

## **ENVIRONMENT SCRUTINY COMMITTEE**

Monday, 18<sup>th</sup> March, 2013 at 6.00 p.m.  
in Committee Room 2, The Council House, Dudley

### **PRESENT:-**

Councillor Hanif (Chair)  
Councillor Mrs. Shakespeare (Vice-Chair)  
Councillors M. Aston, Boleyn, Duckworth, A. Finch, Harley, James, Jordan,  
J. Martin and K. Turner

### **Officers:-**

Assistant Director (Customer Services) (Directorate of Corporate Resources)  
(As Acting Lead Officer to the Committee); Assistant Director, Housing  
Strategy and Private Sector; Head of Service, Private Sector Housing; Head  
of Service, Housing Options; and Head of Housing Management (North) (all  
Directorate of Adult, Community and Housing Services); Assistant Director  
(Environmental Management); Head of Environmental Health and Trading  
Standards and Waste Operations Manager (all Directorate of the Urban  
Environment) and Mr. J. Jablonski (Directorate of Corporate Resources)

### 30. **APOLOGY FOR ABSENCE**

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

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### 31. **APPOINTMENT OF SUBSTITUTE MEMBER**

It was noted that Councillor K. Turner had been appointed as a Substitute  
Member for Councillor Mrs. Turner for this meeting of the Committee only.

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### 32. **DECLARATIONS OF INTEREST**

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

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### 33. **MINUTES**

#### **RESOLVED**

That the Minutes of the meeting of the Committee held on the 5<sup>th</sup>  
November, 2012, be approved as a correct record and signed.

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34. PUBLIC FORUM

No matters were raised under this Agenda Item.

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35. TRADE WASTE RECYCLING

A report of the Director of the Urban Environment was submitted on proposals to increase trade waste recycling.

Arising from a presentation of the content of the report submitted by the Assistant Director, Environmental Management, Members asked a number of questions and made comments with particular reference to:-

- Details of the 53 schools that had taken up the offer of free recycling collections following the summer school holiday break. The Assistant Director undertook to e-mail the information to Members of the Committee.
- That of the 53 schools involved, some had previously had recycling collections from the Council others had not. This information could also be supplied.
- That as further publicity was given to the scheme, it was considered that more of the 109 schools in the borough would become involved.
- That the Trade Waste Collections were part of a three year plan, with a focus on smaller businesses, to be rolled out from the end of 2014/15.
- Overall, the enhanced services were expected to bring the recycling figure for the Council up to 40% from 35% with a long-term aim of achieving 50%.
- That there was the potential for the enhanced service to businesses to generate income whilst the issue of sharing services with other Local Authorities could also be considered.

RESOLVED

That the information contained in the report, and as reported at the meeting, on future service development proposals for Trade Waste Collections and recycling, be noted.

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36.

AN UPDATE ON AIR QUALITY WITHIN DUDLEY METROPOLITAN BOROUGH

A report of the Director of the Urban Environment was submitted updating the Committee on the current situation in respect of Air Quality within the Borough addressing a number of areas of work, as set out in the report.

Following a presentation of the content of the report by the Head of Environmental Health and Trading Standards, Members asked questions and made comments with particular reference to:-

- Regarding the number of electric vehicle charging points at new developments within the Borough, it was noted that, as yet, only a few had been provided and that in response to this, it was considered that the officers should proactively seek to increase the number of such charging points. In this connection, the new Tesco development at Stourbridge was mentioned. The Head of Environmental Health and Trading Standards would investigate whether it would be possible to provide electric vehicle charging points in this new development.
- Regarding the reference to an independent review of the waste collection fleet operated by the Council, to identify fuel cost optimisation and to minimise emissions to air, it was considered that other fleet operations run by the Council should be investigated as it was considered that the waste collection fleet had already achieved these aims. The Head of Environmental Health and Trading Standards would liaise with the Assistant Director, Environmental Management and arrange for a reply on this matter to be sent to Councillor Harley.
- In response to comments made regarding areas where there had been a reduction in emissions, it was noted that various areas had achieved a reduction in emission but that some areas were still above the required level. It was further noted that the aim was to concentrate on areas where people were in contact with high levels of pollution.

RESOLVED

That the information contained in the report submitted, and as reported at the meeting, on the progress made with air quality monitoring and compliance with the Air Quality Action Plan, be noted and that support be given for continued monitoring in 2013/2014 together with continued work to reduce air pollution in accordance with the aims of the Air Quality Action Plan and in partnership with the other six West Midlands Metropolitan Authorities.

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37. REGULATION OF THE PRIVATE RENTED SECTOR

A report of the Director of Adult, Community and Housing Services was submitted on a current position statement relating to the regulation of private rented housing. The aim of the report was to provide basic information to Members on this sector of housing. Attached as Appendices 1 and 2, was information in respect of the regulation activities carried out by the Council's Private Sector Housing Section in the private rented sector since 2008 and details of the primary and secondary legislation in this area, respectively.

Arising from a presentation of the report by the Head of Service, Private Sector Housing, particular comments were made on certain on the statistics contained within Appendix 1, relating to the pre-enforcement action that had been taken against private landlords and the number of prosecutions taken, in particular, the four prosecutions shown for 2012/13. A number of Members considered that the number of prosecutions taken was a low number and requested further comparative information on this.

A Member also wished to place on record her thanks to the Directorate for the assistance given when dealing with a number of cases in which she had been involved.

RESOLVED

- (1) That the information contained in the report, and Appendices 1 and 2 to the report submitted, be noted and that the Head of Service, Private Sector Housing, be requested to arrange for all Members of the Committee to received comparative data on the number of prosecutions taken by neighbouring authorities in the sub-regional and regional area.
- (2) That the Private Sector Housing Assistance Policy, including the Charging Policy, be referred to this Committee's Housing Working Group for further consideration.

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38. HOUSING FRAUD

A report of the Director of Adult, Community and Housing Services was submitted on work being undertaken in Housing Services on the prevention and detection of Housing Fraud. Attached as Appendices 1 and 2 to the report were copies of the Housing - Counter-Fraud Policy, and a report of the Audit Commission entitled "Protecting the Public Purse 2012", respectively.

Arising from a presentation of the report by the Head of Housing Management (North), Members asked a number of particular questions and comments to which responses were given, as follows:-

- That the report was too narrow in its focus in that the total number of fraud cases within the Council overall over the last 12 months should have been dealt with and fraud generally considered.

A report on what fraud had occurred, areas of potential fraud and the steps being taken to combat it, was required.

In response it was reported that the report submitted was based on the request made by Members regarding tenancy fraud and that a detailed report on fraud generally was submitted to the Audit and Standards Committee.

- Concerns were raised by a Member regarding alleged cases of fraud in the Castle and Priory Ward, reported to Housing Services over the last eight years on which, apparently, no action had been taken.

In response it was reported that cases referred had been investigated but that recording methods did not allow officers to readily identify from the reasons tenancies had ended which ones had resulted from detection of housing fraud. A list of addresses would ideally be required for a manual check to be undertaken of the house files to provide the basic data requested.

The appointment of a Fraud Officer and other initiatives, including the introduction of the Counter-Fraud Policy, from February, 2012, would enable Social Housing Fraud cases to be more clearly identified in the future.

Arising from the above, further concerns were raised by a Member at the apparent lack of appropriate record-keeping and suggested that the Director of Adult, Community and Housing Services be requested to provide a full response on this to Members of the Committee.

- That currently data was not available on how long a fraud investigation took. However, given the work that had and would be undertaken in the future, such information would become available.
- That Housing Services did work with other agencies on appropriate cases to identify and combat fraud.
- That Housing Services were pro-active in tackling fraud, for example, by signing up to the National Fraud Initiative.
- That the Council's Fraud Hotline continued to be promoted.
- That follow-up action was taken on tenancies, including post-tenancy checks.

- That the Tenancy Fraud Officer, funded from the Housing Revenue Account, had started work today and that the outcome of a funding bid for a second Tenancy Fraud Officer, to be appointed for a temporary period of no more than two years, was awaited.
- That in response to a query made, it was noted that Housing Managers still had a crucial role to play in tackling fraud.
- That arrangements should and would be made to ensure that Members referring cases of alleged fraud were kept up-to-date as to progress on such cases.
- That the Council's Fraud Hotline had been in operation since November, 2011.
- Business cards for staff had also been produced, signs would be placed on repair vans and the usual media channels would be used to promote fraud awareness.

In this connection, the Head of Housing Management North, undertook to e-mail the name and contact details of the Fraud Officer to all Members of the Council and would arrange for the business cards to be distributed to Members.

Arising from the comments made and in response to comments made, the Assistant Director, Housing Strategy and Private Sector, commented that the issue of fraud generally could possibly be one of the topic areas for the appropriate Scrutiny Committee to review under proposed new scrutiny arrangements from May, 2013. He undertook to raise this at a forthcoming meeting where the issue of topic areas was to be discussed.

He would also speak to the Director of Adult, Community and Housing Services on the concerns raised by Members and would recommend to her that arrangements be made for a check of house files, so that the information for the period over the last ten years, in particular, with regard to Castle and Priory Ward, but also in respect of the remainder of the Borough, was made available to Members regarding numbers of tenancy fraud cases during that period.

He further stated that Dudley was regarded as a leader, amongst adjoining Local Authorities, in the way it dealt with tenancy fraud.

#### RESOLVED

That the information contained in the report, and Appendices 1 and 2 to the report submitted, on progress made to date on the prevention and detection of housing fraud be noted and that the officers indicated above be requested to arrange for the various actions indicated to be carried out.

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39.

REVIEW OF ALLOCATIONS AND TENANCY POLICY

A report of the Assistant Director, Housing Services was submitted on the outcome of consultation issues arising from the Localism Act, the revised Code of Guidance and Allocations and Welfare Reform. Consideration had been given to the various issues raised in the report by the Committee's Housing Working Group and the outcome of their deliberations was set out in the report submitted.

Arising from the presentation given on the content of the report by the Head of Service, Housing Options, some Members expressed particular views on the following issues:-

- That contrary to the outcome of the discussion at the Housing Working Group as recorded in paragraph 7 of the report, it was proposed that a requirement that people should have lived in the Borough for a period of five years before joining the waiting list, should be implemented. It was also considered that the onus for proving residency should rest with the applicant and not the Council. This matter was put to the vote and the proposal was not agreed.
- That arising from comments made, the Head of Service, Housing Options, would look further at the issue of notifying people quickly as to when they were allocated a property.
- A Member disagreed with the wording of the last sentence in paragraph 24 of the report regarding the use of flexible (fixed term) tenancies, as considered by the Housing Working Group, and considered that a decision should be made to have five year fixed year tenancies.
- Arising from further consideration given to this issue, it was moved and seconded that the content of the report, as written, be accepted. On being put to the vote, it was:-

RESOLVED

That the information contained in the report submitted be noted, the views expressed by the Housing Working Group endorsed and that Members' views, as appropriate, be reported to the Cabinet Member for Housing, Libraries, Archives and Adult Learning to consider the immediate changes and further work to be undertaken.

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40.

COMMENTS BY THE CHAIR

As this was the last scheduled meeting of the Committee in the current Municipal Year, the Chair thanked Members and Officers for their hard work in connection with the work of the Committee.

The meeting ended at 8.35 p.m.

CHAIR