significantly earlier than the terminal hours of most of the pubs and clubs at the weekends, which tend to be between 2 and 3 am.

The Sub-Committee therefore agreed to the application as made today, for licensing hours between 6am and Midnight Monday to Saturday. The Sub-Committee imposes the four conditions upon the licence that have been referred between Tesco and West Midlands Police.

The Sub-Committee noted that residents and the management of Tesco's will be able to meet to ensure that the concerns of local residents are always considered, with a view to maintaining the current good practice in Stourbridge.

16

APPLICATION FOR A LICENSED PREMISES GAMING MACHINE PERMIT – THE BRAMFORD ARMS, PARK ROAD, WOODSETTON, DUDLEY

A report of the Director of Corporate Resources was submitted on an application for the grant of a Licensed Premises Gaming machine permit for four Category C machines in respect of the Bramford Arms, Park Road, Dudley.

Mr J Timmins (Bramford Arms), and Ms J Caur (Gamestec) 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 and that an existing quiz machine would be replaced by a fruit machine, it was

RESOLVED

That the application made for the grant of a licensed premises gaming machine permit for four Category C machines in respect of The Bramford Arms, Park Road, Woodsetton, Dudley, be granted.

17. APPLICATION FOR CONSENT TO ENGAGE IN STREET TRADING – MR F A SMITH - HIGH STREET, DUDLEY

A report of the Director of the Corporate Resources was submitted on an application made by Mr F A Smith for the grant of consent to engage in street trading to sell Hot Dogs, Burgers, Fries, Chicken Nuggets, Sausage, selection of Asian Foods along with hot and cold drinks and Ice Cream, Monday to Sunday, 9.00 am to 3.00am inclusive in High Street, Dudley.

Mr M Smith, on behalf of Mr F A Smith, was in attendance at the meeting.

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

It was noted that the Highways Section of the Directorate of the Urban Environment had made representations in relation to the application that had been circulated to the applicant, members of the Sub-Committee and interested parties.

It was further noted that Mr Smith had previously held a street trading consent to trade in Upper High Street, Dudley which expired on 10th July, 2013, which had not been subsequently renewed. Mr Smith also currently held consent to engage in street trading in Market Place, Dudley, Birmingham Street, Dudley and the Junction of Foster Street/High Street, Stourbridge.

Mr Smith then presented his case and in doing so informed the Sub-Committee that he no longer wished to trade in Upper High Street, Dudley, as there was insufficient trade, and that he wanted to relocate to the requested site, which he believed would accommodate his small van.

In responding to a question by a member, Mr Smith confirmed that all sites permitted were operated by employees.

At this juncture, a member informed Mr Smith that construction work was due to take place in Dudley Market Place during 2014, and therefore most traders would be relocated during that period. Mr Smith stated that he accepted the intended improvement to the area and was tolerant to change.

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 the application made by Mr F Smith for the grant of consent to engage in street trading at a site in High Street, Dudley, be refused.

REASONS FOR DECISION

The Sub-Committee does not grant this application. The advice from the Department of the Urban Environment is that there is insufficient room to allow another trader, emergency access and pedestrian access. The Sub-Committee knows the location well and accepts this advice.

The meeting ended at 12.05 pm

CHAIR

LICENSING SUB-COMMITTEE 1

Tuesday 15th October, 2013 at 10.05 am
in the Council Chamber, The Council House, Dudley

PRESENT:-

Councillor Bills (Chair)
Councillors Blood and Mrs H Turner

Officers: -

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

18 DECLARATIONS OF INTEREST

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

19 MINUTES

RESOLVED

That the minutes of the meeting of the Sub-Committee held on 8th October 2013, be approved as a correct record and signed.

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

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

Mr A R Nematollahi (Designated Premises Supervisor) was in attendance at the meeting together with his Solicitor, Mr P Burke; and Mrs Sheema (the new owner of the Premises).

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 WPC N Lees and Ms Turley, both Licensing Officers, from 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 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 14th August, 2013, a sixteen 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 on 4th May, 2012, Trading Standards together with West Midlands Police, carried out a test purchase at the premises to determine compliance with the law on the sale of alcohol to children. On that occasion, a fifteen year old female child test purchase volunteer purchased a 1ltr bottle of Frosty Jack's Cider with 7% alcohol by volume. The application for review of the premises licence was arranged for 21st August, 2012, however on the date of the hearing, Mr Nematollahi did not attend and later contacted the licensing department and voluntarily surrendered the premises licence.

Mr King reported that on 27th September, 2012, Mr Nematollahi applied for a new premises licence for the same premises, and Trading Standards submitted representations in respect of the application. The application was considered by a Sub-Committee on 20th November, 2012 where it was resolved that the application be granted and that additional conditions would be attached to the premises licence.

It was further noted that on 6th February, 2013 an alcohol test purchase had been carried out at the premises which resulted in no sale being made.

Mr King further stated that on 14th August, 2013, Trading Standards together with West Midlands Police, carried out a test purchase exercise which was part of an ongoing series of test purchase exercises to test compliance once a premises had been advised and those with additional conditions on the premises licence. On that occasion, a sixteen year old male child test purchase volunteer purchased a 330ml bottle of Desperados beer with 5.9% alcohol by volume. The seller made no attempt to ask the age of the volunteer, and did not ask for 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 Nematollahi, which was witnessed by an officer. Mr Nematollahi was cautioned but made no reply, and was issued with a Fixed Penalty Notice.

On inspection of the premises, it was noted that there were many age restricted product posters on display, including homemade posters and Challenge 25. Mr Nematollahi was able to produce a Refusals Register that appeared to be well used.

In concluding, Mr King stated that should the Sub-Committee be minded not to revoke or suspend the premises licence, they could consider including an additional condition to the licence to remove Mr Nematollahi as the Designated Premises Supervisor.

Ms Turley then presented the representations of West Midlands Police and in doing so informed the Sub-Committee that the local Neighbourhood officers had been working with Mr Nematollahi in relation to issues with people drinking in the town and the anti-social behaviour he had suffered by individuals purchasing alcohol from his premises.

It was reported that Mr Nematollahi had stopped selling alcohol in single can purchases and as a result had seen a decrease in calls for service at the premises.

She further stated that there had clearly been an issue with the management of the premises, but that it appeared Mr Nematollahi was working closely with local officers to improve this, and that since Mr Nematollahi's intention was to transfer the licence and Designated Premises Supervisor to Mrs Sheema, the Police would continue to work closely with Mrs Sheema.

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 recommendation to revoke or suspend the premises licence.

Mr Burke then presented the case on behalf of Mr Nematollahi, and in doing so informed the Sub-Committee that Mr Nematollahi had decided to sell the business as Mr Burke believed Mr Nematollahi to be too inexperienced to manage a premises in Dudley Town Centre, which historically had problems with street drinkers and anti-social behaviour.

Mr Burke then referred to the discussions that had taken place between Mr Nematollahi and West Midlands Police, and stated that Mr Nematollahi had worked hard and implemented measures to resolve concerns raised.

It was noted that Mr Nematollahi had sold the premises to Mrs Sheema, who was an experienced personal licence holder within Dudley, and Mr Burke considered that Mrs Sheema was the ideal person to 'take-over' the premises. He further stated that an application had been submitted to remove Mr Nematollahi as the Designated Premises Supervisor and transfer the licence to Mrs Sheema.

In responding to a question by a member in relation to the premises being sold, Mr Nematollahi confirmed that contracts had been signed and exchanged with Mrs Sheema, however the completion of the exchange would take some time.

It was noted that Mr Nematollahi was currently at University and not operating the business, which had been closed for three weeks. He stated that once Mrs Sheema was the owner of the premises, he had no intention of working at the premises.

It was further noted, following concerns raised by the Sub-Committee, that the business would not reopen until Mrs Sheema had the premises licence and became the Designated Premises Supervisor.

In summing up, Mr King, on behalf of Trading Standards, stated that there had been a number of instances at the premises, and that even though the premises was currently closed it still held a premises licence.

In summing up, WPC Lees, on behalf of West Midlands Police, stated that although there had been history with the premises, Mr Nematollahi had worked closely with officers, and that this would continue with Mrs Sheema.

In summing up, Mr Burke, on behalf of Mr Nematollahi, stated that in view of Mrs Sheema's experience she is the ideal candidate to operate the business and that she was happy to work with West Midlands Police and Trading Standards to resolve any issues.

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

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

RESOLVED

That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, Mr Nematollahi be removed as the Designated Premises Supervisor, and the premises licence issued to Fags and Mags Ltd, 1-5 New Street, Dudley be suspended until a new Designated Premises Supervisor had been appointed and the sale of the business completed. Following completion of both of these events, the suspension of the premises licence will cease.

REASONS FOR DECISION

This is a review of the premises licence, brought by Trading Standards, as a consequence of a failed test purchase to a sixteen year old male on 14th August, 2013. The sale was made by the Designated Premises Supervisor, Mr Nematollahi, and a Fixed Penalty Notice was issued. There is also a history of an employee making an underage sale on 4th May, 2012, when Mr Nematollahi was also the Designated Premises Supervisor. That licence was surrendered, but Mr Nematollahi applied for and was granted a new premises licence, and the Licensing Sub-Committee imposed a number of conditions on that new licence, in order to improve management of the premises. There is evidence that a refusals register is kept now at the shop till and that it appeared well used at the time of the failed test purchase. Posters were appropriately displayed relating the Challenge 25. The premises also passed an alcohol test purchase on 6th February, 2013.

Mr Nematollahi has given evidence today that he has exchanged a contract with a Mrs Sheema (who holds a personal licence) to sell the business, and that it has been closed for some three weeks. He and Mrs Sheema confirmed that the business would not reopen until she has the premises licence and becomes the Designated Premises Supervisor. Mr Nematollahi has also stated that he is at University currently and not running the business, and has no intention of doing so, or remaining the Designated Premises Supervisor. He states that he has made an application to remove himself as Designated Premises Supervisor but this has not been received by the licensing office. The Sub-Committee therefore removes Mr Nematollahi as the Designated Premises Supervisor.

In order to ensure that the business and premises licence are operated in accordance with the licensing objectives, particularly the protection of children, the Sub-Committee suspends the premises licence until a new Designated Premises Supervisor has been appointed and the sale of the business completed. Upon both of these events, the suspension of premises licence will cease.

The Sub-Committee is mindful of the concerns expressed by Public Health and is sure that Mrs Sheema, as a prospective premises licence holder and Designated Premises Supervisor will also take note of those concerns.

21

APPLICATION FOR REVIEW OF PREMISES LICENCE – LAKE DISCOUNT STORES, 18 LAKE STREET, LOWER GORNAL, DUDLEY

A report of the Director of Corporate Resources was submitted on an application for the review of the premises licence in respect of Lake Discount Stores, 18 Lake Street, Lower Gornal, Dudley.

Mr S Bahia, Premises Licence Holder, 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 WPC N Lees, K Turley, and Sergeant Crookshank from West Midlands Police.

Following introductions, the Chair referred to an e-mail which had been submitted by Mr Bahia's legal representative, requesting an adjournment.

Mr Bahir informed the Sub-Committee that he had been out of the country and received the review paperwork on his return on 9th October 2013, leaving him with insufficient time for his legal representative to prepare his case for the hearing.

Further to the request made, concerns were raised by Trading Standards, Public Health and West Midlands Police, that should the matter be adjourned then the concerns associated with the premises would continue until the matter could be re-considered.

In responding to a question by a member as to whether Mr Bahir had contacted his solicitor immediately after the failed test purchase exercise on 14th August, 2013; Mr Bahir responded in stating that he contacted the Federation of Small Businesses a week following the sale, however matters such as insurance claims and a Solicitor being appointed to the case had been completed during the time Mr Bahir was out of the country.

At this juncture, the Legal Advisor advised the Sub-Committee to consider whether it would be in the interest of natural justice and human rights to adjourn the hearing given that Mr Bahir did not have a legal representative in attendance today.

The parties then withdrew from the meeting in order to enable the Sub-Committee to consider the question of an adjournment.

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

RESOLVED

That consideration of the application made for the review of the premises licence in respect of Lake Discount Stores, 18 Lake Street, Lower Gornal, Dudley be adjourned to a re-convened meeting to be held on Tuesday 29th October, 2013.

REASONS FOR DECISION

The Sub-Committee has received an application from Mr Bahia's legal representative dated 10th October, 2013. The Sub-Committee interpreted that e-mail to mean that a legal representative would attend today. Mr Bahia attended today unrepresented. The Sub-Committee is extremely disappointed that today, it has been given little option but to adjourn the hearing.

The Sub-Committee therefore adjourns this review until Tuesday 29th October, at a time to be fixed. The matter will be fully heard on that date and there will be no further delay.

22 APPLICATION FOR A LICENSED PREMISES GAMING MACHINE PERMIT – THE CORN EXCHANGE, AMBLECOTE ROAD, BRIERLEY HILL

A report of the Director of the Corporate Resources was submitted on an application for the grant of a licensed premises gaming machine permit for five machines in respect of The Corn Exchange, Amblecote Road, Brierley Hill.

It was noted that the applicant was not in attendance at the meeting, notification of the non-attendance having been received.

RESOLVED

That the application made for the grant of a licensed premises gaming machine permit for five machines in respect of The Corn Exchange, Amblecote Road, Brierley Hill be deferred to a future meeting of the Sub-Committee.

The meeting ended at 11.35 am

CHAIR
LSBC1/33

LICENSING SUB-COMMITTEE 1

Tuesday 29th October, 2013 at 10.00 am
in the Council Chamber, The Council House, Dudley

PRESENT:-

Councillor Bills (Chair)
Councillors Blood and Mrs H Turner

Officers: -

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

23 DECLARATIONS OF INTEREST

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

24 MINUTES

RESOLVED

That the minutes of the meeting of the Sub-Committee held on 15th October 2013, be approved as a correct record and signed.

25 APPLICATION FOR A LICENSED PREMISES GAMING MACHINE PERMIT – THE CORN EXCHANGE, AMBLECOTE ROAD, BRIERLEY HILL

A report of the Director of Corporate Resources was submitted on an application for the grant of a Licensed Premises Gaming machine permit for five machines in respect of The Corn Exchange, Amblecote Road, Brierley Hill.

Ms C Hanson (Designated Premises Supervisor – The Corn Exchange), and Ms L Bayliss (Gamestec) 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 and that an existing quiz machine would be replaced by a fruit machine, it was

RESOLVED

That the application made for the grant of a licensed premises gaming machine permit for five machines in respect of The Corn Exchange, Amblecote Road, Brierley Hill, be granted.

26

APPLICATION FOR REVIEW OF PREMISES LICENCE – LAKE DISCOUNT STORES, 18 LAKE STREET, LOWER GORNAL, DUDLEY

A report of the Director of Corporate Resources was submitted on an application for the review of the premises licence in respect of Lake Discount Stores, 18 Lake Street, Lower Gornal, Dudley.

Mr S Bahia (Premises Licence Holder), and Mr P Jones (Legal Representative) were in attendance at the meeting.

Also in attendance were Mr C King, Principal Trading Standards Officer, Directorate of the Urban Environment; Ms D McNulty, Office of Public Health; and PC A Baldwin and Sergeant Cruickshank from West Midlands Police.

Following introductions, it was noted that Mr S Bahia was joint Premises Licence Holder together with his wife Mrs K Bahia, who was not in attendance at the meeting due to work commitments.

Mr Jones stated that Mr Bahir attended the Sub-Committee on 15th October, 2013 requesting that the matter be deferred, and that Mr Bahia was unaware of any correspondence being delivered to Mrs K Bahia in relation to the re-convened hearing and that she would be required to attend as all documentation relating to the review had been in respect of Mr Bahia.

Further to comments made, the Licensing Clerk informed the Sub-Committee that in view of Mr and Mrs Bahia being joint Premises Licence Holders, identical letters were served to them at the same time even though they were living at the same address.

Mr Bahia informed the Sub-Committee that Mrs Bahia would be unable to attend the hearing today, as it would result in closing the business, and that the Designated Premises Supervisor, Ms Botfield, was currently unwell.

It was further noted that Mr Bahia currently owned four premises.

The parties then withdrew from the meeting in order to enable the Sub-Committee to consider whether the meeting could continue without the presence of Mrs Bahia.

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

RESOLVED

That consideration of the application made for the review of the premises licence in respect of Lake Discount Stores, 18 Lake Street, Lower Gornal, Dudley be adjourned to a re-convened meeting to be held on Tuesday 5th November, 2013.

The Sub-Committee requested that both Mr and Mrs Bahia attend the re-convened hearing.

27 HALESOWEN FARMERS AND CRAFT MARKET

A report of the Director of the Corporate Resources was submitted on an application made by Mr S Evans on behalf of Bescott Promotions for the renewal of the consent to engage in street trading in Halesowen Town Centre, issued to the Halesowen Farmers and Craft Market.

Mr S Evans and Mr S Cox, (both Bescott Promotions), were in attendance at the meeting.

Also in attendance and objecting to the application were Mr S Fitzpatrick and Mr M Dancer (both Chamber of Trade), and Mr T Billingham.

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

At this juncture, the Chair referred to the content of the report submitted, in particular that Councillor Mrs Turner's husband had objected to the application in previous years. In responding, Mr Evans confirmed that he was content for Councillor Mrs Turner to consider the application as a member of the Sub-Committee.

Mr Fitzpatrick then made his representation and in doing so stated that he was objecting to the general stalls included in the market and that it was not benefiting the town.

At this juncture, Mr Fitzpatrick circulated photographs highlighting obstructions caused to shop frontages by vehicles from traders packing up their stalls around 4pm.

Mr Fitzpatrick further stated that concerns were raised in respect of the number of stalls that were currently being 'doubled' that had obliterated the planters in the town.

Mr Dancer stated that he echoed Mr Fitzpatrick's comments and that he believed that customers did not visit Halesowen and there was a decrease of trade when the market was in operation.

Mr Billingham stated that a number of people in Halesowen had approached him and it was apparent that customers did attend Halesowen whilst the market was in operation, and that it was his view that the market did not affect trade. He also stated that Bescott Promotions had offered to provide stalls in the future for free of charge for charities.

In responding to comments made in respect of the size of the stalls, Mr Evans stated that the stalls had been in the same position for a number of years, and that he had decreased the size of the stalls to 5ft to allow members of the public to walk along the pathway.

At this juncture, Mr Evans circulated a number of photographs highlighting the stalls that were in operation on Saturday, and stated that the majority of stalls did sell items that defined a Farmers and Crafts Market, and stated that the feedback he had received was positive.

It was noted that the Farmers and Crafts Market was in operation for twenty-six days per year and that Mr Cox could not identify how the market could have a detrimental affect on existing traders, and that a number of other markets such as Tipton and Wednesbury were successful.

In responding to a question by a member following comments made in respect of the market closing at 4pm, Mr Evans stated that the market had always closed at 4pm to enable traders to pack up their stock.

In responding to concerns raised in respect of the general stalls within the market, Mr Evans stated that there were various views on how to define general items.

Mr Billingham reiterated his previous comments and stated that there would be benefits if Bescott Promotions and the Chamber of Trade worked together to discuss new ideas in order to make the market more effective.

In responding to a question by the Legal Advisor in relation to the concerns raised about vehicles obstructing shop frontages at the end of the day, Mr Evans confirmed that he would address the issues raised with the possibility of restricting the times when vehicles could access the market. The Chair suggested that the market could be extended within the consented area to allow the market to be narrower.

In summing up, Mr Fitzpatrick stated that he had no objection to the Farmers and Crafts Market, and that the suggestion raised in relation to extending the market was positive, however the concerns he had raised still remained.

In summing up, Mr Cox stated that he believed the market brought more customers to Halesowen and was an asset to the town.

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 Chairman outlined the decision.

RESOLVED

That the application for the renewal of the consent to engage in street trading in Halesowen Town Centre, issued to Halesowen Farmers and Craft Market be approved together with the following modifications: -

- (1) The format shall remain the same - every second, fourth and fifth Saturday of the month.
- (2) The market shall be deemed a Farmers and Craft Market only with no general format stalls.
- (3) The consent for 35 stalls remain.
- (4) Vehicle access to stalls is denied between that area of the High street between Great Cornbow and Peckingham Street between 9.00 am and 5.30 pm.

28 AMENDMENT TO THE DECISION IN RELATION TO TESCO STORES LIMITED, UNIT 9, CROWN CENTRE, HALESOWEN

A report of the Director of the Corporate Resources was submitted to consider an amendment to the decision in relation to the grant of a premises licence to Tesco Stores, Unit 9, Crown Centre, Stourbridge.

It was noted that the application for a premises licence was considered by a Sub-Committee on 8th October, 2013 where it was resolved that the licence be approved subject to conditions, however following that hearing it had been highlighted that the licensable hours for Sundays had been omitted from the decision.

RESOLVED

That the decision in respect of Tesco Stores, Unit 9, Crown Centre, Stourbridge dated 8th October, 2013, be amended to include the following days and times:

Sale of Alcohol

Monday – Saturday	06.00 – 00.00
Sunday	0900 – 18.00 (Restricted by current Sunday Trading legislation)

The meeting ended at 12.15 pm

CHAIR

LICENSING SUB-COMMITTEE 1

Tuesday 5th November, 2013 at 10.00 am
in the Council Chamber, The Council House, Dudley

PRESENT:-

Councillor Bills (Chair)
Councillors Blood and Mrs H Turner

Officers: -

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

29 DECLARATIONS OF INTEREST

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

30 MINUTES

RESOLVED

That the minutes of the meeting of the Sub-Committee held on 29th October 2013, be approved as a correct record and signed.

31 APPLICATION FOR REVIEW OF PREMISES LICENCE – LAKE DISCOUNT STORES, 18 LAKE STREET, LOWER GORNAL, DUDLEY

A report of the Director of Corporate Resources was submitted on an application for the review of the premises licence in respect of Lake Discount Stores, 18 Lake Street, Lower Gornal, Dudley.

Mr S Bahia and Mrs K Bahia (Joint Premises Licence Holders) were in attendance, together with Mr P Jones (Legal Representative).

Also in attendance were Mr M Chambers, Trading Standards Manager, 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 PC's A Baldwin and K Turley, both Licensing Officers, and Sergeant Cruickshank, all from West Midlands Police.

Following introductions, it was noted that Trading Standards had requested the submission of further information, specifically a one-page document outlining a complaint from a local resident in respect of the premises. All parties agreed to the request made.

The Licensing Clerk then presented the report on behalf of the Council.

Mr Chambers 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 Chambers informed the Sub-Committee that on 14th August, 2013, a sixteen 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 on 2nd September, 2011 an alcohol test purchase had been carried out at the premises which resulted in no sale being made.

On 24th July, 2012, an officer from Trading Standards carried out a visit to the premises and spoke to a Mrs Botfield, the Designated Premises Supervisor. The purpose of the visit was to provide advice in relation to preventing underage sales of age restricted products, and Mrs Botfield was given detailed advice including information in respect of acceptable proof of age and the importance of keeping a refusals register. Mrs Botfield also signed an ARP form 0628 to acknowledge that the visit had taken place.

It was noted that on 2nd November, 2012, another advice visit was carried out by the newly appointed Age Restricted Products Officer and spoke to a Mr R S Bahia, Mr Bahia's brother, who stated that he was joint owner of the business. Mr Bahia was given detailed advice including information in respect of acceptable proof of age and the importance of keeping a refusals register. Mr Bahia was also 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 that they were aware of their obligations under the Licensing Act 2003, Mr Bahia also signed an ARP form 0734 to acknowledge receipt of the information pack during the visit.

During the visit on 2nd November, 2012, the officer, Mr Wintrip, carried out an examination of the alcohol displayed for sale at the premises, that identified twenty-nine 70cl bottles of Glens Vodka displayed on the shelving and in the store room. The vodka was seized as it appeared that counterfeit duty paid labels had been stuck on the rear of the bottles. This was later confirmed by the manufacturers of the vodka, and the duty evaded on the seized bottles was £214.

It was noted that on 16th January, 2013 a tobacco test purchase had been carried out at the premises which resulted in no sale being made.

On 21st March, 2013, a further visit was made to the premises by Mr Wintrip, who informed Mr Bahia that the seized bottles of vodka had been confirmed as displaying counterfeit labels. The bottles were signed for destruction by Mr Bahia and a further advice visit was carried out at the same time.

It was noted that on 4th April, 2013, a complaint was made to the authority by West Midlands Police who alleged that alcohol was being sold to underage persons.

Mr Chambers further stated that on 14th August, 2013, Trading Standards together with West Midlands Police, carried out a test purchase 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 child test purchase volunteer purchased a can of Becks lager with 5% alcohol by volume. The seller made no attempt to ask the age of the volunteer, and did not ask for 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 Carlos Bahia, which was witnessed by an officer. Mr Bahia stated that he was the owner of the business but not the premises licence holder.

Mr Wintrip then cautioned Mr Bahia who stated that the test purchase volunteer was taller than Mr Wintrip, and protested that the exercise was unfair.

On inspection of the premises, it was noted that there were posters on display stating that alcohol would not be sold to persons under the age of eighteen and that it was a crime for adults to buy alcohol for children. Mr Bahia was unable to produce a Refusals Register, and was issued with a Fixed Penalty Notice.

Mr Chambers then referred to a complaint dated 18th October, 2013 from a local resident outlining her concerns in respect of the premises. It was noted that the resident was not invited to attend the hearing, but that it was submitted to bring it to the Sub-Committee's attention.

In concluding, Mr Chambers 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. He also stated that a long period of time had been spent on the premises, and that he was disappointed to see Mr Bahia before the Sub-Committee.

In responding to a question by the Chair; Mr Wintrip informed the Sub-Committee that when he visited premises, he always enquired who was the Premises Licence Holder.

Reference was made to the failed test purchase exercise on 14th August, 2013 in particular that Mr Bahia was unable to produce the refusals register. In responding, Mr Bahia submitted a copy of the refusals register to the Sub-Committee.

In responding to the comments made by Mr Chambers, Mr Jones stated that the test purchase exercise was the first breach and this was the first time Trading Standards had brought the premises to the Sub-Committee for a review.

Following a request made by Mr Jones, Mr Wintrip then circulated a photograph highlighting the test purchaser volunteer used for the exercise on 14th August, 2013.

PC Baldwin then presented the representations of West Midlands Police, which had been circulated to all parties in accordance with the Licensing Act 2003, and in doing so informed the Sub-Committee that checks had been carried out on the police systems which highlighted that there were over 100 police logs to the premises directly and over 60 police logs to the vicinity of Lake Street and neighbouring roads in relation to anti-social behaviour and nuisance.

It was reported that local officers regularly attended the location and patrolled the area responding to calls, particularly from Mr Bahia about local youth nuisance and crimes.

Police Sergeant Cruickshank then presented his representations as the Neighbourhood Police Sergeant with responsibility for Neighbourhood Policing in the Sedgley and Gornal area, which had been circulated to all parties in accordance with the Licensing Act 2003. He stated that in comparison to the low crime figures in Gornal, the location had been an issue on the Neighbourhood for some time particularly in respect of anti-social behaviour.

He further stated that between the period of 30th August, 2012 to 29th August, 2013, there had been 158 calls to service to Lake Street connected to disorder and youths around the store area, 92 of the calls were to the shop directly. It was further noted that a number of calls had been received from a nearby elderly residential area located at the rear of the premises where youths congregated.

Sergeant Cruickshank referred to SHERPA temporary CCTV cameras installed at the location, however these acted mainly as a deterrent to youths.

It was noted that Mr Bahia and his family members who worked at the premises made a number of calls to the Police in respect of the youths, having been served, not vacating the area outside the premises.

Sergeant Cruickshank stated that when Police visited the premises, Mr Bahia would become obstructive and on his phone for a long period of time. He stated that after he had visited the premises and spoke to Mr Bahia, after waiting for 1 ½ hours to speak to Mr Bahia, there had been a vast reduction in calls to the Police.

At this juncture, Sergeant Cruickshank requested the submission of further information, specifically a one-page document outlining a call log from a local resident in respect of the nuisance around the location of the premises. All parties agreed to the request made.

In responding to a question by a member in relation to whether there were any other licensed premises near Lake Discount Stores; Sergeant Cruickshank stated that the nearest premises was approximately a quarter of a mile away, and there were some located in Gornal Village.

In concluding, Sergeant Cruickshank stated that Police Officers regularly visited the premises, and that from the calls received it was evident that anti-social behaviour was associated with the premises.

Mr Jones referred to a Dispersal Order, which was introduced in Lower Gornal for a period of six months, which enabled Police Officers to disperse groups of two or more people from areas where there was persistent anti-social behaviour. It was further noted that a Designated Public Place Order was still ongoing in Lower Gornal, which enabled Police Officers discretionary powers to request a person to stop drinking and confiscate alcohol in public places.

Mr Jones informed the Sub-Committee that the premises was located on an area of tarmac away from the road, together with a tanning shop and a fish and chip shop, with a car park to the rear of the premises. It was noted that Mr Bahia was the leaseholder of the premises.

In responding to Sergeant Cruickshank's comments in relation to Mr Bahia's call to the Police when youths were not leaving the outside the premises having been served, Mr Jones suggested that Mr Bahia would be 'running a risk' of being in trouble if he would be contacting the Police for assistance if he did sell alcohol or cigarettes to children. In responding, Sergeant Cruickshank stated that he did not specifically relate to age restricted products, but general items.

In responding to a question by Mr Jones in relation to the location of the SHERPA cameras, Sergeant Cruickshank confirmed that the cameras were not directly on the premises, but to the side and area in front of the premises.

In responding to comments made by Sergeant Cruickshank that when he visited the premises Mr Bahia had let him wait 1 ½ hours, Mr Jones suggested that it was only fifty minutes and that police officers did not regularly visit the premises.

Further to comments made by Sergeant Cruickshank in relation the to condition of the CCTV system installed at the premises, Mr Jones circulated a number of photographs of the cameras to the Sub-Committee, which had been taken in October, 2013.

Reference was made to the reduction in calls to the Police in relation to the premises since 14th August, 2013, Mr Jones suggested that the majority of the calls made were by Mr Bahia.

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 recommendation to revoke or suspend the premises licence.

In responding to a question by the Legal Advisor, Ms McNulty confirmed that the information reported on was not directly in relation to the premises.

Mr Jones then presented the case on behalf of Mr and Mrs Bahia, and in doing so informed the Sub-Committee that Mr and Mrs Bahia had been personal licence holders since 1985 and that there had been no concerns or issues. He stated that Mr Bahia had complied in areas such as CCTV and that although he accepted that the sale to a child had been made on 14th August, 2013, he disputed that he regularly sold cigarettes to children.

He further stated that due to the test purchaser volunteer being 6ft 8inch tall, Mr Bahia had judged him to be over the age of eighteen, and that Mr Bahia would be implementing Challenge 25 should his licence be retained.

Mr Jones stated that Mr Bahia accepted that there were a number of issues with anti-social behaviour in Lower Gornal, and that he had a good working relationship with a Sergeant Simpson, which was evident from the number of calls made by Mr Bahia to assist with nuisance in the area.

Mr Jones further reported that the updated CCTV system installed in the premises was adequate and addressed the concerns raised.

At this juncture, Mr Jones then asked Mr Bahia a number of questions, and in responding Mr Bahia informed the Sub-Committee that both him and Mrs Bahia had been operating at the premises since 1989, and that to his knowledge he had not failed any previous test purchase exercises undertaken by the authority or Camelot.

It was noted that Camelot had carried out a number of test purchase exercises due to the high volume of lottery tickets sold at the premises, which had resulted in the premises raising £845k for charity. It was noted that Mr Bahia did not bring with him copies of the letters sent by Camelot confirming the results of the test purchase exercises.

Mr Bahia informed the Sub-Committee that he owned four premises, and that he worked at Lake Discount Stores from 4pm until the premises closed at 10pm. It was noted that Mr Bahia's brother worked at the premises before 4pm together with Mrs Botfield.

It was noted that Mr Bahia had recently undertaken a Designated Premises Supervisor course, and he would receive his licence in twenty-eight days.

Mr Bahia stated that he did not sell alcohol or cigarettes to persons under the age of eighteen, and that he would ask for identification such as a passport or driving licence if the customer appeared to be under age.

Further to comments made in respect of the test purchase volunteer on 14th August, 2013, Mr Bahia stated that he believed the volunteer to be twenty-five and that he was operating a challenge 21 policy at the time of the sale.

Reference was made to the refusals register and Mr Bahia informed the Sub-Committee that he attempted to enter refusals as much as possible, and that the majority of refusals were cigarettes and on an evening during weekends.

Following comments in respect of the SHERPA cameras, Mr Bahia stated that he approached Sergeant Simpson previously in regard to installing the cameras, however youths would generally congregate outside of the premises as there were no other recreational spaces for youths to go in Lower Gornal.

Mr Bahia also confirmed that the nearest licensed premises were situated in Robert Street and Holloway Street.

Mr Bahia made reference to the twenty-nine 70cl bottles of Glens Vodka on display on the shelving and in the storeroom, found by Mr Wintrip during a visit on 2nd November, 2012. Mr Bahia stated that there would have been a maximum of five bottles on the shelves and that he had purchased the bottles from a Cash and Carry in Soho Road approximately two years ago, and that he was unaware that the bottles were counterfeit, as he had bought it wholesale. It was noted that the receipts for the bottles had been submitted to the accountant.

It was noted that Mr Bahia employed his wife, brother, Mrs Botfield and another employee who had worked at the premises for twenty years.

Mr Bahia stated that he would discuss refusals with his staff, and that due to him operating in the area for such a long time he recognised the majority of customers, including those who had caused nuisance.

Following comments made in relation to the Designated Public Places Order, Mr Bahia stated that he supported this and that he had been instructed to contact the Police if he was having any difficulty removing youths from the front of the premises.

Mr Bahia informed the Sub-Committee that he had only met with Sergeant Cruickshank on one occasion, and that a number of residents had commented on the reduction of police presence.

In responding to a question by Mr Jones in relation to the affect caused to the premises by youths hanging around the premises; Mr Bahia responded that this was a damaging affect to his business as the majority of residents surrounding the premises were elderly and fearful of the youths. He stated that he regularly delivered groceries to the residents to avoid them having to visit the premises.

Following comments made in respect of the CCTV, Mr Bahia confirmed that the monitor for the CCTV was positioned on a box in direct view of the employees and that he would be happy for anybody who requested footage. He also reported that the system was serviced every three months.

At this juncture, Mr Jones then asked Mrs Bahia a number of questions, and in responding Mrs Bahia informed the Sub-Committee that she was predominately based at another premises, namely, Cost Cutter in Quinton, and that she worked at Lake Discount Stores on a Wednesday and Sunday evening for a couple of hours.

Mrs Bahia stated that she would ask any customers who appeared to be under the age of eighteen for any identification, and that she was not present at the premises during any of the incidents mentioned in the statement submitted by Trading Standards.

In responding to a question by the Chair in relation to the comments made by Sergeant Cruickshank that when he visited the premises Mr Bahia had let him wait 1 ½ hours and whether that showed respect towards the Police; Mr Bahia responded that he did not let him wait for a long period of time, and that he would regularly be on the telephone as he would be checking his businesses.

In responding to a member in relation to the receipts for the counterfeit Glens Vodka, in particular, that they had been submitted to the accountant, and should have been returned back to Mr Bahia. Mr Bahia stated that the accountant retained the receipts, as he was not organised with paperwork.

In responding to a member, Mr Bahia confirmed that the CCTV system had been installed in approximately February, 2013.

Reference was made to the training provided to employees, Mr Bahia stated that he would meet with employees on a monthly basis and that all employees were experienced and had worked at the premises for a long period of time. It was also noted that in view of the recent health issues to Mrs Botfield, it might be necessary for Mr Bahia to become the Designated Premises Supervisor in the future.

In responding to a question by Mr Wintrip in respect of why Mr Bahia could not locate the refusals register on 14th August, 2013, and that the signatures for the same name were varied; Mr Bahia stated that he had panicked and could not remember where he had placed the register, and that his handwriting did change which would result in the signature looking different.

Following comments made by Mr Bahia in particular that there was a licensed premises in Robert Street, Sergeant Cruickshank informed the Sub-Committee that there had been no calls or logs received in relation to that premises.

In responding to a question by the Legal Advisor, Mr Bahia confirmed that he employed eight employees over four premises.

At this juncture, the Legal Advisor asked Mr Bahia whether he could give an indication to how the premises could be improved; Mr Bahia stated that he was in the process of selling one of the premises and that he would employ a full-time member of staff to replace the absences by Mrs Botfield.

It was further noted that there would be a refit to the premises in 2014, including a scanner system to itemise all products, and that there had been conversations with Londis to extend the lease.

In responding to a question by the Legal Advisor, Mr Bahia confirmed that approximately 30% of his trade was alcohol and cigarette products.

In summing up, Mr Jones, on behalf of Mr and Mrs Bahia, stated that he believed that Trading Standards and West Midlands Police had not brought enough evidence to justify the suspension or revocation of the premises licence, however Mr Bahia did accept the mistakes made and reiterated his comments made previously.

In responding to a question by the Chair, all parties confirmed that the procedure for the hearing had been undertaken correctly.

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

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

RESOLVED

That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, the premises licence issued to Lake Discount Stores, 18 Lake Street, Lower Gornal, Dudley, be suspended for a period of fourteen days.

The following conditions will also be attached to the premises licence : -

Conditions

- (1) A written Proof of Age Policy (Challenge 25) is to be put in force, which all staff authorised to sell alcohol will be trained in and 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' CCTV shall be reviewed 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.
- (10) That a till prompt system be installed.

REASONS FOR DECISION

In making our decision, the Sub-Committee are mindful of all the evidence they have heard.

The Sub-Committee's decision is that Mr and Mrs Bahia's licence will be suspended for fourteen days.

During that period they must ensure that they comply with the conditions at page five of the Trading Standards statement, with an additional condition that there should be a till prompt system in place.

The Sub-Committee's decision to suspend the licence was due to the Sub-Committee having serious concerns of the management of the premises.

Mr and Mrs Bahia was informed of their right to appeal the decision of the Sub-Committee.

The meeting ended at 1.00 pm

CHAIR

LICENSING SUB-COMMITTEE 3

Tuesday 24th September, 2013 at 10.10 am
In the Council Chamber, The Council House, Dudley

PRESENT:-

Councillor K Finch (Chair)
Councillors Perks and Taylor

Officers

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

17. APOLOGIES FOR ABSENCE

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

18. APPOINTMENT OF SUBSTITUTE MEMBERS

It was noted that Councillor Perks and Taylor were serving as substitute members for Councillor Sykes and Mrs Ameson for this meeting of the Sub-Committee only.

19. DECLARATIONS OF INTEREST

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

20. MINUTES

RESOLVED

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

21. APPLICATION TO VARY A PREMISES LICENCE – THE FAMILY SHOPPER, SCHOOL HOUSE, CHURCH ROAD, NETHERTON

A report of the Director of the Corporate Resources was submitted on an application for variation of the premises licence in respect of The Family Shopper, School House, Church Road, Netherton, Dudley.

Mr B S Kooner, Applicant, and Mr D Hardy, Licensing Trade Solutions, were in attendance at the meeting.

Following introductions, Mrs L Rouse, Licensing Clerk, Directorate of Corporate Resources, presented the report on behalf of the Council including an objection submitted by a local resident, received on 29th August, 2013 and submitted to all parties prior to the hearing.

Mr Hardy presented the case on behalf of Mr Kooner, and in doing so stated that Mr Kooner requested an extension of hours in order to trade the same hours as the existing outlets in the area.

In responding to a question by a member in relation to the premises being previously known as Kwik Save, Mr Hardy referred to the objection received, in particular the mention of the premises selling cheap alcohol, and stated that Mr Kooner operated four businesses and did not want the name of the premises to be associated to alcohol. It was noted that due to Mr Kooner's pricing structure, the alcohol sold was more expensive than other retailers.

In responding to a question by the Chair in relation to how Mr Kooner would cope with incidents of anti-social behaviour; Mr Hardy circulated photographs of the refusals register and stated that the number of entries of the register identified that employees were diligent and assured the Sub-Committee that this would continue should the application be granted.

Reference was made to the objection received by a local resident, in particular Mr Hardy stated that if there were significant cases of crime and disorder from customers, or to the residential area, then there would have been a number of representations by the Police and residents.

Mr Hardy further stated that Mr Kooner had installed an expensive external and internal CCTV system, all employees were aware of proxy sales and staff training was undertaken on a regular basis.

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 the application made for the variation of the premises licence in respect of The Family Shopper, School House, Church Road, Netherton, Dudley, be approved, in the following terms: -

Sale of Alcohol

Monday – Sunday 07.00 – 23.00

REASONS FOR DECISION

This is an application to increase the hours for the sale of alcohol, from the current time of 9pm; seven days a week, to 11.00pm seven days a week.

There have been no representations from the Police, or any other relevant authority, but there has been a representation by one local resident. She did not attend the Sub-Committee to support her letter which was received on 29th August, 2013.

The Sub-Committee has considered the representation. It raises general concerns about nuisance late at night, as well as in the day, and about the number of drunk persons attracted to the vicinity of the property and cheap alcohol. The applicant has shown the Sub-Committee his refusals register for September, 2013, which shows a number of refusals for alcohol and cigarettes.

The applicant also states that his alcohol pricing structure means that the alcohol he sells is more expensive than other local shops, which are his competitors.

The Sub-Committee does not find that the objections raised by the local resident shows that the alcohol causing the alleged problems in the area is sold from this shop. The operating schedule appears to be appropriate.

The Sub-Committee therefore grants this application for an extension of hours.

22. HALESOWEN FARMERS AND CRAFT MARKET

A report of the Director of Corporate Resources was submitted on an application made by Mr S Evans on behalf of Bescott Promotions for the renewal of the consent to engage in street trading in Halesowen Town Centre, issued to the Halesowen Farmers and Craft Market.

It was noted that the applicant was not in attendance at the meeting, and a request had been received to defer the hearing.

RESOLVED

That consideration of the application made for the renewal of the consent to engage in street trading in Halesowen Town Centre, issued to the Halesowen Farmers and Craft Market, be deferred to a future meeting of a Sub-Committee.

23. APPLICATION FOR CONSENT TO ENGAGE IN STREET TRADING – MR J SINGH – HIGH STREET, DUDLEY

A report of the Director of the Corporate Resources was submitted on an application made by Mr J Singh for the grant of consent to engage in street trading to sell Chicken Tikka, Chicken Samosa, Curry, Chick Pea Curry, Curry Rice, Tikka Wraps, and Hot and Cold drinks between the hours of 8.00am and 5.00pm, Monday to Sunday in High Street, Dudley.

Mr J Singh, Applicant, and his representative, Mr H Singh were in attendance at the meeting.

Following introductions, Mrs L Rouse, Licensing Clerk, Directorate of Corporate Resources, presented the report on behalf of the Council.

Mr H Singh then presented the case, on behalf of Mr J Singh, and in doing so informed the Sub-Committee that Mr J Singh applied for the consent to engage in street trading to sell food that was not available in the market.

Reference was made to the representations received by various officers submitted to the Sub-Committee prior to the meeting, in particular that the sites suggested by Mr Singh was too busy to support another street trader. Mr H Singh responded that there were currently four traders between the sites suggested, and there was sufficient space.

At this juncture, the Legal Advisor informed Mr J Singh that construction work was due to take place in Dudley Market Place during 2014, and therefore most traders would be relocated during that period.

Mr H Singh stated that Mr J Singh understood the works to be undertaken, and that he was informed that he had to purchase his van prior to submitting the application, and therefore required employment to re-pay the borrowed amount.

Reference was made to the limited amount of space available within the High Street, Mr J Singh highlighted the distances between the traders currently on the High Street.

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

During the decision-making, the Sub-Committee agreed to undertake a site visit to the High Street, Dudley in order to ascertain whether there would be space for an additional street trader.

The meeting re-convened at 12 pm, and the parties were invited to return. It was noted that Alan Radford, Technician Engineer, Directorate of Urban Environment was in attendance at the meeting.

Mr Radford informed the Sub-Committee that his main concern would be the potential obstruction in the area, and the sites suggested by Mr J Singh were congested by pedestrians and street furniture, which would increase should the application be granted due to the customers awaiting orders and additional space required by the trader.

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 the application made by Mr J Singh for the grant of consent to engage in street trading at a site in High Street, Dudley, opposite the Halifax building society, be approved.

REASONS FOR DECISION

The Sub-Committee has noted the officer's comments in relation to the two positions for which the applicant has sought a trading consent.

The Sub-Committee has made a site visit to the consent street, and decides that there is sufficient space for this applicant to trade at his second choice location, opposite the Halifax building society.

Meeting ended at 1.00 pm

CHAIR

TAXIS COMMITTEE

Thursday, 17th October, 2013 at 5.30 p.m.
In Committee Room 3 at the Council House, Dudley

PRESENT:-

Councillor Body (Chair)
Councillor A Aston (Vice-Chair)

Councillors A Ahmed, Cowell, J. Martin, Roberts, Taylor, Vickers and Wright.

Officers:-

Miss N Bangar, Solicitor, Mr M Hanson, Licensing Clerk, and Mrs K Taylor (all Directorate of Corporate Resources).

Also in attendance:-

Mr P Massey, Fleet Manager, Directorate of the Urban Environment in respect of Agenda Item 5 and 6 – Review of Entrance and Exit Policy and Review of Policy in respect of modified/adapted vehicles.

48 APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were submitted on behalf of Councillors Mrs Ameson, Hemingsley and K. Turner.

49. APPOINTMENT OF SUBSTITUTE MEMBERS

It was reported that Councillors J. Martin, Vickers and Wright had been appointed as substitute Members for Councillors Hemingsley, K.Turner and Mrs Ameson respectively for this meeting of the Committee only.

50 DECLARATIONS OF INTEREST

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

51 MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 12th September 2013, be approved as a correct record and signed.

52. REVIEW OF ENTRANCE AND EXIT POLICY

A report of the Director of Corporate Resources was submitted to consider an amendment to the existing council policy in relation to the 'Entrances and Exits' guidelines contained in Section D of the Testing Manual for hackney carriage, private hire and special event vehicles.

Arising from the presentation of the report submitted by the Licensing Clerk it was

RESOLVED

That the existing 'Entrances and Exits' policy be amended to allow vehicles that have been manufactured as a 'minibus', a 'MPV' people carrier style of vehicle, saloon, estate, or hatchback that is a Category M1 vehicle to be licensed as a private hire vehicle.

53. REVIEW OF POLICY IN RESPECT OF MODIFIED/ADAPTED VEHICLES

A report of the Director of Corporate Resources was submitted to consider the review of policy in respect of modified/adapted vehicles.

Arising from the presentation of the report submitted by the Licensing Clerk it was

RESOLVED

That the existing policy in respect of modified/adapted vehicles be retained, clarified and reinforced that Dudley MBC will only consider licensing vehicles that can confirm on the vehicle's V5(C) the following details :-

- (1) Section J – Vehicle Category M1;
- (2) Section K – Type approval number; and,
- (3) Production of a ministers type approval certificate or equivalent, the type approval number should match the type approval number on the V5(C) and the documentation should also relate to the vehicle in question.

54 EXCLUSION OF THE PUBLIC

RESOLVED

That the public be excluded from the meeting for the following items of business, on the grounds that they involve the likely disclosure of exempt information, as defined in Part 1 of Schedule 12A to the Local Government Act, 1972, as indicated below and in all the circumstances, the public interest in disclosing the information is

outweighed by the public interest in maintaining the exemption from disclosure.

<u>Description of Item</u>	<u>Relevant paragraph of Part I of Schedule 12A</u>
Review of Hackney Carriage Driver's Licence – Mr RHS	1
Grant of Private Hire and Hackney Carriage Drivers' Licences – Mr MS	1
Grant of Hackney Carriage Driver's Licence – Mr AZS	1
Grant of Private Hire and Hackney Carriage Drivers' Licences – Mr MAAK	1
Review of Hackney Carriage and Private Hire Drivers' Licences – Mr SAHSK	1
Review of Private Hire and Hackney Carriage Drivers' Licences – Mr SA	1
Request for partial refund on a Private Hire Driver's Licence – Mr MB	1

55

REVIEW OF HACKNEY CARRIAGE DRIVER'S LICENCE – MR RHS

A report of the Director of Corporate Resources was submitted on a review of the hackney carriage driver's licence issued to Mr RHS in the light of the offence committed as set out in paragraph 7 of the report submitted.

Mr RHS was not in attendance at the meeting, and notification had been received from his Solicitor requesting an adjournment.

Following a brief discussion it was

RESOLVED

- (1) That the review of the hackney carriage driver's licence issued to Mr RHS be adjourned to a future meeting of the Committee.
- (2) That a letter be sent to Mr RHS stating that should he fail to attend the hearing the application would be heard in absence, and that Mr RHS also be requested to notify his Solicitor of the time and date in reasonable time.

56

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

57

REVIEW OF HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS' LICENCES – MR SAHSK

A report of the Director of Corporate Resources was submitted on a review of the hackney carriage and private hire drivers' licences issued to Mr SAHSK in view of the offence committed as indicated in paragraph 4 of the report submitted, and his failure to report the points received to the Licensing Office prior to the issue of his licence.

Mr SAHSK was in attendance at the meeting with his representative, Mr Saleem.

Mr Saleem made representations on behalf of Mr SAHSK in particular commenting on the circumstances surrounding the offence indicated in paragraph 4 of the report submitted, and Mr SAHSK's failure to inform the Licensing Office of the points received prior to his licences being issued.

Responses to questions asked by the Committee were given, and it was noted that Mr SAHSK had no matters pending that they needed to be made aware of.

Following discussion it was

RESOLVED

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

58

GRANT OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR MS

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 MS.

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

Having decided to hear the matter in his absence it was

RESOLVED

That, following careful consideration of the information contained in the report submitted, the application made for the grant of private hire and hackney carriage drivers' licences in respect of Mr MS be refused in view of the offences for which he had been convicted.

59

REVIEW OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR SA

A report of the Director of Corporate Resources was submitted on a review of the private hire and hackney carriage drivers' licences issued to Mr SA in the light of the offences committed as indicated in paragraph 3 of the report submitted.

Mr SA was in attendance at the meeting, together with his Solicitor, Mr Schiller and Mr Saleem, supporter.

Mr Schiller made representations on behalf of his client in particular commenting on the circumstances surrounding the offences that occurred in November, 2012 and April, 2013, and that Mr SA had no matters pending that the Committee needed to be made aware of.

RESOLVED

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

60

GRANT OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR MAAK

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 MAAK.

Mr MAAK was in attendance at the meeting, together with his representative and brother, Mr Khan.

Mr Khan made representations on behalf of Mr MAAK in particular commenting on the circumstances surrounding offences committed in June 2010.

Mr MAAK responded to questions asked by the Committee and in doing so informed them that there were no matters pending that they needed to be made aware of.

RESOLVED

That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, the application made for the grant of private hire and hackney carriage drivers' licence in respect of Mr MAAK be refused in view of the offences for which he had been convicted.

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

61

GRANT OF HACKNEY CARRIAGE DRIVER'S LICENCE – MR AZS

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

Mr AZS was in attendance at the meeting, together with his Solicitor, Mr Schiller and Mr Saleem, supporter.

Mr Schiller made representations on behalf of his client in particular commenting on the circumstances surrounding the cautions received in 2011, and that Mr AZS had no matters pending that the Committee needed to be made aware of.

RESOLVED

That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, approval be given to the grant of a hackney carriage driver's licence to Mr AZS for a period of twelve months.

62

REQUEST FOR PARTIAL REFUND ON A PRIVATE HIRE DRIVER'S LICENCE – MR MB

A report of the Director of Corporate Resources was submitted on a request made on behalf of Mr MB for the partial refund of the licence fee in respect of the three-year private hire driver's licence issued to Mr MB.

Mr MB was in attendance at the meeting and responded to questions asked by the Committee in particular in relation to his request for a refund in view of him not wishing to retain his licences for the remaining two years.

Following further discussion it was

RESOLVED

That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, the request made on behalf of Mr MB for the partial refund of the licence fee in respect of his private hire driver's licence be refused in view of the Council's policy which states that there is no refund or apportionment of fees in relation to private hire and hackney

carriage licences with the exception of plate and badge deposits.

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

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COMMENTS OF THE CHAIR

Following concerns raised it was agreed that the Council's policy in relation to refunds, in particular that there did not appear to be a clear statement of the policy in the documentation sent to taxi driver's, would be reviewed at a future meeting of the Committee.

The meeting ended at 7.40 p.m.

CHAIR

APPOINTMENTS COMMITTEE

Wednesday, 6th November, 2013 at 6.00 pm
in Committee Room 2 at the Council House, Dudley

PRESENT

Councillor Sparks (Chair)
Councillors Blood, Crumpton, Evans, Foster, Harley, Partridge, Ridney and Vickers.

OFFICERS

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

1 APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received on behalf of Councillors Attwood and Lowe.

2 APPOINTMENT OF SUBSTITUTE MEMBERS

It was reported that Councillors Blood and Crumpton were serving in place of Councillors Attwood and Lowe, respectively, for this meeting of the Committee only.

3 DECLARATIONS OF INTEREST

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

4 MINUTES

RESOLVED

That the minutes of the meeting held on 23rd July, 2012 be approved as a correct record and signed.

5 EXCLUSION OF THE PUBLIC

RESOLVED

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

<u>Description of item</u>	<u>Relevant paragraph of Part I of Schedule 12A</u>
Staffing Issue - Directorate of Children's Services	1

6 STAFFING ISSUE - DIRECTORATE OF CHILDREN'S SERVICES

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

RESOLVED

- (1) That, subject to compliance with Rule 4 of the Council's Officer Employment Procedure Rules, Pauline Sharratt (currently the Assistant Director – Children and Families) be appointed as the Interim Director of Children's Services commencing on 1st December, 2013 until 31st July, 2014 (but operative from 20th December, 2013) and the Chief Executive be authorised, in consultation with the Cabinet Member for Children's Services and Lifelong Learning, to extend this term if necessary.
- (2) That the Interim Director of Children's Services, in consultation with the Cabinet Member for Children's Services and Lifelong Learning, be authorised to make any necessary arrangements the for backfilling of her duties as Assistant Director – Children and Families.

The meeting ended at 6.10 p.m.

CHAIR

DUDLEY HEALTH AND WELL-BEING BOARD

Thursday, 26th September, 2013 at 3.00 pm
in Committee Room 2, The Council House, Dudley

PRESENT:-

Councillor S. Turner (Chair)
Councillors Branwood and Harley
Director of Children's Services, Director of Public Health, Dr. D. Hegarty and Mr. P. Maubach - Dudley GP Clinical Commissioning Group; Alison Taylor, Local Area Team, NHS Commissioning Board, Mr. A. Gray - Dudley CVS CEO.

In Attendance

Assistant Director, Adult Social Care (Directorate of Adult, Community and Housing Services), Assistant Director (Quality and Partnership) and Assistant Director (Children and Families)(both Directorate of Children's Services), Mr. N. Bucktin, Head of Partnership Commissioning - Clinical Commissioning Group, Ms. K. Jackson, Consultant in Public Health (Office of Public Health) and Mr. J. Jablonski (Directorate of Corporate Resources)

Also in attendance

Mr. R. Cattell, Director of Operations, The Dudley Group NHS Foundation Trust (for Agenda Item No. 6)
Dr. Rob Dalziel - Healthwatch Dudley (for Agenda Item No. 13)

Observer

Councillor Foster

9. **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were submitted on behalf of Councillors Crumpton and Miller, Andrea Pope-Smith and Roger Clayton.

10. **APPOINTMENT OF SUBSTITUTE MEMBER**

It was reported that Councillor Harley was serving in place of Councillor Miller for this meeting of the Board only.

11. **DECLARATIONS OF INTEREST**

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

12. MINUTES

Arising from consideration of the minutes, positive feedback on the conference held following the meeting of the Board on the 26th June, 2013 was reported on.

RESOLVED

That the minutes of the meeting of the Board held on the 26th June, 2013, be approved as a correct record and signed.

13. MECHANISMS FOR THE BOARD TO BE ASSURED OF QUALITY AND SAFETY

A joint report of Officers was submitted on the new quality and safety assurance arrangements in the health and social care system and on a process for deciding how the Board could be assured that these processes were in place and were robust.

RESOLVED

- (1) That the information contained in the report submitted, on mechanisms for the Board to be assured of quality and safety, with particular references to paragraphs 37-39 of the report submitted, be noted.
 - (2) That approval be given to the holding of an additional, short, development session to agree quality and safety role and mechanisms.
-

14. CHANGE IN ORDER OF BUSINESS

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

RESOLVED

That agenda item no. 6 - Keogh Action Plan - be considered after agenda item nos. 7, 8 and 9.

15. QUALITY AND SAFETY - UPDATE ON DUDLEY RESPONSE TO WINTERBOURNE VIEW REPORT

A joint report of the Director of Adult, Community and Housing Services and the Chief Officer, Dudley Clinical Commissioning Group was submitted updating the Board on developments relating to the response in Dudley to the implications of the Winterbourne View report.

RESOLVED

That the information contained in the report submitted, updating the Board on the response to the Winterbourne View report, in the context of its overall concern for Quality and Safety in the Borough and the services used by people in Dudley, be noted.

16. THE ANNUAL REPORT OF THE DUDLEY SAFEGUARDING ADULTS BOARD 2012

A report of the Director of Adult, Community and Housing Services was submitted on the Annual Report of the Dudley Safeguarding Adults Board for 2012.

During his presentation of the content of the Annual Report, a copy of which was attached as an appendix to the report submitted, the Assistant Director, Adult Social Care, referred, in particular, to the reporting structure outlined in Appendix 1 to the Annual Report and to the decision to appoint a Joint Independent Chair to the Safeguarding Boards for both Children and Adult Services; the appointment having been made in May, 2013. The Chair, Roger Clayton, was a member of this Board and in respect of the Safeguarding Adults Board, would introduce a new element into the operation of the Board in terms of independence and challenge.

RESOLVED

That the information contained in the report, and Appendix to the report, submitted on the Annual Report of the Dudley Safeguarding Adults Board, 2012, be noted.

17. THE ANNUAL REPORT, BUSINESS PLAN AND WORK PROGRAMME OF THE DUDLEY SAFEGUARDING CHILDREN'S BOARD

A report of the Director of Children's Services was submitted on the Annual Report, Business Plan and Work Programme of the Dudley Safeguarding Children's Board.

The Assistant Director, Quality and Partnership (Directorate of Children's Services), commented on the report and the copy of the Annual Report, Business Plan and Work Programme attached as an Appendix to the report submitted. He also referred to the reporting arrangements, as set out in the previous report and to the appointment of an Independent Chair of the Dudley Safeguarding Children's Board.

Arising from initial consideration of the report, and the Appendix to the report submitted, a number of comments were made relating, in particular, to the rising number of contacts that were reported and a query as to the key trend to focus on.

In response, it was reported that there was an upward trend and that neglect was the single biggest issue. Children's social care were currently supporting around 2,000 children .

In response to a query as to whether the strategy was to stop the increase or whether it was an inevitable consequence, it was reported that the trend was not inevitable and the spotlight work being done was cited in relation to this.

In response to a further query regarding the Mental Health Services for Adults and the need for an understanding of where children were considered in relation to that, it was considered that in relation to Mental Health Services it was not clear whether this Board had a focus on that aspect and whether the voice of the child was being heard in this context. It was suggested that this aspect be picked up in spotlight sessions and that issues arising therefrom should be reported back to this Board. It was also noted that as a result of intervention, greater needs were identified.

RESOLVED

That the information contained in the report, and Appendix to the report, submitted on the Annual Report, Business Plan and Work Programme of the Dudley Safeguarding Children's Board, be noted.

18. KEOGH ACTION PLAN

A report of the Chief Executive, the Dudley Group NHS Foundation Trust, was submitted on the Trust's response to the Keogh Review and an update on progress to date.

In the absence of the Chief Executive of the Trust, who was unable to attend the meeting, Richard Cattell, Director of Operations at the Trust commented on a number of the themes set out in the Keogh Investigation Action Plan - July, 2013, attached as an Appendix to the report submitted.

Arising from the presentation given, a number of comments were made and responses given with particular reference to:-

- That in response to the query regarding the number of action dates recorded as September/October, 2013 and whether the targets would be met, it was noted that an updated version of the Action Plan was to be submitted to the Trust's Board on the 3rd October, 2013, and that following the meeting of that Board an updated Action Plan would be shared with members of this Board. It was further commented that almost all the actions would be completed by the end of October. One aspect that would not be completed was the nursing care mix as the Trust was still working through this aspect using a nationally accredited tool, e.g. AUKUH, Safer Nursing Care tool.
- It was noted that the Clinical Commissioning Group were also monitoring the Trust's action on the Action Plan and were working with the Trust.
- Both Dudley Healthwatch and Dudley Clinical Commissioning Group commented that they had not yet had the opportunity to review with Dudley Group Foundation Trust their Patient Experience Strategy referred to at 17.1 of the Action Plan; and so this action was not yet completed.
- In relation to a query about the voice of the child, being heard in relation to the Action Plan, the Director of Operations undertook to respond to members of this Board on this aspect.
- A comment was made that overall the Trust's response to the Keogh Review was satisfactory.

RESOLVED

That the information contained in the report, and attached Keogh Investigation Action Plan - July, 2013, being the response of the Dudley Group NHS Foundation Trust to the Keogh Review that had been undertaken and the update on progress to date, be noted.

19. DUDLEY CLINICAL COMMISSIONING GROUP PRIMARY CARE DEVELOPMENT STRATEGY

A report of the Chief Officer, Dudley Clinical Commissioning Group, was submitted presenting the final version of the Primary Care Development Strategy, as approved by the Clinical Commissioning Group's Governing Body. A copy of the Primary Care Development Strategy, 2013 was attached as an Appendix to the report submitted.

It was noted that the focus of the strategy was on developing local primary care and supporting GP practices to provide high quality services for patients. Dudley was the first Clinical Commissioning Group in the region to report on improving the quality of primary care.

Arising from the presentation given by the Chief Officer, Dudley Clinical Commissioning Group, it was noted that Dudley was one of the few areas where demand for A & E services was constant and it was considered that this was due to the support given to practices. It was further noted that the Area Team, NHS England were supportive of the approach set out in the model contained in the Strategy and that they would be using it across the area of the Area Team.

The fact that primary care in Dudley was being cited as an exemplar should give confidence to the Board.

There were, however, real challenges, for example, the demographics of the work force in that there was a higher percentage of aged, single or low handed practices in the Borough. However, the strategy attached to the report was a working document that needed to go forward to ensure sustainability in the provision of primary care.

Arising from the initial comments made, a number of points were raised and in response it was agreed that a role of good quality primary care was prevention and that there was a need for pro-active management and closer working relationships. The importance of IT systems in relation to this was cited and how to take quality per pound, so that this could be understood better. Issues of quality and how to ensure better services were provided as well as more pro-active steps being taken and the need for an infrastructure to make it work were also commented upon.

In relation to the approach being adopted, Dr. Dalziel indicated that Healthwatch were pleased with the content of the strategy and the approach adopted and were keen to monitor and evaluate issues, for example, those relating to access such as appointment times and access lines. They, therefore, wanted to see progress with thinking about how improvements could be made.

As regards access, work was being undertaken to support practices on this issue so that they could develop their own development plans. However, it was also reported that there was a 4% year on year increase in demand for access with no additional resources for practices, so clearly some practices had improved in delivering services. Responding to the increasing demand was, however, an on-going challenge.

A further issue was that some practices were able to earn more than others and so could provide more services than those whose contract value was lower. It was the case that some practices in the more deprived areas were the least well served. The issue of contract value was though one requiring a national decision and over time differences in funding practices had grown. This issue was, therefore, a complex one and might explain why some patients were more satisfied with access to services than others.

The issue of patient questionnaires was raised as one way in which to identify the quality that was obtained for each pound invested. In relation to the voice of young people on this aspect, it was considered that further work needed to be done in relation to engaging with young people.

In view of the comments made it was considered that specific research should be undertaken and that Children's Services would be happy to work with the Clinical Commissioning Group on gathering information to progress this. It was further noted that the voluntary sector had data which would be available for use.

RESOLVED

That the information contained in the report, and Appendix to the report, submitted on the final version of the Primary Care Development Strategy, 2013, that supports Dudley's "Joint Health and Wellbeing Strategy Wellbeing for Life - Our Plan for a Healthier Dudley Borough, 2013-2016" be noted.

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20. TRANSFER OF RESOURCES TO DUDLEY MBC 2013/14 TO SUPPORT SOCIAL CARE AND THE HEALTH AND SOCIAL CARE INTERACTION TRANSFORMATION FUND

A joint report of the Chief Officer, Dudley Clinical Commissioning Group, Director of Adult, Community and Housing Services and Director of Children's Services on the proposed use of resources to be transferred to Dudley MBC for the purposes of supporting social care in 2013/14 and on a national announcement of £3.8 billion of funding to ensure closer integration between health and social care, was submitted.

RESOLVED

- (1) That the information contained in the report submitted on the proposed resource transfer of £5.589 million to Dudley MBC for the purposes of supporting social care in 2013/14, be approved and that NHS England be advised accordingly.
- (2) That a further report be submitted for a future meeting of the Board on the use of the Health and Social Care Integration Transformation Fund.

21. THE NHS BELONGS TO THE PEOPLE: A CALL TO ACTION

A report of Alison Taylor, Director of Finance, Birmingham, Solihull and the Black Country Area Team NHS England, was submitted on the document "The NHS Belongs to the People: A Call for Action", which was published by NHS England on the 11th July, 2013. A copy of the full paper was attached as Appendix 1 to the report submitted and set out the case for transformational change across the NHS.

Arising from the presentation of the report, and the Appendix to the report submitted, it was suggested that the document form part of a future spotlight session.

Regarding consultation on this and related issues, it was considered that there was a need to avoid over-consulting with the public and that one way that this could be achieved was for there to be a co-ordinated response to consultation undertaken.

In response to the points raised, it was noted that a report would be submitted to a future meeting of the Board on communication and engagement which should address the issues raised.

RESOLVED

That the information contained in the report, and Appendix to the report, submitted on the document entitled "The NHS Belongs to the People: A Call to Action" published by NHS England on the 11th July, 2013, be noted and that it be further noted that a report on communication and engagement with the people of Dudley would be submitted to a future meeting of the Board.

22. UPDATE ON HEALTHWATCH DUDLEY PROGRESS

A report of the Chief Officer of Healthwatch Dudley was submitted updating the Board on Healthwatch Dudley progress.

As the Chief Officer was unable to attend the meeting, Dr. Rob Dalziel of Healthwatch was in attendance to present the report.

Arising from the presentation of the report, a number of questions were asked and in response to a particular question, it was noted that the question of the appointment of a Chair of Healthwatch Dudley had still to be finalised.

In respect of a further question as to why elected members were not being allowed to be members of the Healthwatch Board, it was noted that Healthwatch Dudley would be happy to revisit this issue and take some guidance.

RESOLVED

That the information contained in the report submitted, on an update on the work being progressed by Healthwatch Dudley, be noted.

The meeting ended at 4.50 p.m.

CHAIR

ERNEST STEVENS TRUSTS MANAGEMENT COMMITTEE

Wednesday, 31st October, 2013 at 6.00pm
Wollescote Hall, Stevens Park, Wollescote Road, Stourbridge

PRESENT:-

Councillor Cowell (Chair);
Councillor Hanif (Vice-Chair);
Councillors Partridge, Mrs Rogers, Sykes and C Wilson

OFFICERS

Democratic Services Manager (Lead Officer), Solicitor, Principal Tax Accountant and Assistant Principal Officer (Democratic Services) – Richard Sanders (Directorate of Corporate Resources).

9 **DECLARATIONS OF INTEREST**

Declarations of interests, in accordance with the Members' Code of Conduct, were made by the following Members:

Councillor Cowell – Non pecuniary interest in view of her being invited to serve as a Trustee of Mary Stevens Hospice.

Councillor Mrs Rogers – Non-pecuniary interests as Chair of the Friends Group for Mary Stevens Park and Swinford Common. Also in relation to her involvement with the Project Implementation Team - Heritage Lottery Bid for Mary Stevens Park and attendance at stakeholder meetings.

10 **MINUTES**

RESOLVED

That the minutes of the meeting held on 31st July, 2013 be approved as a correct record and signed, subject to the addition of the words “whichever is the lower” at the end of resolution (2) (a) (i) of minute number 5 (Financial Strategy for the Stevens Park and Recreation Ground Foundation Trust).

11 **FINANCIAL STRATEGY FOR THE STEVENS PARK AND RECREATION GROUND FOUNDATION TRUST**

The Committee considered a report of the Treasurer providing an update on the revaluation of the Trust property and the amount available for distribution as grants.

The report indicated that the land and buildings had been revalued as at 1st April, 2013, by the Council's Management and Valuations Team. The updated valuations and the changes from the previous valuation as at 1st April, 2008 were set out in Appendix 1 to the report. The valuation of other assets as at 31st July, 2013 were set out in Appendix 2.

The Principal Tax Accountant explained the manner in which the Trust held funds; the Permanent Fund, which comprised the original assets of the Charity at current valuations, which could not be used without the special permission of the Charity Commission and the Unrestricted Fund, which comprised the amount available for distribution, subject to the conditions of the Trust. The required value of the Permanent Fund after adjustment for inflation, together with the amount necessary to maintain the Permanent Fund at the required value were indicated in Appendix 3 to the report. Reference was also made in the report to the sum reserved for the financial contribution towards the overall project costs at Mary Stevens Park, Stourbridge. The resultant accumulated fund was shown in Appendix 3.

On the basis of deducting from the Unrestricted Fund the sums necessary to maintain the Permanent Fund at its required value and that held in reserve for the Mary Stevens Park project contribution, the Principal Tax Accountant advised that the sum of £61,142.plus an estimated income of £17,000 would be available for distribution in 2013/14. The Principal Tax Accountant advised further, however, that the Committee should exercise some caution in the distribution of the funds.

A number of questions were asked and responded to by the Principal Tax Accountant. In this regard, the background to the Charities Official Investment Fund and the Trust's holdings in the Fund were explained, together with the reasons for the fall in the level of funding in real terms since 1993.

RESOLVED

- (1) That the report be accepted
- (2) That the amount available for distribution in 2013/14, be noted.

A report of the Treasurer was submitted, under cover of which the accounts of the individual Trusts comprising the Ernest Stevens Bequests for the year ended 31st March, 2013 were presented for approval.

Papers comprising the Notes on the Final Accounts, the Trustees' Annual Report, the Achievements and Performance of the Trust, together with the Independent Examiner's Report to the Trustees of the Ernest Stevens Trust, were attached to the report.

The Principal Tax Accountant stated and explained the income and expenditure referred to in the Notes to the Final Accounts, together with the valuation of land and buildings and the market value of investments. She also referred again to the amounts held in the Permanent and Unrestricted funds.

A number of questions were asked, to which the Principal Tax Accountant responded. In this regard, she confirmed that the accounts were required to show only the land holdings at Stevens Park, Quarry Bank, not the maintenance figures. Regarding a question about income from the use of football pitches, the Principal Tax Accountant indicated that the sum received was exceeded by the maintenance costs borne by Dudley MBC. Regarding received income from land and buildings, the point was made that the figures for 2013 did not differ from those for 2012 and the Principal Tax Accountant agreed to make relevant enquiries.

Reference was made to the improvement works to Mary Stevens Park and the former Mary Stevens Maternity Home and the Principal Tax Accountant agreed to arrange for updated valuations of other Stevens Trusts' properties to be submitted to the next meeting.

With reference to the attendance of grant applicants at meetings of the Committee, it was confirmed that the public were entitled to attend, except when the Committee moved into private session by resolution, but that they did not have an entitlement to speak, except at the invitation of the Committee. In the discussion, it was acknowledged that grant applicants should be notified of the decision of the Committee as soon as administratively possible.

RESOLVED

- (1) That, on behalf of the Council in their capacity as Trustees, the accounts of the Trusts for the year ended 31st March, 2013, be approved by the Committee.
- (2) That the Chair be authorised to sign the accounts.

The meeting ended at 6.45 p.m.

CHAIR

MEETING OF THE CABINET

Wednesday, 30th October, 2013 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, Waltho
and Wood

together with the following Opposition Group Members appointed to
attend meetings of the Cabinet:-

Conservative Group - Councillors Evans, Harley, J Jones, K Turner and
Wright

OFFICERS:-

The Chief Executive, Director of Adult, Community and Housing
Services, Director of Children's Services, Director of Corporate
Resources, Director of the Urban Environment, Director of Public
Health, Treasurer, Assistant Director of Corporate Resources (Human
Resources and Organisational Development), the Democratic Services
Manager and the Assistant Principal Officer (Democratic Services) –
Richard Sanders, together with other officers

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APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received on behalf of
Councillors James, Mrs Simms and S Turner.

35

CHANGE IN REPRESENTATION OF MINORITY GROUP MEMBERS

It was reported that Councillors Evans and J Jones were serving in
place of Councillors Mrs Simms and James, respectively, for this
meeting of the Cabinet only.

36

DECLARATIONS OF INTEREST

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

MINUTES

RESOLVED

That the minutes of the meeting of the Cabinet held on 18th September, 2013, be approved as a correct record and signed.

REVENUE BUDGET STRATEGY 2014/15

A joint report of the Chief Executive and Treasurer was submitted on the Revenue Budget Strategy for 2014/15 and Medium Term Financial Strategy 2015/16-2016/17 and on spending and funding options for consultation.

Arising from the presentation of the report submitted, a number of questions were asked and responded to. Particular reference was made to the issue of regeneration of town centres in the Borough and the proposal to increase parking charges.

RESOLVED

- (1) That the Council be recommended that 2013/14 budgets be amended as set out in paragraphs 6 and 12 of the report now submitted.
- (2) That in respect of Looked After Children a report be brought back to Cabinet in February 2014 outlining the outcomes of the diagnostic exercise and presenting any proposals that arise from it, as set out in paragraph 12 of the report now submitted.
- (3) That the preliminary strategy outlined in the report be approved as a basis for consultation.
- (4) That the Chief Executive and Directors, in consultation with the Leader, Deputy Leader and relevant Cabinet Members, be authorised to examine the options set out in paragraph 36 of the report now submitted.
- (5) That the various issues and risks which will need to be taken into account in finalising budget proposals for 2014/15, and the Medium Term Financial Strategy, be noted.

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

STAFFING ISSUES – BUDGET SAVINGS YEAR 2013/14

A report of the Director of Corporate Resources was submitted updating Cabinet with final figures relating to staff changes as a result of the budget savings process for year 3 (2013/14) and with learning that had taken place and outcomes from the learning put into place for the 2014/15 budget saving process together with proposals in relation to voluntary and compulsory redundancies.

RESOLVED

That, subject to the necessary approval of the Council:-

- (1) That the contents of the report submitted to the meeting, be noted.
- (2) That the outline timetable for the next round of employee related budget savings be approved.
- (3) That a voluntary redundancy programme related to services where savings are identified, rather than a Council wide “expressions of interest” process, be approved.
- (4) That the Director of Corporate Resources, in consultation with the Cabinet Member for Human Resources (HR), Law and Governance, be authorised to determine all applications for voluntary redundancy including those where there are pension implications, and that the Assistant Director HR and Organisational Development, in consultation with the Cabinet Member for HR, Legal and Property be authorised to determine all applications for compulsory redundancy including those where there are pension implications, up to a total maximum of £3.0m for direct redundancy costs and £1.5m for the capitalised cost of pension strain.

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

LOCALISED COUNCIL TAX REDUCTION SCHEME 2014/15

A report of the Director of Corporate Resources was submitted, updating Cabinet on the results of the consultation exercise approved by Cabinet on 20th June, 2013, together with information regarding Council Tax reduction scheme changes in neighbouring authorities and, following consideration of the consultation results, outcomes of member scrutiny and an equality impact assessment, on options for the Council's Council Tax reduction scheme with effect from 1st April, 2014.

RESOLVED

That the Council be recommended:

- (1) That, further to consideration of the outcomes of the preceptor and public consultation on the Council Tax Reduction (CTR) scheme, member scrutiny, the equality impact assessment and last year's results of the Big Question budget survey in 2012, the CTR scheme be amended from 1st April 2014; the preferred scheme to be submitted for full Council approval on 2nd December, 2013 be based on the eligibility and calculation rules of the current scheme with a 20% cut in the resulting level of the reduction; and a transitional arrangement of an 8.5% cut in the calculated reduction apply at least up to 31st March 2015 with full protection from any scheme changes being given to pensioners (as defined in legislation), disabled adults, disabled children, war pensioners and lone parents with a child under 5, the definition of the protected groups to be as defined in the 2013 public consultation.
- (2) That, subject to full Council approval before 31st January, 2015 the transitional arrangements of an 8.5% cut may be extended beyond 31st March 2015 without further public consultation.
- (3) That the proposal to document the preferred CTR scheme in such a manner that any personal allowances, premiums, disregards and non-dependant deductions are automatically linked to equivalent annually up-rated values published by the central government in either Housing Benefit legislation or the prescribed Council Tax Reduction scheme for pensioners, be approved; this allowing any approved scheme to be automatically carried forward to future years, without the need for annual public consultation and re-approval, until such time that further scheme changes are considered.

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

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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 to the Programme.

In relation to paragraph 5 of the report, the importance of the heritage of the Halesowen District Office, following the departure of Children's Services from the building, was acknowledged, and possible alternatives were discussed regarding the future of the building.

RESOLVED

- (1) That the results of the Post Completion Review of capital projects, as set out in Appendix B to the report now submitted, be noted.
- (2) That the Council be recommended:-
 - (a) That current progress with the 2013/14 Capital Programme as set out in Appendix A to the report now submitted be noted and that budgets be amended to reflect the reported variances.
 - (b) That the urgent amendment to the Capital Programme, as set out in paragraph 5 of the report now submitted, be noted.

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

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ANNUAL REVIEW OF EQUALITY AND DIVERSITY 2013

A report of the Director of Corporate Resources was submitted on the annual review of equality and diversity for 2013, a full copy of which was available in the Members' Room and electronically on the Council's Committee Management Information System.

RESOLVED

- (1) That the annual review of equality and diversity 2013 be approved.
 - (2) That the full copy of the annual review of equality and diversity for 2013 be circulated to all Members of the Council.
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ANNUAL REVIEW OF THE CONSTITUTION

A report of the Director of Corporate Resources was submitted on the annual review of the Constitution.

RESOLVED

That the Council be recommended:

- (1) That the work undertaken and in progress to integrate public health functions within the Constitution, as referred to in paragraphs 8 and 9 of the report now submitted, be noted.
- (2) That the terms of reference of the Appointments Committee be amended, with consequential changes elsewhere in the Constitution, to provide for salary packages for new appointments and any severance packages for employees that exceed £100,000 to be recommended to full Council for approval as referred to in paragraphs 10 and 11 of the report now submitted.
- (3) That the review of the Members' Planning Code of Good Practice, as referred to in paragraph 12 of the report now submitted, be noted.
- (4) That the proposed addition to the terms of reference of the Ernest Stevens Trusts Management Committee be approved as set out in paragraphs 13 and 14 of the report now submitted.
- (5) That the Deputy Leader (Cabinet Member for Finance) be authorised to sign Decision Sheets in the absence of the Cabinet Member for Human Resources, Legal and Property, as referred to in paragraph 15 of the report now submitted.
- (6) That the approach to the recording of Council, Cabinet, Committee and other meetings, as set out in paragraphs 16 to 19 of the report now submitted, be approved and that Council Procedure Rule 24.6 be amended accordingly.

- (7) That the amended Terms of Reference for West Midlands Joint Committee, as described in paragraphs 20 to 26 and Appendix 1 to the report now submitted, be approved insofar as they relate to the executive functions of Dudley Metropolitan Borough Council and that the Director of Corporate Resources be authorised to take any necessary and consequential actions to give effect to this decision.
- (8) That the establishment of the Black Country Executive Joint Committee, as referred to in paragraphs 27 to 33 of the report now submitted, be approved and that the Constitution be amended accordingly.
- (9) That the constitution of the Black Country Executive Joint Committee, including the Terms of Reference set out in Appendix 2 to the report now submitted, be endorsed and the associated functions and powers be delegated to the Executive Joint Committee, subject to the requirement that any revenue or capital expenditure programmes or commitments are approved by the Cabinet and full Council in accordance with the existing Constitutional requirements of Dudley MBC.
- (10) That the Leader of the Council be appointed as the Cabinet's representative on the Black Country Executive Joint Committee together with a named Member to act as a substitute.
- (11) That the proposals for the City Deal and Growth Deal Advisory Board, as set out in paragraphs 31 and 32 of the report now submitted, including the provision for the appointment of the Cabinet Member for Regeneration, be approved.
- (12) That the Leader of the Council, in consultation with the Chief Executive and appropriate Directors, be authorised to make any necessary and consequential changes to the terms of reference of the Black Country Executive Joint Committee that may be required from time to time to implement the proposals in the report now submitted.
- (13) That the appointment of Walsall MBC to act as Secretary to the Black Country Executive Joint Committee and Advisory Board be noted.
- (14) That the ongoing reviews of governance arrangements, as referred to in paragraph 34 of the report now submitted, be noted.

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

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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 Councillor David Sparks, Cabinet Member for Policy and Leader of the
Cllr Khurshid Ahmed, Cabinet Member for Transport
In Consultation With Iain Newman, Treasurer
John Millar, Director of the Urban Environment
Ward(s) Affected Sedgley
Upper Gornal & Woodsetton
Date of Decision 02 October 2013 **Reference** DUE/44/2013

West Midlands Local Sustainable Transport Fund – Project Extension Bid – Section 151 Officer Sign Off

That the Council's Section 151 Officer supports the financial case for Dudley MBC's element of the West Midlands Local Sustainable Transport Fund - Project Extension bid.

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 18 October 2013 **Reference** DUE/45/2013

SUSPENSION OF CAR PARK CHARGES - CHRISTMAS 2013

That the Council suspend parking charges on the 7th, 14th and 21st December 2013 on all Council controlled car parks and that the Director of the Urban Environment be authorised to also suspend parking charges on one late shopping night in November/December 2013, in each of the centres following liaison with local traders.

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 Brierley Hill
Date of Decision 01 November 2013 **Reference** DUE/46/2013

Waiting and Loading Restrictions in High Street, Brierley Hill

1.1 That the experimental Traffic Regulation Order (TRO) The Borough Council of Dudley (Brierley Hill High Street) (Experimental Prohibition of Waiting, Restriction of Waiting and Loading and Parking Places) (No 7 Order type) Order 2013 be made permanent.

1.2 That The Borough Council of Dudley (High Street, Brierley Hill) (Parking Places) (No 7 Order type) Order 2013 be introduced.

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 Cradley and Wollescote
Date of Decision 15 November 2013 **Reference** DUE/48/2013

Allocation of new road name off Slade Road/Ormonde Close, Halesowen

1.1 That the road identified on plan no.T&T/D/RN/190 is named Benjamin Drive.

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 15 November 2013 **Reference** DUE/47/2013

Allocation of new road names off High Street, Wollaston

1.1 That the roads identified on plan no.T&T/D/RN/191 are named "Nash Gardens", "Hyde Mill Drive", "Fussell Way", "Aurora Gardens", "Dawn Close" and "Morrow Way".

6.

Delegated Decision Summary

Exempt
Yes No

Decision Made By Councillor Dave Branwood
Authorised By Councillor Dave Branwood, Cabinet Member for Adult Community Services
In Consultation With Andrea Pope-Smith, Director of Adult, Community and Housing Services
Ward(s) Affected All
Date of Decision 25 October 2013 **Reference** DACHS/010/2013

New Bradley Hall Residential Care Home, Kingswinford - Next Steps

To take steps to procure a not-for-profit provider to whom the ownership, maintenance and on-going development of New Bradley Hall, Kingswinford, as a going concern including the on-going care to high standards allowing all people who currently live there on a permanent basis to continue doing so with their needs being met as required and securing on-going employment for staff.

7.

Delegated Decision Summary

Exempt

Yes No

Decision Made By Councillor Dave Branwood

Authorised By Councillor Dave Branwood, Cabinet Member for Adult Community Services

In Consultation With Andrea Pope-Smith, Director of Adult, Community and Housing Services

Ward(s) Affected All

Date of Decision 14 November 2013

Reference DACHS/011/2013

To extend a contract in compliance with Standing Order 21

Approval is sought to extend the three contracts for Support with Care for People with Learning Disabilities in relation to the recent Local Authority New Build schemes. The three contracts are due to expire in February and March 2014. Approval is sought to extend the contracts by 12 months to February and March 2015.

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 Jane Porter, Director of Children's Services

Ward(s) Affected Coseley East

Sedgley

Date of Decision 14 October 2013

Reference DCS/43/2013

New Instrument of Government for Cotwall End Primary School

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

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 Jane Porter, Director of Children's Services

Ward(s) Affected All

Date of Decision 14 October 2013

Reference DCS/42/2013

Childcare Strategy Team internal and external training charges

To approve the current internal and proposed external training charges Sept 2013- July 2014 to private and voluntary early years and childcare settings (including childminders) and maintained schools.

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 Jane Porter, Director of Children's Services
Ward(s) Affected All
Date of Decision 29 October 2013 **Reference** DCS/45/2013

Dudley Schools Forum School Member Appointments

In respect of Dudley Schools Forum, to approve the appointment of four Schools' Members from 1 November 2013.

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 Jane Porter, Director of Children's Services
Ward(s) Affected All
Date of Decision 29 October 2013 **Reference** DCS/44/2013

Dudley Schools Forum Constitution

To approve the revised Schools Forum Constitution, to include amendments as required by Regulation 4 of the DfE's School and Early Years Finance (England) Regulations 2013.

12.**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 27 September 2013 **Reference** HOPSS/61/2013

Appointment of two permanent Living Well Feeling Safe Assessment Officers

To recruit two permanent staff that works Monday to Friday to carry out living well, feeling safe assessments to support Community Based Prevention Services and the ageing well agenda.

13.**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 27 September 2013 **Reference** HOPSS/59/2013

Creation of permanent Schools Information Governance Officer

To create a permanent Schools Information Governance Officer Post based within the Directorate of Children's Services, following a decision by Schools Forum to the continuous funding of this key role.

14.**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 27 September 2013 **Reference** HOPSS/58/2013

Creation of permanent Micro Service Co-ordinator post in DACHS

To create a permanent Micro Services Coordinator post in DACHS

15.**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 27 September 2013 **Reference** HOPSS/60/2013

De-registration of the Mere Primary Short Stay School and amalgamation with the Sycamore Short Stay School under a single Head of Centre. Eff 01/10/13

To gain agreement for the de registration of the Mere Primary Short Stay School and amalgamation with the Sycamore Short Stay School under a single Head of Centre. This to take effect from 1st October 2013.

16.**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** 27 September 2013**Reference** HOPSS/57/2013**Create and recruit 4 temporary contracts (12 months) posts in Anti Social Behaviour Team**

To recruit to the following temporary posts (12 month contracts) to supplement existing resources in the ASB Team. The posts being:

ASB Officers (3)

Housing Management Assistant (1)

17.**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** Netherton, Woodside &
St.Andr**Date of Decision** 08 October 2013**Reference** HOPSS/62/2013**To delegate decision making authority to the Director of Corporate Resources and the Director of Children's Services to approve the transfer of staff from Dudle**

To approve the staff transfer under The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007, from Dudley MBC to the to the Governing Body of the Hillcrest School and Community College, part of the Hillcrest Community Co-operative Learning Trust. That the Director of Children's Services and Director of Corporate Resources be authorised to deal with all matters relating to the transfer of employees to take place on a date to be determined during the Autumn term 2013.

To further resolve that access to the Local Government Pension Scheme be offered to appropriate staff in accordance with regulation 127 (i) of the Local Government Pension Scheme (Administration) Regulations 2008.

18.**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** 08 October 2013**Reference** HOPSS/63/2013**TUPE transfer for 3 FTE staff from Dudley and Walsall Mental Health Trust to the Local Authority**

For the 3 FTE psychology staff currently employed by the Dudley and Walsall Mental Health Trust to be TUPE transferred to the Local Authority from the 1st August 2013 in order to maintain a psychological service to looked after children.

19.**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** 11 October 2013**Reference** HOPSS/64/2013**Creation of new post, Team Manager Dudley Council Plus**

Approval to create a new Dudley Council Plus (DC+) team manager post.

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** Teresa Reilly, Assistant Director**Ward(s) Affected** All**Date of Decision** 16 October 2013**Reference** HOPSS/65/2013**Implementing Assessed and Supported Year in Employment (ASYE) Agreement for Social Workers (Adult & Children's)**

To implement the ASYE for Adults and Children's Social workers appointed to the ASYE scheme wef 01.10.2013.

To review the effectiveness of the agreement September 2014.

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 Philip Tart, Director of Corporate Resources
Ward(s) Affected St Thomas's
Date of Decision 18 October 2013 **Reference** DCR/36/2013

Appropriation of land at Firs Street, Dudley

That the land at Firs Street, Dudley, be appropriated from the Notification of Births Act 1915 to the purposes of Public Open Spaces Act 1906.

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 All
Date of Decision 24 October 2013 **Reference** HOPSS/67/2013

Transfer of commissioning responsibility in respect of substance misuse from the Community Safety Team to the Office of Public Health

who support the commissioning of substance misuse services to the Office of Public Health to include:-
Deletion of the Drug Intervention Programme Manager Post (Employee to be placed at risk of redundancy)
Deletion of Drug Intervention Programme Data Manager Post (employee to be assimilated to the Substance Misuse Data Manager Post)
Substance Misuse Commissioning Manager, Young Persons Substance Misuse Lead and PA/Admin support posts to transfer on existing grade and job descriptions not withstanding any refreshes that may need to take place.

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 06 November 2013 **Reference** HOPSS/68/2013

Redirection of funding for posts in Housing Income Management Team to fund 2 temporary posts and permanent team manager

To delete an Income Team Manager post and to create 2 temporary posts and a permanent team manager to respond to the impact of welfare reforms and increased right to buy applications.

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 08 November 2013 **Reference** HOPSS/69/2013

3 fte Admin Assistants - Adoption Service

To establish 3 Admin Assistant posts within the Adoption Service on a 12 months fixed term contract.

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 12 November 2013 **Reference** HOPSS/70/2013

Connexions Personal Advisers to move from zero hour contracts to permanent contracts

The Connexions service in Dudley has been delivering traded activity since April 2012 and this year there has been an increase in the take up of this service by schools. This service is income generating and supports our service with budget saving pressures. The traded services are being delivered alongside targeted services to schools of which the Local Authority has a statutory duty to provide. In order to meet this demand and support our schools in meeting their responsibilities for the provision of Independent Careers Information advice and guidance we need to secure sufficient resource.

Currently this support is being delivered by two members of staff on zero hour contracts. These staff meet the national requirements in terms of qualifications and experience, therefore the need to make their contracts permanent will retain this expertise.

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

Decision Made By Councillor David Sparks
Authorised By Councillor David Sparks, Cabinet Member for Policy and Leader of the
In Consultation With Philip Tart, Director of Corporate Resources
Ward(s) Affected All
Date of Decision 30 September 2013 **Reference** DCR/34/2013

Scheme of delegation

That the scheme of delegation, as set out in Part 3 of the Council's Constitution, be amended to incorporate changes to Cabinet portfolios as detailed in the attached schedule.

27.

Delegated Decision Summary

Exempt
Yes No

Decision Made By Councillor David Sparks
Authorised By Councillor David Sparks, Cabinet Member for Policy and Leader of the
In Consultation With Iain Newman, Treasurer
Ward(s) Affected All
Date of Decision 30 September 2013 **Reference** DCR/35/2013

Internal remedial works to Council offices at Mary Stevens Park, Stourbridge

To authorise internal remedial works to Council offices at Mary Stevens Park, (MSP) Stourbridge as part of the Transforming Our Workplace project and include in the Capital Programme.

28.

Delegated Decision Summary

Exempt
Yes No

Decision Made By Councillor Stuart Turner
Authorised By Councillor Stuart Turner, Cabinet Member for Health and Wellbeing
Philip Tart, Director of Corporate Resources
In Consultation With John Millar, Director of the Urban Environment
Ward(s) Affected All
Date of Decision 25 October 2013 **Reference** DCR/37/2013

Scrap Metal Dealers Act 2013 – Setting of Fees

To approve the setting of fees for the three-year licences for scrap dealers and licensed collectors in accordance with the Scrap Metal Dealers Act 2013 and associated Government guidance.