

## Meeting of the Council

**Monday, 29<sup>th</sup> November, 2021 at 6.00pm  
in the Council Chamber  
at the Council House, Priory Road, Dudley**

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

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

#### Prayers

1. Apologies for absence
2. To receive any declarations of interest under the Members' Code of Conduct
3. To confirm and sign the minutes of the meeting held on 11<sup>th</sup> October, 2021 as a correct record
4. Mayor's Announcements
5. Petition for Debate – "Save our Greenbelt"
6. To receive reports from meetings as follows:

Meeting of the Cabinet dated 28<sup>th</sup> October, 2021

Councillor P Harley to move:

- (a) Capital Programme Monitoring (Pages 1 – 18)

7. Notices of Motion

- (a) Impact of Austerity

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

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

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

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

This Council therefore resolves to:

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

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

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

We therefore resolve to write to the Government:

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

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

*The following amendment was subsequently moved by Councillor S Clark and seconded by Councillor L Taylor-Childs:*



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

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

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

This Council resolves to:

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

(b) Community Defibrillators

To consider the following notice of motion received from Councillor J Foster on 29<sup>th</sup> September, 2021:

“This Council recognises the importance of improving the safety of all residents in all communities across our Borough and is committed to help improve the health and well-being of local residents.

An Automatic External Defibrillator (AED) is a portable electronic device that automatically diagnoses life-threatening sudden cardiac arrest in a patient and is able to treat them through Defibrillation. Defibrillation is one of the four links in the ‘chain of survival’ – a series of actions that improve a person’s chances of surviving cardiac arrest. The four links are:

- Early recognition
- Early cardio-pulmonary resuscitation
- Early defibrillation
- Post resuscitation care

There are a number of different providers and types of AED but essentially they all do the same thing:

- Analyse the victim's heart rhythm
- Determine if a shock is required
- Provide voice and/or visual prompts to assist the rescuer.

Up to seven out of 10 people who suffer a cardiac arrest could survive if they are treated with a defibrillator within the first five minutes.

Although some defibrillators are available across the Borough, their distribution is uneven, leaving gaps in the network.

Therefore this Council resolves to:

- Review its provision of defibrillators across its entire public estate;
- Review and commit to installing 1 AED in each of the 24 wards across the Borough, looking at public parks, community centres, leisure facilities and areas of high public footfall;
- Undertake a programme of training for staff who have daily contact with the public in the use of Defibrillators and Cardiopulmonary resuscitation (CPR);
- Instruct Officers to work with colleagues in the NHS to identify gaps in the existing network and to seek any necessary funding approvals to implement this motion;
- Request that the Mayor in her civic leadership role bring together charities and campaign groups working in this field along with other key stakeholders to shape an action plan for adequate training in the community in locations where the new provision is introduced, ensuring that all local residents are aware of the Public Access Defibrillators and how to use them."

(c) Wi-Fi for Community Centres

To consider the following notice of motion received from Councillor J Foster on 29<sup>th</sup> September, 2021:



“In Dudley Borough there are 31 Community Centres covering the area. The impact of austerity means that many people in Dudley rely on Community Centres for work-based support and leisure activities, including hire for events such as wedding receptions, wakes and birthday parties at low cost compared to private commercially run venues. They also host many friendship clubs which help tackle the problem of loneliness faced by many older people in our communities who are on fixed incomes and cannot afford to engage in most privately-run age appropriate leisure activities.

However, with the rising cost of maintenance and energy bills, many Community Centres struggle to make ends meet. Due to cuts in its own budget, the Council can only afford to provide limited advice and support. These factors place these essential facilities at risk of loss to the very communities that rely on the activities and services they provide the most.

One type of support the Council could offer is the provision of free Wi-Fi to the 14 Community Centres that currently do not have Wi-Fi facilities. The installation of Wi-Fi would enable Community Centres to extend their hire offer to a wider range of customers, for example, training providers and local companies looking for a cost-effective venue for a business meeting. Community Centres could therefore generate more income that will enable them to be financially sustainable for the long term and sufficiently viable to continue to offer activities and services to those in their communities that need them most.

Should all Community Centres currently without provision take up this offer, there would be a total one off installation cost of £49,000 and, for each Centre, annual costs of between £2,200 and £3,500.

This Council therefore instructs officers to bring forward detailed proposals as part of the budget process to offer free Council Wi-Fi facilities to all Community Centres currently without provision.”

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

**Distribution:** All Members of the Council



**Chief Executive**

**Dated: 19<sup>th</sup> November, 2021**

## **Please note the following concerning meetings at Dudley Council House:**

### **Covid-19 Secure Working**

- Windows/doors will be opened to provide adequate ventilation.
- Please ensure you sanitise your hands when arriving and leaving the building. Hand washing facilities are also available on site.
- Hand sanitiser and antibacterial wipes are available at various locations.
- All persons entering or working in the Council House are encouraged to wear face masks in communal areas and when moving around the building. The Council has a supply of surgical masks for use in meetings.
- Face masks may be removed when you are seated in the meeting if there is 2 meters of space between people and the room is well ventilated. If there is 1 meter (or less) it is advised that a surgical mask is worn.
- All people attending are encouraged to undertake Lateral Flow Tests twice a week (a supply of kits is available at the Council House). Anyone testing positive should not attend and should seek further advice including self-isolation and taking a PCR test.
- Do not attend if you feel unwell; if you have tested positive for Covid-19; if you are self-isolating or if you suspect that you are symptomatic.
- All people are encouraged to be double vaccinated to limit any potential ill-health effects.
- Please be respectful of everyone's personal space and preferences when you attend meetings.

### **Public Gallery**

- Seating in the public gallery is subject to limits on capacity and will be allocated on a 'first come' basis.

### **Toilets**

- Toilet facilities are available on site and are subject to safety measures that are in place. All the toilets have hand washing facilities.

### **No smoking**

- There is no smoking on the premises in line with national legislation. It is an offence to smoke in or on the premises. You cannot use e-cigarettes and/or similar vaping devices.

### **In Case of Emergency**

- In the event of the alarms sounding, please leave the building by the nearest exit. There are Officers who will assist you in the event of this happening, please follow their instructions.



## Submitting Apologies for Absence

- Elected Members can submit apologies by contacting Democratic Services.

## Private and Confidential Information

- Agendas containing reports with 'exempt' information should be treated as private and confidential. It is your responsibility to ensure that information containing private and personal data is kept safe and secure at all times. Confidential papers should be handed to Democratic Services for secure disposal. If you choose to retain the documents you should ensure that the information is securely stored and destroyed within six months.

## Recording and Reporting

- The use of mobile devices or electronic facilities is permitted for the purposes of recording/reporting during the public session of the meeting. The use of any such devices must not disrupt the meeting – Please turn off any ringtones or set your devices to silent.
- This meeting will be recorded and broadcast on the Council's YouTube Channel. The webcast can be viewed by clicking on the following link  
<https://www.youtube.com/user/dudleymbc>

## General

- Public Wi-Fi is available in the Council House.
- Information about the Council and our meetings can be viewed on the website [www.dudley.gov.uk](http://www.dudley.gov.uk)

## If you need advice or assistance

- If you (or anyone you know) requires assistance to access the venue, or if you have any other queries, please contact Democratic Services - Telephone 01384 815238 or E-mail [Democratic.Services@dudley.gov.uk](mailto:Democratic.Services@dudley.gov.uk)

**Minutes of the proceedings of the Council  
Monday, 11<sup>th</sup> October, 2021 at 6.00pm  
in the Council House, Priory Road, Dudley**

**Present:**

Councillor A Millward (Mayor)  
Councillor S Greenaway (Deputy Mayor)  
Councillors K Ahmed, R Ahmed, S Ali, A Aston, M Aston, N Barlow, C Barnett, C Bayton, D Bevan, I Bevan, R Body, D Borley, P Bradley, R Burston, R Buttery, B Challenor, S Clark, J Clinton, R Clinton, R Collins, D Corfield, J Cowell, T Crumpton, A Davies, P Dobb, M Evans, A Finch, K Finch, J Foster, B Gentle, M Hanif, D Harley, P Harley, A Hopwood, Z Islam, L Johnson, S Keasey, I Kettle, E Lawrence, P Lee, K Lewis, P Lowe, P Miller, S Mughal, C Neale, N Neale, S Phipps, K Razzaq, S Ridney, J Roberts, M Rogers, P Sahota, S Saleem, K Shakespeare, D Stanley, A Taylor, E Taylor, L Taylor-Childs, S Waltho, M Westwood, T Westwood and Q Zada together with the Chief Executive and other Officers

**Prayers**

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

25 **Apologies for Absence**

Apologies for absence were submitted on behalf of Councillors P Atkins, P Drake, C Elcock, A Goddard, A Lees, S Henley, W Sullivan and D Vickers.

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26 **Declarations of Interest**

Declarations of interest, in accordance with the Members' Code of Conduct, were made by the following Members:

Councillor A Aston – Pecuniary interest in any matters directly affecting his employment by the West Midlands Ambulance Service.

Councillor M Evans - Any matters relating to the Castle Hill development and all references to Dudley Zoo - Non-pecuniary interest as a member of Dudley and West Midlands Zoological Society Ltd.

Councillors D Stanley and A Taylor - West Midlands Combined Authority (WMCA) – Transport Delivery Committee - Non-pecuniary interests as Members of the Committee.

Councillor P Miller - Any matters relating to adult social care - Non-pecuniary interest as his wife was receiving visits from Gateway Dementia Centre in Brettell Lane.

Councillor R Burston - Capital Programme Monitoring (Metro Complementary Measures, Dudley Interchange, Portersfield Link); any references to the West Midlands Local Transport Plan and any references to West Midlands Combined Authority - Pecuniary interest in any matters directly affecting his employment.

Councillor I Bevan – Any references to Dudley Group NHS Foundation Trust / Russells Hall Hospital – Pecuniary interest in any matters directly affecting his employment.

Councillor Q Zada – Minutes of the Cabinet, references to health issues and any matters affecting his portfolio of property investments – Pecuniary interest in any matters directly relating to his employment or relevant to his portfolio of property investments.

Councillors N Barlow and P Miller – Any references to West Midlands Fire and Rescue Authority - Non-pecuniary interests as Members of the Authority.

Councillor E Taylor - Minutes of the Health and Adult Social Care Scrutiny Committee - Non-pecuniary interest as her daughter was employed at Russells Hall Hospital.

Councillor S Waltho - Minutes of the Health and Adult Social Care Scrutiny Committee - Non-pecuniary interest as a nominated Member of the Council of Governors on the Dudley Group of Hospitals.

Councillor C Neale - Minutes of the Health and Adult Social Care Scrutiny Committee - Non-pecuniary interest in view of his wife's employment.

Councillor N Neale - Minutes of the Health and Adult Social Care Scrutiny Committee or health issues generally - Pecuniary interest in any matters directly affecting her employment with Dudley Group of Hospitals (NHS) Foundation Trust.

Councillor Z Islam – Matters relating to Children's Services – Non-pecuniary interest due to his daughter's employment with Fort Advocacy Services Ltd. who were occasionally commissioned by Children's Services to provide independent advocacy services and her involvement with the Dudley Advocacy Charity as an independent parent advocate.

Councillors K Ahmed and C Bayton – Minutes of the Cabinet – Non-pecuniary interests insofar as their ward was affected by the Black Country Plan.

Councillor K Ahmed – Minutes of the Cabinet – Pecuniary interest in any matters which might directly affect his portfolio of property investments.

Councillor P Lee – Minutes of the Children’s Services Scrutiny Committee - Non-pecuniary interest as he was a foster carer in the Borough.

Councillor K Lewis - Minutes of the Children’s Services Scrutiny Committee - Non-pecuniary interest as she worked as a childcare provider.

Councillor R Clinton - Minutes of the Children’s Services Scrutiny Committee - Non-pecuniary interest as he was employed as a university lecturer at University College Birmingham.

Councillors D Stanley and M Westwood – Minutes of the Development Control Committee - Non-pecuniary interests in Planning Application No. P21/0315 – 46 Zoar Street, Lower Gornal, Dudley, as Councillor D Stanley had lodged an objection against the application and Councillor M Westwood was the Chair of Governors at Redhall Primary School, who had also raised an objection.

Councillor S Mughal – Minutes of the Development Control Committee - Planning Application No. P21/1486 – 36 St Marks Road, Dudley – Pecuniary interest as the applicant.

(NB: In relation to the Minutes of the Development Control Committee on 13<sup>th</sup> September, 2021, it was noted that applications had been considered which involved Members of the Council as applicants. All the applications had been considered impartially on material planning grounds).

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27 **Minutes**

**Resolved**

That the minutes of the meeting held on 12<sup>th</sup> July, 2021 be approved as a correct record and signed.

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28 **Mayor’s Announcements**

(a) **Awards**

The Mayor reported on the following award-winning achievements:

- Project Rita (Reminiscence Interactive Therapy Activities) - Gold Award at the Public Sector Transformation Awards.
- Housing Maintenance - Order of Distinction from the Royal Society for the Prevention of Accidents.



- Public Realm:

Waste Services – 2020 Local Authority Advisory Committee’s Best Partnership of the Year Award and the Association of Public Service Excellence Best Public/Private Partnership Working Initiative Award.

Green Care - Green Flag status retained at:

- Buffery Park
- Huntingtree Park
- Silver Jubilee Park
- Leasowes Park
- Mary Stevens Park
- Priory Park
- Saltwells Nature Reserve; and
- Wrens Nest National Nature Reserve

Community Green Flag Award - Abbey Road Allotments.

Green Care and Street Cleansing - Britain in Bloom 2021 - Gold Awards for Stourbridge and Halesowen.

Street Cleansing - finalists in the Best Performer Category at the Association of Public Service Excellence Performance Networks Awards 2021.

Refuse Collection, Roads, Highways and Winter Maintenance Services and Street Lighting - Most Improved Performer Category at the Association of Public Service Excellence Performance Networks Awards 2021.

- National award from the England Illegal Money Lending Team for initiatives in tackling loan sharks and making communities safer.
- Ministry of Defence - Employer Recognition Scheme Silver Award winners for 2021.
- M Abuaffan, Head of Adults and Older People’s Public Health - Presidents Medal from the Faculty of Public Health.
- Local Government Chronicle Awards - B Kaur and the Public Health Team for the successful pilot of a pharmacy led lateral flow testing initiative; Bereavement Services praised and shortlisted for Team of the Year.
- Human Resources and Organisational Development - award for the approach to digital learning.

- Revolution for Schools Team - Education Business Award for work to support schools during the pandemic by sourcing and obtaining Personal Protective Equipment.
- M Watkins, (Craft Apprentice in Housing Maintenance) - winner of the Association for Public Service Excellence Apprentice of the year - Building Skills category.
- Black Country Radio and the Friends and Residents of Buffery Park - Queen's Award for Voluntary Service.
- M Farooq, Lead for Law and Governance – winner of the Inspirational Leader Award and the Democratic Services Team – winners of the Democratic Functions and Governance award from Lawyers in Local Government.

The Council placed on record its appreciation for the hard work and dedication of the employees and others involved. Individual Members then commented on the various awards, achievements and other ongoing activities.

(b) Programme of Events

The Mayor reported on the following:

- Himley Bonfire and Fireworks - 6<sup>th</sup> November, 2021
- Armistice Service – 11<sup>th</sup> November, 2021
- Remembrance Sunday Service - 14<sup>th</sup> November, 2021
- Christmas Lights switch-on events:
  - Halesowen and Stourbridge - 20<sup>th</sup> November, 2021
  - Dudley and Brierley Hill - 27<sup>th</sup> November, 2021
  - Sedgley - 28<sup>th</sup> November, 2021

(c) Charity Fundraising

The Mayor thanked everyone who had supported the Mayor's Ball and Civic Awards event. Thanks were also extended to Councillors and others who had climbed Ben Nevis and to Councillor S Waltho for running the virtual London Marathon to raise charity funding.

29 **Capital Programme Monitoring**

A report of the Cabinet was submitted.

The recommendations of the Cabinet were moved by Councillor P Harley and seconded by Councillor S Clark.



During the debate, comments were made concerning the Portersfield development, including regeneration of the former Cavendish House site, together with the associated financing arrangements. Reference was also made to proposed developments in the Cradley/Colley Gate area.

Following the debate, the motion was put to the meeting and it was

**Resolved**

- (1) That progress with the 2021/22 Capital Programme, as set out in Appendix A to the report, be noted.
- (2) That the inclusion of the Buffery Park Play Area project in the Capital Programme, as set out in paragraph 4 of the report, be noted.
- (3) That the expenditure of £180,000 on the Driver Simulator and specialist tools for Very Light Rail (VLR) testing be included in the Capital Programme, as set out in paragraph 5 of the report.
- (4) That the recommendations of the Cabinet concerning the regeneration of the Portersfield area of Dudley Town Centre, as set out in paragraph 6 of the report, be approved.
- (5) That the urgent amendment of the Capital Programme, as set out in paragraph 7 of the report, be noted.

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30 **Food and Feed Service Plan 2021/22**

A report of the Cabinet was submitted.

It was moved by Councillor N Barlow, seconded by Councillor S Clark and

**Resolved**

That the Food and Feed Service Plan 2021/22 be approved and adopted.

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31 **Treasury Management**

A report of the Audit and Standards Committee was submitted.

It was moved by Councillor A Taylor, seconded by Councillor S Clark and

## Resolved

That the report be noted.

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### 32 Notices of Motion

#### (a) Houses of Multiple Occupation

Pursuant to Council Procedure Rule 12, Councillor A Aston had given notice of the following motion on 29<sup>th</sup> September, 2021.

“Since changes to planning regulations in 2010, the change of use from a dwelling house (class C3) to a house of multiple occupation (HMO) (class C4) is possible under permitted development rights and planning applications are not needed.

Badly managed or inappropriately located HMOs can have a negative effect on the local community.

This Council calls for the introduction of a Borough wide direction under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 for the removal of permitted development rights for the change of use of dwelling houses (C3 Use Class) to small houses in multiple occupation (C4 Use Class).

Whilst this Article 4 Direction will require further work from landlords to prepare and submit planning applications for the creation of small HMOs from dwelling houses, it is not considered that this will reduce the availability and affordability of housing in the Borough or increase homelessness. The direction will provide a means for Dudley MBC (via the planning process) to properly consider the implications of new HMOs that are created, avoid excessive concentrations and continue to monitor their distribution and their effects on the wider area.”

The motion was moved by Councillor A Aston and seconded by Councillor J Foster.

The following amendment was moved by Councillor S Phipps and seconded by Councillor L Taylor-Childs.

“This Council notes that the change of use from a dwelling house (class C3) to a small house of multiple occupation (HMO) (class C4) is possible under permitted development rights. A small HMO having between three and six occupiers.

Under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015, planning authorities may remove permitted development rights for the change of use of dwelling houses (C3 Use Class) to small houses in multiple occupation (C4 Use Class). Where this direction has been enacted, a full planning application must then be submitted to open a new C4 HMO, which would then be dealt with under planning policy.



This Council notes that, under Paragraph 53 of the National Planning Policy Framework (NPPF), an Article 4 direction should:

- where they relate to change from non-residential use to residential use, be limited to situations where an Article 4 direction is necessary to avoid wholly unacceptable adverse impacts (this could include the loss of the essential core of a primary shopping area which would seriously undermine its vitality and viability, but would be very unlikely to extend to the whole of a town centre).
- in other cases, be limited to situations where an Article 4 direction is necessary to protect local amenity or the well-being of the area (this could include the use of Article 4 directions to require planning permission for the demolition of local facilities).
- in all cases, be based on robust evidence, and apply to the smallest geographical area possible.

It is also noted that the Draft Black Country Plan, Policy HOU6, introduces a policy on HMOs which introduce a range of new limitations on the development of new HMOs within the plan area, inclusive of the entire Dudley Borough.

Given the negative impact that the uncontrolled proliferation of HMOs can have on a geographical area, this Council resolves:

1. The Director for Regeneration and Enterprise be requested to gather the evidence base required for a decision to be made on the introduction of an Article 4 Direction.
2. The Deputy Chief Executive be requested to strengthen licensing requirements for the operation of HMOs, so that existing and new HMOs can be better monitored, and landlords held responsible for any negative impact on communities.
3. That the above are reported at a future meeting of the Cabinet.”

Councillor A Aston was afforded a right to reply to the debate and indicated that he accepted the amendment. The amendment was put to the vote and carried. The motion, as amended, thereupon became the substantive motion for any further debate by the Council.

The substantive motion was put to the vote and it was:

**Resolved that:**

This Council notes that the change of use from a dwelling house (class C3) to a small house of multiple occupation (HMO) (class C4) is possible under permitted development rights. A small HMO having between three and six occupiers.



Under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015, planning authorities may remove permitted development rights for the change of use of dwelling houses (C3 Use Class) to small houses in multiple occupation (C4 Use Class). Where this direction has been enacted, a full planning application must then be submitted to open a new C4 HMO, which would then be dealt with under planning policy.

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- in other cases, be limited to situations where an Article 4 direction is necessary to protect local amenity or the well-being of the area (this could include the use of Article 4 directions to require planning permission for the demolition of local facilities).
- in all cases, be based on robust evidence, and apply to the smallest geographical area possible.

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3. That the above are reported at a future meeting of the Cabinet.

(b) Impact of Austerity

Pursuant to Council Procedure Rule 12, Councillor P Lowe had given notice of the following motion on 29<sup>th</sup> September, 2021:

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

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

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

This Council therefore resolves to:

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

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

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

We therefore resolve to write to the Government:

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

The motion was moved by Councillor P Lowe and seconded by Councillor S Ridney.

The following amendment was moved by Councillor S Clark and seconded by Councillor L Taylor-Childs:



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

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

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

This Council resolves to:

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

At this juncture the Mayor indicated that, pursuant to Council Procedure Rule 12.5, the 30 minutes allowed to deal with all notices of motion had expired.

This motion/amendment, together with the other remaining motions on the agenda, would therefore stand referred to the next ordinary meeting of the Council. The notices of motion would be included in the summons for that meeting in accordance with Council Procedure Rule 12.2.

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### 33 **Questions under Council Procedure Rule 11**

#### Written Questions

No written questions were submitted in advance.

#### Verbal Questions to the Leader, Cabinet Members and Chairs

The Leader of the Council (Councillor P Harley) responded to a question from Councillor D Bevan concerning Dudley’s City Status bid.



The Chair of the Audit and Standards Committee (Councillor A Taylor) responded to questions from Councillor J Cowell concerning the submission of information to the external auditor in relation to the valuation of land, buildings and housing stock. A written response would be provided.

The Cabinet Member for Regeneration and Enterprise (Councillor S Phipps) responded to a question from Councillor N Neale concerning developments and improvements in the Colley Gate/Cradley High Street area.

The Cabinet Member for Regeneration and Enterprise (Councillor S Phipps) responded to a question from Councillor I Bevan concerning progress on the Carbon Reduction Scheme.

The Cabinet Member for Housing and Community Services (Councillor L Taylor-Childs) responded to questions from Councillor A Aston concerning library services, including the pay, terms and conditions of employment practices of Greenwich Leisure Ltd. in relation to library employees.

The Cabinet Member for Public Realm (Councillor K Shakespeare) responded to a question from Councillor C Neale concerning access to civic amenity facilities following the cessation of the agreement with Wolverhampton City Council for the use of the Anchor Lane amenity site by Dudley residents.

The Cabinet Member for Children and Young People (Councillor R Buttery) responded to a question from Councillor D Corfield concerning the free-swimming initiative for children and families during school holidays.

The Cabinet Member for Children and Young People (Councillor R Buttery) responded to a question from Councillor R Collins concerning partnership working with the voluntary sector and other organisations to improve the lives of children in the Borough.

The Leader of the Council (Councillor P Harley) responded to questions from Councillor S Saleem concerning the Kingswinford North and Wall Heath Youth Club and the Council's vision for the provision of services for young people.

The Cabinet Member for Finance and Legal (Councillor S Clark) responded to questions from Councillor S Ali concerning the impact of reductions in Universal Credit.

The Cabinet Member for Health and Adult Social Care (Councillor N Barlow) responded to questions from Councillor C Bayton concerning the maintenance of existing levels of adult social care services in the context of ongoing budget pressures.

The Cabinet Member for Health and Adult Social Care (Councillor N Barlow) responded to questions from Councillor K Finch concerning staffing issues in adult social care services. A written response would be provided.

The Cabinet Member for Health and Adult Social Care (Councillor N Barlow) responded to questions from Councillor Q Zada concerning proposals for mental health services, with specific reference to the Woodside Day Centre.

The Leader of the Council (Councillor P Harley) responded to questions from Councillor R Body concerning the arrangements and the venue for Council meetings in the context of the ongoing Covid-19 situation.

The Leader of the Council (Councillor P Harley) responded to questions from Councillor S Keasey concerning the unacceptable use of derogatory and insulting terms in the context of political debate.

The Leader of the Council (Councillor P Harley) and the Cabinet Member for Regeneration and Enterprise (Councillor S Phipps) responded to questions from Councillor E Taylor concerning the Council House refurbishment project and the need to replace the audio system in the Council Chamber.

At this juncture the Mayor announced that the one-hour period allowed for questions had now expired and any Members indicating to ask a question could either submit it in writing or raise the question at the next appropriate meeting.

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34 **Urgent Business**

There was no urgent business for consideration at this meeting.

The meeting ended at 8.20 pm

MAYOR

## **Meeting of the Council – 29<sup>th</sup> November, 2021**

### **Report of the Cabinet**

### **Capital Programme Monitoring**

#### **Purpose of Report**

1. To report progress with the implementation of the Capital Programme
2. To propose amendments to the Capital Programme.

#### **Recommendation**

3. The Council is recommended:
  - That progress with the 2021/22 Capital Programme, as set out in Appendices A and B be noted.
  - That the expenditure of £66,000 on Air Quality Monitoring Equipment to be included in the Capital Programme, as set out in paragraph 6
  - That the urgent amendment to the Capital Programme be noted, as set out in paragraph 7.

#### **Background**

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

	2021/22	2022/23	2023/24
	£'000	£'000	£'000
Public Sector Housing	52,434	67,929	71,168
Private Sector Housing	5,730	9,846	1,483
Environment	13,928	6,012	5,000
Transport	14,953	2,000	2,000
Regeneration and Corporate Landlord	35,320	14,964	9,001
Culture, Leisure and Bereavement	18,130	127	0
Schools and SEND	12,076	9,239	7,000
Social Care, Health and Well Being	277	605	0
Digital, Commercial and Customer Services	781	738	738
<b>Total spend</b>	<b>153,269</b>	<b>114,460</b>	<b>96,390</b>
Revenue	5,604	811	974
Major Repairs Reserve (Housing)	25,025	25,309	25,621
Capital receipts	19,078	22,960	10,447
Grants and contributions	49,931	11,423	8,928
Capital Financing Requirement	53,631	50,957	50,420
<b>Total funding</b>	<b>153,269</b>	<b>111,460</b>	<b>96,390</b>

Note that the Capital Programme is subject to the availability of government funding.

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

## Health and Wellbeing

- Air Quality Monitoring Equipment

Approval has been gained from the Department for Food, Environment and Rural Affairs (DEFRA), to use £53,000 of a Transport air quality capital grant to upgrade Dudley Council's air quality monitoring network through the replacement of redundant analysers and provision of new analysers and associated communications systems. This will provide a robust monitoring network which will be fit for purpose for the medium to long-term, taking into account the current and forthcoming air quality monitoring and compliance requirements for Local Authorities in England. The total cost of the scheme is £66,000, the remaining £13,000 will be funded from the Revenue budget.

## Urgent Amendments to the Capital Programme

- Refurbishment of Jack Newell Court and Woodhouse Court

Two schemes for the refurbishment of Jack Newell Court and Woodhouse Court are already approved within the housing public sector capital programme, with delivery due during 2021/22 and 2022/23.

The schemes have now been subject to competitive tender, and in January 2021, only two tenders were received, both significantly above the £9.75m estimate, with contractors citing both Brexit and Covid as the reasons for increased costs. Provision was made in the Cabinet report on 11<sup>th</sup> February 2021 - Deployment of Resources: HRA - for £12.6m for the schemes, as part of £15m approved for sheltered housing improvements within the 5 year £31.2m Independent Living programme. A substantial value engineering exercise was expected to reduce costs, but with current labour and material shortages, and significant risk to delivery, the only bona fide tender is now £13.6m. Residents in the two schemes have already been decanted or re-housed to facilitate the remodelling, with restrictive delivery timescales to meet Homes England funding deadlines under their 2016-18 Affordable Housing Programme. The expected commencement date for the main contract is October 2021, when Homes England Grant can be drawn down. Any delay may prejudice or delay future grant applications for sheltered housing schemes

A decision (ref. DFL/02/2021) was made by the Leader of the Council in consultation with the Director of Finance and Legal on 12<sup>th</sup> October 2021 to approve the award of contract to EQUANS for the above refurbishment scheme, to authorise the Director of Housing and Community Services to explore further cost savings with the contractor and to update the Public Sector Housing Capital Programme accordingly.

### **Finance**

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

### **Law**

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

### **Risk Management**

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

### **Equality Impact**

11. These proposals comply with the Council's policy on Equality and Diversity.
12. With regard to Children and Young People:



- The Capital Programme for Schools will be spent wholly on improving services for children and young people. Other elements of the Capital Programme will also have a significant impact on this group.
- Consultation is undertaken with children and young people, if appropriate, when developing individual capital projects within the Programme.
- There has been no direct involvement of children and young people in developing the proposals in this report.

13. There is no impact from the development of the land at Gornal Wood Cemetery on people with different protected characteristics.

### **Commercial / Procurement**

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

### **Council Priorities**

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



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**Leader of the Council**

## 2021/22 Capital Programme Progress to Date

<b>Service</b>	<b>Budget £'000</b>	<b>Forecast £'000</b>	<b>Variance £'000</b>	<b>Comments</b>
Public Sector Housing	52,434	52,434	0	
Private Sector Housing	5,730	5,730	0	
Environment	13,928	13,928	0	
Transport	14,593	14,593	0	
Regeneration	35,320	35,320	0	
Cultural	18,130	18,130	0	
Schools	12,076	12,002	-74	See note
Social Care, Health and Well Being	277	277	0	
Chief Executive's	781	781	0	
<b>Total</b>	<b>153,269</b>	<b>153,195</b>	<b>-74</b>	

Underspends on various complete schemes from prior years totalling £157k offset by an overspend of £83k on unbudgeted Stamp Duty Land Tax on Pens Meadow Acquisition

## Progress with Major Capital Schemes

### Public Sector Housing

#### New Council Housing

##### On site and progressing:

- Hinbrook Road (Russells Hall) - 12 apartments, commenced January 2021 and completion due January 2022;
- Hollywell Street – 4 affordable 2 bedroom homes; completion due January 2022
- Branfield Close (Hurst Hill) – 3 affordable homes, 2 x two bedroom and 1 x 3 bedroom; completion due January 2022
- Commonside (Pensnett) – 5 affordable homes, 1 x five bedroom, 1 x four bedroom and 3 x two bedroom; completion due January 2022
- Bromley (Pensnett) – 5 affordable 2 bedroom homes; completion due December 2021
- Forge Road (Stourbridge) – 3 affordable homes, 2 x one bedroom and 1 x two bedroom; completion due October 2021

##### Planning approval achieved and commencement imminent:

- St Georges Rd, Dudley – 7 affordable homes. Planned start on site January 2022, with completion September 2022
- The Vista, Corporation Road (2 sites) – planned start on site early 2022

##### Schemes submitted for planning:

- Lower Valley Road – 17 affordable homes, 14 apartments and 3 x two bedroom bungalows
- Foredraft Street – 11 affordable homes, 1 x one bedroom bungalow, 6 x two bedroom and 4 x three bedroom

##### Schemes due to be submitted for planning:

- Swan St, Netherton – 75 affordable units including a sheltered housing scheme of 54 units;
- Enville St, Stourbridge - 10 affordable apartments.
- New Swinford Hall – conversion to 18 apartments
- Beacon Rise – 11 affordable homes, 8 apartments, 2 x two bedroom and 1 x three bedroom

##### The programme will also support the delivery of:

- the Brierley Hill Future High Streets Fund project by delivering new housing in the Brierley Hill area, subject to the purchase of land from the private sector, now that we have a successful MHCLG bid. Notably Daniels Land and the High Plateau, and rear of the Moor Street Shopping Centre;
- the mixed tenure redevelopment of the current Dudley Leisure Centre site in Wellington Road.



## Private Sector Housing

### Homes for Sale – Himley Road & Brierley Hill:

- 4 new detached homes likely to commence at Himley Rd this financial year, potentially in Quarter 3, but maybe October 2021;
- Feasibility and design briefs are progressing for Homes for Sale as part of the wider mixed tenure regeneration of Brierley Hill within the Future High Streets Fund project at Daniels Land and the High Plateau, and rear of the Moor Street Shopping Centre.

## **Environment**

### Lister Road Depot Redevelopment

- The overall project is currently paused to review links with other sites and ensure the best strategic use of space. Further proposals will be brought back to Cabinet and Council in due course. However, it is intended to proceed immediately with the demolition of identified buildings at the Lister Road site to ensure Health & Safety compliance and in preparation for further works to commence once any other proposals are brought back to Cabinet and Council. The tenders for the demolition work have been received and evaluated. A start date is being agreed with the contractor

### Stevens Park, Quarry Bank

The refurbishment & extension to Tintern House is essentially complete & the Emily Jordan Foundation Projects have been in residence since mid-July. They have set up their various projects: 'Spokes' (Bicycle restoration & sales) 'Twigs' (Horticultural training & sales) & 'Go Green' (recycling) and are actively seeking trainees.

The community facilities including the new toilets, cafe, kitchen & servery (with external terrace) are all open to the public.

Externally, the vehicular access & parking facilities are all in place as is the Horticultural training Area and new hardstanding areas. The main drives have been resurfaced and new southern footpaths completed forming a circuitous route.

The main entrance gates have been restored. Essential repair works have been carried out to the bandstand & the original colour scheme is being investigated prior to planned redecoration.

In the Peace Gardens the memorial statue has been repaired & the plaques and walls have been cleaned. The new ramped access wall, Portland Stone cladding, commenced on 22nd July & is nearing completion.

An application for an additional grant for £127,400 Covid-19 related costs, was submitted to the Lottery & has been granted. This will hopefully enable works that have been omitted to be completed within the defects liability period once the final account has been agreed.

### Wrens Nest Wardens' Base

The acquisition of 113 and 115 Wrens Hill Road was completed on the 6<sup>th</sup> August 2021. Design briefs with input from Green Care, Friends Groups and other interested parties will need to be undertaken to enable the proposed use.

## **Transport**

### Street Lighting (Invest to Save)

The street lighting lantern conversions to LED technology programme on main roads is complete apart from the remainder of 310 lanterns, received recently from our supplier. These will be installed over the next 2-3 months on the remaining outstanding areas, all of which require traffic management and permit arrangements to be put in place.

## **Regeneration**

### Dudley Townscape Heritage Initiative

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

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

- 216 Wolverhampton Street: the project has reached practical completion and only snagging items remain to be completed.
- 208 and 209 Wolverhampton Street: grant offers confirmed, but work has not started on site due to difficulties with contractor, delays as a consequence of the pandemic, increases in materials cost and problems with sub-contractors. Applicants have confirmed their wish to continue, but the contractor has now confirmed withdrawal. The second lowest tenderer has been approached and his confirmed his continued interest in the work. A further small increase will be required to move the projects forward.
- 204a Wolverhampton Street: work commenced on site in June/July 2021 with a 3 month contract.
- 14 New Street: work underway, but a number of issues have arisen which have required further funding. The external repairs have now been completed and the scaffolding has been dismantled. Internal work to be carried out when current lease comes to an end.



- Fountain Arcade: grant approved and contracts signed. Initial opening up works have been carried out and designs revised accordingly. Scaffolding due to be erected beginning of August.
- Plaza Mall: scaffolding has been erected and work is well underway. More extensive deterioration has been revealed following the removal of the paint to the façade. The full extent of the repairs has been ascertained and costed and an increase in funding agreed with the funders and the grant recipient.
- 207 Wolverhampton Street: an offer of grant has been agreed with the applicant. Awaiting programme from contractor and confirmation of start on site.

It was anticipated that the majority of work would take place through spring/summer 2020. However, work has been delayed as a consequence of the ongoing coronavirus pandemic and will now be carried out throughout 2021 and into 2022, with most projects commencing spring/summer 2021.

Activities are also being progressed and developed in conjunction with teams in Adult and Community Learning, Museums, Communications and Public Affairs and the Historic Environment Team. A revised programme has been agreed with the Heritage Fund which has been adapted in light of Covid-19 restrictions. Further activities have been included in the programme which work with delivery partners (Co Lab) who already have established links with the community of Dudley. A project which seeks and utilises the oral reminiscences of those 'Growing Up in Dudley' has been launched. The TH programme is working with education colleagues to share material produced as part of the programme and develop teaching resources. The project also works closely with the Historic Environment Team to produce information in the form of trails and leaflets to enhance understanding and appreciation of the historic environment. The project continues to work with volunteers where possible. The Heritage Open Days event in September will form the focus for the publication and display of much of the material being produced, including the unveiling of a blue plaque for Percy Shakespeare on the former Dudley Museum and School of Art, the re-issuing of various Dudley trails and information panels and exhibiting of material gathered through the Growing Up in Dudley initiative. A 4-page insert about the programme will be included in the next issue of the Home magazine.

### Brierley Hill High Street Heritage Action Zone

The High Street Heritage Action Zone Programme (HSHAZ) is a nationwide initiative designed to secure lasting improvements to our historic high streets for the communities who use them. It is Government funded and run by Historic England with the aim of making the high street a more attractive, engaging and vibrant place for people to live, work and spend time. It is designed to unlock the potential of high streets across England, fuelling economic, social and cultural recovery. Brierley Hill High Street was one of 68 High Street across England selected to receive a share of the fund.

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



further due to an additional £242,171 grant increase provided by Historic England, which with the 18.20% match from the Council provides a total grant increase of £296,052.46.

The programme provides grant assistance to third parties to carry out repair, reinstatement and refurbishment works to historic buildings as well as grant assistance towards bringing vacant floorspace back into use. It also provides grant towards public realm improvements, plus there is a programme of complementary education and community engagement activities. The buildings that are considered to be a priority for grant assistance and where the owners are positively engaging with the Council and have appointed a Conservation Accredited Architect include:

- Former Pulse Nightclub, 17 Dudley Road
- 2a and 2 Albion Street
- 96-100 High Street
- Former Brierley Hill Library and Technical Institute, Moor Street
- 3-5 Church Street

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

With respect to the public realm parts of the project, a contractor has been appointed and work has now commenced on-site to undertake repairs and architectural reinstatement works to the Brierley Hill War Memorial and its immediate setting (Phase 1) with the intention that the majority of the works will be complete in-time for the centenary of the War Memorial, which is this November. With respect to the war memorial garden proposals (Phase 2), tenders for this part of the project went out at the beginning of October with a proposed completion date of March 2022. This second phase proposes significant stabilization works to the embankment, structural repairs to the intermediate wall that runs through its centre and the laying out of a soft landscaping scheme.

Community engagement and activities are also being positively progressed and developed in conjunction with Brierley Hill Community Forum, Friends of Marsh Park, Dudley Market, Black County Living Museum and also with teams in Adult and Community Learning, Museums, Communications and Public Affairs, Dudley Business First and the Historic Environment Team. There is in-place an Activity Plan for the project. This quarter the Heritage Open Days (HOD's) event in September and Brier Fair formed the focus for publication and display of much of the material being produced collaboratively through the High Street HAZ. A public exhibition of the war memorial proposals has been put on display in Brierley Hill Library where it will remain until early November. A temporary exhibition was also put on display in St Michaels Church about the War Memorial and Marsh Park along with a series of art activities (e.g. creating your own stained glass). A draft Architectural Heritage Trail was launched as part of the HOD seeking volunteer engagement and on Saturday 18<sup>th</sup> September a 'Picnic in the Park' was hosted by Friends of Marsh Park in order to celebrate its centenary. There was also a lot of emphasis placed on the 'Edible England' theme for this year's HOD's with a series of tweets released by Dudley Business First promoting the businesses in Brierley Hill with historic and edible links. Oral History training was also provided during this quarter to project volunteers and further sessions are planned.



In terms of the next quarter, the focus will be the centenary of the War Memorial and Christmas.

Other major element of the High Street Heritage HAZ is the development of a Cultural Programme. The Arts Council England, National Heritage Memorial Fund and Historic England are providing funding for the development and delivery of the HS HAZ Cultural Programme. On the 25<sup>th</sup> June it was confirmed by Historic England that the application submitted to them jointly by Brierley Hill Community Forum and Dudley Council for funding for a Cultural programme had been successful and that the total sum of £94,000 was to be awarded. Work is now underway on pulling together a programme of cultural events and activities which needs to accord with the milestones and instalment schedule issued by Historic England.

### Low Carbon Place Strategy

The Council was awarded approximately £2.5m European Regional Development Funding (ERDF) to deliver a project that will reduce carbon emissions. This is a joint project between Housing and Corporate Landlord Services that will reduce carbon emissions from council owned homes as well as corporate buildings such as the Council House. £2.5m of match funding is being met from existing HRA budgets.

In December 2020 the council's central heating installer went into administration, and as a result, few grant-eligible boiler installations have been completed in 2021. A tender process to appoint a new installer has been undertaken and an award is imminent. The programme is expected to recommence in the autumn. A project change request is required to enable this ensuing delay to be accommodated which affects the Housing side of the programme. It should also be noted that where homes are sold under the Right to Buy scheme, but have had the benefit of the grant, the council is required to refund the capital impact of the grant. The programme of energy efficiency improvements to the corporate estate is nearing completion, the final element anticipated to complete in June 2022.

### Public Sector Decarbonisation

The council has been awarded a grant of approximately £4.4m through the Public Sector Decarbonisation Scheme (PSDS).

The primary intention of the funding is to switch sites from carbon-intensive forms of heating such as oil and gas, to electrical forms of heating that have a trajectory to becoming zero-carbon (as the proportion of the UK's electricity generated from renewables increases).

The grant includes funding to install air source heat pumps, solar photovoltaic (PV) and battery storage and LED lighting. Under the scheme, several larger council buildings including Dudley Council House and Town Hall, Stourbridge Town Hall and Library, Himley Hall and Ward House are set to benefit. Some primary schools are also part of the work including Amblecote, Caslon, Cotwall End, Glynne, Queen Victoria, Straits and Wrens Nest Primary Schools. Solar photovoltaic (PV) and battery storage will also be installed where possible, and lighting will be upgraded to LED.



Works have commenced during the summer of 2021 with installations at the named schools and planning applications have been lodged for the works at Himley Hall and Ward House. Discussions are ongoing around the works and listed building consents required at Council House/Town Hall and Stourbridge Library. All works are planned to be completed by March 2022

### Very Light Rail (VLR)

#### *Track Works:*

The intention is to install two Very Light Rail test tracks between Castle Hill Bridge and Cinder Bank with a test passenger platform located at the Cinder Bank end of the tracks. Full track length will be approximately 2km. The eastern track is bedded on stone ballast and western track will be bedded on concrete track form system as part of a later phase of work. This aspect of the project has now been completed and handed over to the Council. The track route is on a disused Network Rail (NWR) freight track-way which is to be leased from NWR.

The additionally approved Loop Extension works are due to complete by the end of June 2021 but delays due to Covid have delayed the delivery of remaining points / turnout equipment from Poland and the Czech Republic. These are expected to be delivered and completed by the end of September 2021 but the outstanding works would not affect the use of the loop as a manual over ride facility is available.

The Coventry prototype vehicle is expected to arrive at the site in December 2021 for testing.

Additional works identified as required by Coventry City Council have been procured, which are being funded through a grant from Coventry of £1.293m. This includes new equipment, workshop and a Research and Development Halt.

Additionally, and as referred to in the main body of the report above, Coventry City Council are in the process of agreeing a further Grant with the Council for the procurement of additional tools and a Driver Simulator in the sum of £20,000 and £100,000 respectively.

#### *National Innovation Centre (NIC):*

A planning application for the proposed new building for the Very Light Rail National Innovation Centre (VLRNIC), including a pedestrian foot bridge link to Tipton Road and links to future Metro line, car parking, rail vehicle test track sidings and linking lines into the VLRNIC engineering hall was submitted on 12th December 2017 and determined with conditions to be discharged on 2nd March 2018.

Building regulations conditional notification was received on 22nd February 2018 and conditional approval received on 25th May 2018.

Funding has now been confirmed from the Government's Get Britain Building (GBB) Fund (£12.350m) and LEP (£0.650m). ERDF grant of £5.000m was secured some months ago, making the total budget for the project £18.000m.



Tenders were received on 10<sup>th</sup> January 2020 and were evaluated with final recommendation being Clegg Construction as the contractor. Clegg started on site at Castle Hill on 26<sup>th</sup> October 2020 and the formal Completion date for the Innovation Centre is 25<sup>th</sup> February 2022. Whilst the Project is progressing well the changes referred to previously have led to delays which are still being assessed by the Contract Administrator but have been indicated by the Contractor, Clegg Construction, to a new completion date of 19 April 2022. Associated costs of the delays, assessed as the responsibility of the Council, are anticipated to be contained within the Contract sum by the Project team.

### Metro Complementary Measures

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

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

Other interventions along the route, which the Council needs to fund, include creating a new wayfinding system to improve legibility, increase walking and cycling to tram stops and to provide a consistent recognizable branded signage across the borough to residents and visitors giving the information that is needed. The consultant to develop the wayfinding system has been appointed through the OJEU process and started work on the system in October 2020. Dudley print map is now available.

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

### CCTV

Phase 1 is predominantly complete and operational with the only outstanding work being to the healthy hubs where 1 out of the 5 has been completed. For the remaining 4, the local network cabling has been done and the hardware is in ICT stores. This will be installed and connections made by the end of January 2022.

Work on Phase 2 reflects the initial extension approved at the outset of the project. The main problems faced in this phase have been access to staff and materials throughout the last 18 months. Two of the six extra deployable cameras remain to be completed. Additional public realm cameras in this phase include:



- camera in Sedgley Bilston Street will be completed by end of October
- Coronation Gardens – Completed and fully operational. This includes 2 cameras on 4 Ednam Road, 1 in Coronation Gardens, 1 on the junction by college.
- Wolverhampton Street will be completed in November.
- Castle Gate – further design work needed in consultation with landlords. Estimated Completion is in early in New Year.
- The cameras to Lye High town centre have been completed  
Our 12 deployable cameras became operational from February 2021 and at present, only 2 now remain to be completed ready for operational use.

Phase 3 work includes the additional cameras requested and approved at Council recently, to be sited at Kent Street Upper Gornal, Shell Corner Halesowen, Netherton High Street, Wollaston traffic island, Jews Lane/Eve Lane Upper Gornal, Toys Lane/Furlongs Road Colley Gate and Queensway Halesowen. Initial feasibility studies have been completed but full design and planning is still to take place. We aim to complete these within Quarter 1 of 2022. Sites also considered but not included were at Foxcote Lane/Wynall Lane due to lack of power and network connectivity in the area; Queensway Pedmore and Victoria Road Quarry Bank which had no supportable ASB cases.

#### Dudley Interchange

Transport for West Midlands (TfWM) has now secured all the funding for the Interchange. TfWM are out to competitive tender to secure a contractor for the works. Gateley Hamer have recommended the CPO process. Counsel advice recommends that the CPO is split into two - one for the Interchange and associated highways works and another for the Portersfield scheme and highway works. Assuming all land required can be acquired by negotiation then construction for the highways will start at the end of the year and for the Interchange will start in February 2022.

At the September Cabinet it was agreed that DMBC will use its CPO powers to purchase Farm Foods and the properties required for the associated highways. As a result of the need to CPO properties the start date for the Interchange has been moved to January 2023, Completion is expected Summer 2024.

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

Ownership of the Photographic Studio on Birmingham Street is being resolved and it is hoped to acquire the property in the next few weeks.

#### Dudley Town Centre Highways Infrastructure (Portersfield Link)

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



## Black Country Blue Network 2

Work programme in place for three of the sites. Surveys work has commenced. Extending procurement to cover the other two sites. Milestones and profiled spend all reviewed and project change request submitted to Wolverhampton.

## Dudley Town Hall and former Museum

The tender for the Town Hall Bistro refurbishment was won by J R Slee, who are based in Shrewsbury. They are a family business and whilst working on the usual type of projects, specialise in working on Listed Buildings.

Confirming a start on site date has been difficult. This has been mainly due to confirming access to building materials (a national problem at the moment), compounded by the necessity to then reconcile ambiguous delivery dates with the availability of suitable sub-contractors who use those materials. A start date of 18<sup>th</sup> October 2021 has now been agreed with the contractor and the work is scheduled to be complete on 1<sup>st</sup> April 2022 but, like all capital projects in the current climate, that may be subject to refinement. At this stage, the project should be finished well before June/July in time for the Commonwealth events.

## Refurbishment of Dudley Council House Campus

Following approval this project is now in the early stages of design. As part of that work a meeting with Access in Dudley has been arranged in October to discuss access and disability improvements. The provisional programme is that the pre-contract stage will be completed by early 2022. Following a report to Future Council Scrutiny in June 2021, officers were asked to report back confirming proposals, incorporating comments made at the meeting and highlighting proposed financial and energy related savings to Scrutiny in March 2022. Once started, the construction phases are scheduled to take around 2 years to complete.

## Brierley Hill (Future High Streets)

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

### *Project summaries:*

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



implemented during 2022/23 and 2023/24 to be ready in advance of the Midland Metro opening.

**Key Retail Sites (£1.05m)** - The owners of the Moor Centre are preparing proposals to redevelop the precinct to bring parking closer to the shops. This will free up the rear car park land for development. The Council wishes to redevelop the site for up to 44 homes. The Future High Streets Fund provides the money for site acquisition and remediation. A purchase agreement to secure the land is currently being negotiated. The shopping precinct redevelopment works are programmed for 2022/23. DMBC build out on land to the rear will be during 2023/24 and 2024/25. Combined overall investment value £8m.

**Infrastructure and Air Quality Improvements (£255,000)** - Future High Streets will provide support to amend two highway junctions at Venture Way. The intention is to improve pedestrian connectivity between the High Street and medical centre; prevent queuing traffic which has resulted in movement delays; and improve air quality levels. The works are programmed to commence in Q4 2021/22 and complete in Q1 2022/23.

**Addressing Housing Need (£3.55m)** - Discussions are underway to acquire 10 acres of brownfield land known as Daniels Land and the High Plateau. These are two long-term vacant sites, formerly part of the Round Oak Steel Works that have remained undeveloped for over 40 years. Future High Streets funding will support site remediation and preparation costs. Dudley Council's Housing Department will then construct up to 220 new mixed tenure homes to meet local housing needs. Density and housing numbers may increase following the receipt of urban design advice and the completion of detailed design work. There may also be the opportunity to consider the introduction of leisure uses. Following INTU shopping centres entering administration, discussions have continued with Ellandi retail investment which is acting on behalf of the creditors that own the Merry Hill Centre and adjacent land. Initial feasibility works will be phased around the construction of the Metro rail viaduct that crosses the sites during 2022/23, with remediation works and build out to commence in late 2022/23. Completion is anticipated during 2025/26. The overall value of the project is £30m.

**Public Library (£308,000)** - refurbishment of Brierley Hill public library and ground floor housing department reception area. Scheme designs have been the subject of community consultation and have been well received. Freeholder approval has been received in-principle for the refurbishment works and a meeting is scheduled for September to review the detailed designs. The works will commence on site in the autumn of 2021 and complete by March 2022.

**Public Toilets (£80,000)** - Reopening of public toilets to support the High Street visitor return following Cv-19; and the provision of welfare facilities for Metro tram drivers. Midland Metro Alliance is making an additional contribution of £38,000 to support the works. Feasibility designs under preparation that will also include changing facilities after discussions with stakeholder groups. Completion of designs autumn 2021, with works programmed to start during Q4, 2021/22 and complete Q1 2022/23.

In addition to the Future High Streets Fund award, the Council has secured further investment from the West Midlands Combined Authority. This is to acquire land to support



implementation of the High Street Link. A funding agreement between WMCA and DMBC is currently being finalised. This is a long-term vacant gap site where there is the opportunity to provide a new connection from the High Street to the Metro terminus. The Council has appointed an agent and opened discussions with the landowners to acquire. The funding award includes an allowance for CPO costs if acquisition cannot be secured through private treaty.

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

## **Cultural**

### Leisure Centres

The construction of Dudley Leisure Centre continues at pace. Work has continued since last March with minimal delays and consequently the scheme is forecast to be completed on time and within budget with the new centre to open early in the calendar year 2022.

The refurbishment of Halesowen Leisure Centre is progressing well. The programme of work is scheduled to take 56 weeks with completion expected at the end of March 2022. Phase 1 is due for completion mid-November.

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

## **Schools**

### Schools Basic Need Projects

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

Unfortunately, the construction company that were managing both projects went into administration in August and their work on both sites ceased. There was minimal works still to be carried out at Wordsley School therefore Construction & Design, the Councils in house consultants, have picked up the remaining work. The Crestwood School needed a larger amount of work, so it was agreed that the school they are continuing with the refurbishment work in the main school building and Construction & Design are completing the works to the new science block and the remaining external works.

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



## Special Educational Needs and Disability (SEND) Projects

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

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

- A new 12 place base for primary pupils with Social, Emotional and Mental Health (SEMH) needs at Hawbush primary school – completed and operational
- Creation of designated care rooms at Summerhill secondary school and the Glynne primary school to promote the inclusion of children with SEND that include physical disabilities and specific personal care needs - completed
- Expansion of Woodsetton Special School through a new mobile specifically designed to cater for the needs of children with SEND and to provide the additional space the school requires to meet the needs of an increasingly complex cohort of pupils – due for completion 10/9/21
- Various capital works at Halesbury School in response to independent Accessibility Study – in progress

In addition to this carry forward, we have received a further allocation of capital funding for SEND. Projects to be funded are still being scoped with the need for detailed feasibility studies to be undertaken but is likely to include further expansion within our maintained special schools. A tender process is has now been completed to establish a further primary SEMH base. This tender has now been concluded and the base will be established at Caslon primary school. It will be fully operational from January 2022.

## Pens Meadow Special School – Acquisition of Land and Buildings

The surrender of the existing lease and purchase of all the land and buildings of the existing Pens Meadow School and surrounding NHS-PS land is still being negotiated.

