

**Minutes of the Future Council Scrutiny Committee  
Wednesday, 1<sup>st</sup> September, 2021 at 6.00 pm  
In The Town Hall, St James's Road, Dudley**

**Present:**

Councillor A Lees (Chair)  
Councillor E Lawrence (Vice-Chair)  
Councillors S Ali, P Atkins, C Barnett, D Corfield, J Cowell, T Crumpton, P Dobb, J Foster,  
M Rogers and S Saleem

**Officers:**

H Martin (Director of Regeneration and Enterprise), P Mountford (Head of Planning and  
Regeneration), E Vesty (Project Manager Black Country Plan) and S Griffiths (Democratic  
Services Manager)

**Also in Attendance:**

Councillor S Phipps (Cabinet Member for Regeneration and Enterprise)  
Councillor C Bayton (Opposition Spokesperson for West Midlands Combined Authority)  
12 Members of the Public

15 **Chair's Comments**

The Chair welcomed everyone to the meeting and advised that the meeting would be  
webcast and recorded for viewing online.

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16 **Apologies for Absence**

Apologies for absence were received on behalf of Councillors A Davies, Z Islam and  
J Roberts.

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17 **Appointment of Substitute Members**

Councillors P Atkins and T Crumpton had been appointed as substitute Members for  
Councillors A Davies and Z Islam respectively, for this meeting of the Committee only.

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18 **Declarations of Interest**

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

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19 **Minutes**

**Resolved**

That the minutes of the meeting held on 15<sup>th</sup> July, 2021, be approved as a correct record and signed.

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20 **Public Forum**

The Committee heard representations from several members of the public concerning the Black Country Plan, as summarised below:

- A resident of Worcester Lane, Stourbridge raised issues concerning the sustainability appraisals of all of the sites that had been put forward in the call for sites process; how these had been carried out and what local input or local detail had been taken into account. Specific reference was made to concerns regarding the sites in Worcester Lane. It was acknowledged that sustainability appraisals had been carried out by consultants at the top level. The resident queried what local knowledge or input had been used in assessing the suitability of the sites. A question was also raised as to how officers had satisfied themselves that all brownfield and greenfield sites had been put forward and assessed properly at a local level before greenbelt sites were included.

The Director of Regeneration and Enterprise acknowledged the imperative to consider all brownfield sites before greenbelt land in line with the plan process and stringent national policy requirements. Sites had been identified by taking account of an evidence base and officers undertook to exhaust all attempts to identify suitable brownfield and greenfield sites. It remained the principle to look at brownfield sites first and the inclusion of green belt was a last resort subject to a rigorous evidence-based analysis. The Project Manager referred to site assessments of every individual site. Information such as ecological and biodiversity data was fed into the sustainability appraisal conducted by an independent consultant and assessed against a range of criteria for each site.



- A representative of the 'Wall Health As One' campaign group raised a question concerning the Kingswinford Neighbourhood Growth policy and its association with green belt sites in the area, specifically Holbeache and The Triangle. Residents had expressed opposition to the conversion of these sites to housing. 1750 houses were proposed within two miles of Wall Heath and it appeared that no account had been taken of what South Staffordshire were proposing. There was potential for a large industrial estate and a minimum of 1500 houses or another 3000 houses if the industrial estate was rejected. In addition to the 1750 houses as part of the Dudley part of the Plan, this was considered to represent an excessive number of houses or industrial uses being imposed on the area. Assurances were sought as to whether the Council had consulted South Staffordshire in this regard.

The Director of Regeneration and Enterprise assured the resident that communication had taken place with South Staffordshire in line with the 'duty to co-operate'. Regular meetings took place with neighbouring authorities. Other authorities were contributing to the identified housing need in the Black Country. These conversations would continue during the development of the Plan and beyond. In line with consultation timetables, residents would have the opportunity to comment on the Plans being developed by both the Black Country and South Staffordshire. Additionally, the Council would be notified, and have an opportunity to make representations, if any planning applications were submitted on or around the Borough boundary.

- Residents of Wall Heath expressed a view that the Council was failing in its duty to consult residents. Reference was made to a perceived general lack of awareness, knowledge and understanding of the Black Country Plan and the potential for a future judicial review regarding the adequacy of the consultation process. The resident questioned why she had not been responded to and why Dudley residents were not being written to individually about plans affecting the local area. Due to the size and complexity of the Black Country Plan, reference was made to the difficulties being experienced in making online objections. Reference was made to the cost of advertising the consultation on the back of buses and the need to notify residents of the specific sites affected.

The Director of Regeneration and Enterprise indicated that some of the detailed points would require further investigation. In general, however, the consultation process was defined by law and the Council had made efforts to go above and beyond the statutory requirements. This included extending the consultation period for an additional two weeks and arranging events to reach out to residents. Improvements had been made to the website based on feedback received. The Chair referred to the Government grant of £560,000 towards the cost of the Black Country Plan review.



The Cabinet Member for Regeneration and Enterprise acknowledged the points raised and referred to improvements made to the website, the use of social media alongside other more traditional methods of engagement. The Chair asked that residents contact Councillors with a view to arranging meetings to discuss local concerns. All residents were encouraged to fill in the comments form to register their views on the Black Country Plan. Reference was made to the availability of paper copies of the form. The Cabinet Member for Regeneration and Enterprise assured residents of the Council's commitment to achieving maximum public engagement. Ward Councillors could play an active role in local meetings and in distributing information and documents in their areas.

- A resident of Pensnett expressed thanks to Councillor J Foster for her involvement in making residents aware of the Black Country Plan consultation.

The Chair asked that residents present at the meeting leave their contact information with officers to enable responses to be given as necessary. The Chair referred to the ongoing communications plan and requested the Cabinet Member for Regeneration and Enterprise, along with Officers, to consider the points raised during the Public Forum with a view to appropriate action being taken to address these concerns during the consultation period.

Reference was made to the recent edition of the Dudley Home magazine and a potential missed opportunity for a special edition of the magazine, dedicated to the Black Country Plan.

A Member referred to the previous request for an extension to the consultation period. In view of the issues that had been raised at this meeting, concerns were expressed regarding the timing and resource implications of the proposed consultation and engagement activities prior to the deadline of 11<sup>th</sup> October, 2021. Concerns were repeated about the complexity of commenting via the website and the need to improve the process for communication and engagement with local people.

The Cabinet Member for Regeneration and Enterprise acknowledged the workload and tight timescales involved. Officers explained the process for considering, analysing and responding to representations, obtaining further evidence where appropriate and the extensive work required to comply with the timescales to produce the next version of the Plan. In response to a further query, an assurance was given that sufficient resources were available across the Black Country to undertake the work in line with the existing project plan timescales. The Cabinet Member for Regeneration and Enterprise reported that further engagement events were planned and Officers would attend locally convened meetings as necessary. Councillors were encouraged to promote involvement in these events. In the interests of safety, residents were encouraged to telephone Officers to discuss concerns in the first instance. Face to face appointments could be then made if necessary.



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## 21 **Black Country Plan**

The Committee received a report of the Lead for Law and Governance on the scrutiny review relating to the Black Country Plan. A report of the Director of Regeneration and Enterprise was also submitted following the Committee's consideration of the draft Black Country Plan on 15<sup>th</sup> July, 2021. The report included specific environmental and infrastructure requirements as a result of the proposed allocations in the draft Black Country Plan. The Director of Regeneration and Enterprise presented the report to the Committee in detail.

Questions were asked about the planned process for the scrutiny review and an assurance was sought that this would not be the only Scrutiny Committee meeting at which the Black Country Plan would be discussed. Reference was made to the request to extend the consultation process, the issues raised in the public forum, several errors identified in the Plan and problems with the online consultation. A view was expressed that the consultation process should halted until the errors had been corrected and assurances sought that action was being taken to address the issues that had been raised, which were continuing to cause confusion. Clarification was requested of the Cabinet Member portfolio responsibility for the Black Country Plan.

The Cabinet Member for Regeneration and Enterprise confirmed that he was taking the lead role for the Black Country Plan, in conjunction with the Leader. The scheme of delegation in the Constitution would be updated to reflect this. The Chair confirmed the intention to hold further scrutiny meetings in relation to the Black Country Plan and the details would be discussed with relevant officers. The request to extend the consultation period had been reported to the Cabinet on 21<sup>st</sup> July, 2021. The Cabinet had decided to continue with the eight-week consultation period. Assurances were given that all identified errors were being corrected. An erratum had been issued that would be made available with the printed hard copies.

A Member referred to the request for residents to complete separate forms for each part of the Plan. Although this was easier online, it was considered unfair to expect residents to submit multiple written responses. The reason as to why one form could not be used was queried. The Project Manager confirmed that one form would be accepted. A view was expressed that this should be advertised so that residents were clear on the expectations. A query was also raised as to why people who had been asked to pre-register for updates had not received those updates. The Project Manager explained that, in view of data protection requirements, people who had registered previously needed to be contacted to confirm that they still wanted to receive updates. Anyone wishing to receive updates at this point could contact Officers accordingly. The Councillor was asked to contact Officers direct with any outstanding concerns. Decisions made concerning the promotion of the consultation process were queried, including the possibility of writing to all residents and the use of the Dudley Home magazine. The Director of Regeneration and Enterprise undertook to liaise with the Head of Communications and Public Affairs regarding the options that were considered and the costings.



Members requested clarification of the arrangements for the scrutiny review. Various questions and corrections to the Plan had been submitted in advance of the meeting on behalf of the Opposition Group. Reference was made to the complicated nature of the Black Country Plan review and the various concerns that had been raised at this meeting. A view was expressed that the identified themes should be considered in detail at subsequent dedicated scrutiny meetings. The Chair had previously raised the possibility of establishing a Task and Finish Group to discuss issues in detail. It was noted that the questions had been requested in advance so that the relevant officers could be available to respond. Members of the Opposition Group stated that their intention was to put forward the questions during a series of future scrutiny meetings in relation to the various identified themes.

A discussion took place about the planning of the scrutiny process as there were differing views on the purpose of this meeting. The Chair referred to the recommendations in Agenda Item No. 6 and invited any further comments from the Committee. Reference was again made to the complexity of the Black Country Plan and the additional issues raised at this meeting. Further information was requested on evidence regarding the projected housing need, the communications plan and resourcing of the communications and engagement process. A Member referred to the importance of the scrutiny process being held in public. Reference was made to the potential adoption of a similar approach to the scrutiny review, undertaken in the previous municipal year, concerning the Council and Partner response to the Covid-19 pandemic. It was suggested that the process moving forward should involve a series of scrutiny meetings to include contributions from the public, specialist witnesses and others to provide any required information.

The Chair expressed concerns about the work programme of this Committee and the capacity to undertake the proposed level of detailed scrutiny of the various identified themes within the formal Committee meetings. The Vice-Chair referred to the tight consultation timescale and the stressed the importance of taking this opportunity to ask and seek responses to questions on the Black Country Plan.

A Member made further reference to the tight timescales, the importance of the public engagement process and the need to undertake this appropriately. The arrangements for advertising the proposed future engagement events were queried. In view of the implications for specific areas, including Kingswinford North and Wall Heath, Officers were implored to engage with the local community in those areas rather than having meetings in a central location. Further information was requested on how this engagement would be undertaken and the timescales.

The Chair requested Officers, in consultation with the Cabinet Member and the Leader, to consider and take appropriate action on the points raised at this meeting concerning the ongoing public engagement and consultation process. He referred to the urgent need to consider the communications plan in relation to individual wards to ensure that appropriate engagement was being undertaken at local level.

A Member referred to the pre-registration process discussed earlier at the meeting and indicated that, although she had recently registered, no updates had yet been received. The Project Manager undertook to investigate and asked that any specific concerns be sent by email to the Black Country Plan inbox. A concern was expressed that members of the public may not be aware of this.

The Vice-Chair referred to issues with the website and requested Officers to liaise with the Communications and Public Affairs Team to make improvements as a matter of urgency. The Council was also asked to provide further assistance in cases where people were struggling to use the website by providing additional printed copies of the comment forms as required.

The Chair thanked everyone for their attendance and contributions. At the conclusion of the meeting, the Chair stated that the communications plan would be reviewed with officers. Consideration would be given to holding a further scrutiny meeting, or a separate single subject scrutiny meeting, taking account of the constraints of the annual scrutiny programme and the workload of this Committee.

The meeting ended at 7.53pm

CHAIR



FC/30