

Vibrant and Sustainable City Scrutiny Panel

Minutes - 20 June 2019

Attendance

Members of the Vibrant and Sustainable City Scrutiny Panel

Cllr Paul Appleby (Vice-Chair)
Cllr Mary Bateman
Cllr Philip Bateman MBE
Cllr Greg Brackenridge
Cllr Alan Butt
Cllr Jacqui Coogan
Cllr Christopher Haynes
Cllr Keith Inston
Cllr Beverley Momenabadi
Cllr Mak Singh (Chair)

In Attendance

Cllr Steve Evans (Portfolio Holder – City Environment)

Employees

Martin Stevens (Scrutiny Office) (Minutes)
Ross Cook (Director for City Environment)
Kate Martin (Director of City Housing)
Steve Woodward (Head of Environmental Services)
Colin Parr (Head of Business Services)
John Roseblade (Head of City Transport)
Ravi Phull (Service Manager – Private Sector Housing)

Part 1 – items open to the press and public

Item No. *Title*

- 1 **Apologies**
Apologies for absence were received from Cllr Bhupinder Gakhal and Cllr Martin Waite.
- 2 **Declarations of interest**
Cllr Gurmukh Singh declared a non-pecuniary interest on item 7 - Draft Private Homes Strategy 2019-2024, as a private landlord.
- 3 **Minutes of the previous meeting**
The minutes of the previous meeting were confirmed as a correct record subject to the comment by a Member having a concern about development on brownfield sites,

being changed to having a concern about development on greenfield sites on the border with Staffordshire and generally within Wolverhampton.

4

Matters arising

Cllr Brackenridge asked for an update on fire safety matters in relation to housing, as he had made reference to this subject at the last meeting when the overall housing strategy for the City had been discussed. The online consultation survey did make reference to fire safety in relation to high rise blocks. He had responded to the survey on the housing strategy and raised the point that it was important to address the issue of fire safety in all houses across the City and not just high rise. He was the Chair of the Council's, Fire Safety Scrutiny Group and had been trying to persuade the British Government to pass legislation for England to have the same requirement as in Scotland and Wales, where new build houses were required to have sprinklers fitted. Whilst England did not yet have the legislation, the Council was able to set its own high standards in relation to sprinklers, automatic fire detection systems and general fire safety matters. The Contractors which the Council owned company WV Living used, had actually already fitted sprinklers in new build properties in Milton Keynes. He wanted to make it clear that it was important to factor in the vulnerability of individuals when assessing fire risk. This was because 80% of people who died or were injured in fires were vulnerable people.

The Director for City Housing responded that she was pleased the Councillor had officially responded to the consultation on the Housing Strategy and his response along with all others received would be taken into account. She took the issue of fire safety very seriously and agreed that fire safety was important across all housing and not just within tower blocks. The Council were issuing improvement notices on privately owned high rise blocks and taking enforcement action where appropriate.

The Director for City Housing commented that the Council had already pledged to implement approximately £20 million of sprinkler infrastructure into the public sector owned high rise stock in Wolverhampton. A further £11 million was being invested in electrical works and other critical maintenance into the public sector stock. The Better Homes Board, which included Wolverhampton Homes as a partner, would be addressing how they approached fire safety in their new build programmes. They would report back to the Fire Safety Scrutiny Group with the decisions reached. WV Living would also be considering how they embedded fire safety strategy into their new build programmes and would be reporting back to the Council's Fire Safety Scrutiny Group. The Council were also having conversations as part of the Community Build Programme with the Tenant Management and Co-operative organisations. In addition, they were discussing fire safety with Housing Association partners who managed housing stock. A report had recently been taken to Cabinet on enforcement practices for smoke and carbon monoxide homes in the private rental sector. The Council were working closely with the Fire Service on the issue. They were also making improvements to the Rent with Confidence Scheme.

The Director for City Housing stated that the Council would be submitting a full response to the national consultation on building regulations. A response would be submitted by 31 July 2019. They were also part of the MCHLG pilot on fire door safety. Updates from the Council, Wolverhampton Homes and WV Living on fire safety matters would be provided in depth to the Council's Fire Safety Scrutiny Group which was meeting on the 17 July 2019.

Cllr Brackenridge expressed his thanks to the Director for City Housing for her response and for the work which was ongoing on fire safety at the Council and within Wolverhampton Homes. He felt they were leading the way on fire safety since the Grenfell fire tragedy and the conception of the Council's Fire Safety Scrutiny Panel. The Grenfell fire was a preventable disaster caused by successive governments failing to address the matter of fire safety appropriately. The residents of Grenfell had been warning the authorities for some time about the dangers within the building. He reminded the Panel that legal standards were only minimum standards, authorities could go above and beyond the legal requirements. Dame Hackitt in her review of Building Regulations had described the current building regulations as not fit for purpose. However, two years since the Grenfell tragedy the very laws that were in place at the time of the tragedy were still in force. The Government had just released £200 million of funding to rectify high rise private tower blocks wrapped in Grenfell style cladding. Wolverhampton Homes had undertaken and were continuing to do some outstanding work in relation to fire safety.

Cllr Brackenridge expressed frustration and disappointment with the former Interim Director of Place who had left the Council in March 2019. This was because he had articulated to the Fire Safety Scrutiny Group at their last meeting that he had commissioned an independent report into whether sprinklers should be installed at the Civic Halls, but no report on this subject matter had materialised. The current independently commissioned Fire Strategy for the Civic Halls said that the Council had asked that sprinklers should not be an aspiration for the Civic Halls and therefore the Fire Strategy was based around there being no sprinklers. He found this astounding, given the recommendations the Fire Safety Scrutiny Group had made in the past and the several meetings he had personally had with the former interim Director of Place. He saw this as a failure of the Regeneration Department within the Council, who had responsibility for the refurbishment of the Civic Halls. He wanted to ensure that all departments within the Council took fire safety seriously. An overall strategy on fire safety was needed for the Council which he felt had been encapsulated as part of the previous recommendations from the Fire Safety Scrutiny Group to the Executive.

5 **Portfolio Holder for City of Environment - Statement / Questions and Answer Session**

The Portfolio Holder for City Environment gave a statement on his Portfolio. He opened by thanking the Scrutiny Panel for the opportunity to talk about his Portfolio. There were four main sections to his statement, the remit of his Portfolio, some key achievements over the last twelve months, his priorities over the next twelve months and areas which he felt the Scrutiny Panel could assist in ensuring the success of his Portfolio. He identified the main areas that fell within his remit which included: -

- Environmental Services including street cleansing, ground maintenance and country parks
- Waste Collection and Disposal
- Energy (including the energy from waste facilities) and Sustainability
- Fleet Management and Workshop
- Coroner Services
- Public Protection often referred to as Trading Standards
- Consumer Protection / Environmental Health
- Licensing including taxi licensing

- Customer Services
- WV Active

With reference to the taxi licensing service he praised the efficiency of the department. Wolverhampton was one of the first Councils to offer a digital application service. The service still had stringent checks, these checks were more rigorous than many Councils and the processes could be completed more quickly. As the process was less expensive, convenient and quicker than many Councils it was not surprising that many more people now applied for their license in Wolverhampton.

The Portfolio Holder remarked that the Bilston Indoor Market footfall had significantly increased and was a critical part of community life in Bilston. At the outdoor Bilston market, the uptake in people taking a stall had also increased. Last year had seen the successful launch of the City Centre Market. This had involved significant land remediation work which included removing buildings and the re-burial of human remains dating back from the 1850s. He thought that Markets was an area which the Panel might wish to consider as part of its Work Programme in the future.

The Portfolio Holder stated that located at the Council was the UTC (Urban Traffic Control) system. A team of experts ensured that the traffic flowed efficiently across the Backcountry. The Minister of Transport had visited last year and had been very impressed by the work of the team, the Portfolio Holder encouraged Members of the Panel to visit the UTC team. As part of the Highways maintenance function, street lighting and winter gritting were included as part of this function. He believed in Winter, Wolverhampton and Sandwell Council areas were the best gritted roads in the West Midlands. The Highways Capital programme was £14 million based on prudential borrowing and a number of grants that the Council had received following successful bids. This money had to be used in areas across the whole network such as, projects, cycle routes, safety, footways, crossings and resurfacing. Clearly it was not enough money, the Government had calculated that £9 billion of maintenance funding was required to bring the road network in the UK up to a good standard. It would cost £24 million to bring all the roads in Wolverhampton up to a state of good repair. He felt the Government under-invested in the transport network, particularly outside of London.

The Portfolio Holder in reference to car parking, commented that he was often asked to make car parking free in the City. The Council however only controlled about 25% of the total car parks across the City. There was a maintenance cost to car parks. He did not intend to subsidise free car parking for an entire day or week. They were however looking at some offers for some free parking in the evening to help stimulate the City Economy. Turnover of cars in car parks was critical to ensuring a healthy footfall for the local economy. He said that the City Centre had the highest footfall outside of Birmingham.

The Portfolio Holder was pleased to report Customer Services had been added to his Portfolio as many of the call's Customer Services received related to his Portfolio. They were looking to make some changes to the Service and would be undertaking some pilots of different projects. He wanted to trial a dedicated Councillor Case Management System. He expressed a desire to ensure systems involving Customer Services systems were aligned to avoid duplication and confusion. He suggested

that this was an area which the Panel should consider as being part of their Work Programme in the future.

The Portfolio Holder praised the work and improvements of the Council owned company, WV Active. There were three leisure centres managed by the company – Burt Williams in Bilston, Central Baths and Aldersley Leisure Village. A number of high profile events took place at Aldersley Leisure Village, which last year had included a major darts championship, martial arts and the Dwarf Olympic Games. It was also a venue that would be used as part of the Commonwealth Games, with one Country expected to use it as a training facility. There were now 10,000 members of WV Active, whereas nearly four years ago there had been 5000. He was delighted that the membership had doubled in that timeframe. Discounts were offered to people who worked within the City, notwithstanding this WV Active was close to breaking even financially.

The Portfolio Holder remarked that he was pleased how the initial part of the Waste Transformation Programme had gone. A larger general waste bin had been offered to residents, which not many authorities had done when changing to fortnightly collections for general refuse waste. 75% of Councils had already moved to fortnightly general refuse waste collections and some had gone a step further to every three or four weeks. There were 35,000 customers of the Council's newly launched Garden Waste Collection Service. The take up had been much better than they had hoped for, as they had only expected 20,000 initially. The Council had benchmarked the service charge against other authorities, who charged between £50 and £80 per annum. City of Wolverhampton Council charged a very reasonable £35 per annum. Vulnerable people and persons receiving full Council or housing benefits received a 50% discount if they used the service.

The Portfolio Holder stated that the Traveller Injunction which the Council now had legally implemented, did not include all the places suggested by some Members. Legal advice had been given to the Council stipulating that in order to be successful with the injunction, evidence had to be submitted to the Court detailing the vulnerability of sites or sufficient evidence that they had been regularly used by travellers without authorisation. The fact that the Council had successfully obtained the injunction meant they were able to immediately evict travellers, if they illegally used one of the 60 sites named in the injunction. The Council no longer had to appear before two court hearings to evict travellers if they went onto any of the 60 sites. The incursions since the injunction had been implemented had fallen and consequently the Council were no longer having to pay for large clean up bills.

The Portfolio Holder commented that he was delighted the Council had received three Green Flag Awards last year for West Park, East Park and Bantock Park. The Council had seen a 50% reduction in fly tipping since the "Shop a Tipper Campaign". Fly tipping was an illegal act, he did not think opening the tips for longer hours would reduce fly tipping. The Council had no intention of following Walsall Council's policies. Some people had been fined over £2,000 in court. The £100 reward to the person who helped to secure the fly tipping conviction was paid for out of the fine money received, so there was no additional cost to the Council. It was a system that worked well, with over 50 people coming forward as part of the campaign.

The Portfolio Holder expressed his support for the average speed cameras in the City and added that average speed enforcement cameras were not a money-making

initiative for the Council, as the Council did not keep any of the fine money, all of this was kept by the West Midlands Police Force. The only money the Council received was if people opted to take a speed awareness course, of which the Council was able to receive 50% of the total fee. As the Council was responsible for maintaining the average speed cameras, the income from the speed awareness courses meant they were just about able to break even.

The Portfolio Holder remarked that the Trading with Confidence booklet developed by the Council had been published successfully. Over 100 businesses had bought into the scheme. The concept was excellent and was something which the Council was willing to sell to other authorities. On the subject of pot holes he referred to the new Velocity Patcher the Council had been utilising which could fill a pot hole within minutes. He praised the Highways Team for fixing 7,000 pot holes in one year.

The Portfolio Holder stated that electric vehicle charge points were about to be rolled out across the City in the Summer which he saw as the future. Officers had worked hard to obtain the funding to allow the charge points to be used by the public as well as taxis. He was pleased to inform the Panel of the success story that a Primary Authority Partnership had been announced yesterday with Marston's PLC, one of the largest employees in the City, to provide bespoke business support. A Primary Authority Partnership provided businesses with the opportunity to receive assured and tailored advice from a chosen local authority to meet environmental health and trading standards regulations.

The Portfolio Holder commented that the "Running Wolves Sculptures" had recently been unveiled on the A449 to mark the completion of a major transport scheme. The £6.8 million City North Gateway scheme had commenced in October 2017 to support job generation and business growth, ensuring highway capacity to support investment at local companies including i54, Wolverhampton Business Park, and the Junction 2 employment area.

The Portfolio Holder praised the work of Trading Standards and made reference to a recent case where a tattooist had been prosecuted known as "Dr Evil."

A Panel Member stated that a political reporter for the Express and Star had observed the Council taxi licensing test and had not raised any complaints. The test was described in his report as rigorous, the reporter had also written that there was child exploitation and safeguarding training and drivers had an enhanced DBS (Disclosures and Barring Service) check. She had no complaints about the response to fly tipping in her ward. She asked what the Council's current response rate was to fly tipping and how it may have changed within the last twelve months. The Portfolio Holder responded that the failure rate for a taxi license application was around 50%. They did ensure compliance where people had applied for a taxi license within Wolverhampton but were using it out of area. The use of electronic systems had improved the checking processes and was much better than some authorities. He praised the Head of Business Services and the taxi licensing team for their work on the digital taxi licensing platform and believed they had the best system in the UK. The response rate to fly tipping had dramatically improved in the last twelve months. Bringing the waste service inhouse had improved the response rate.

The Head of Business Services commented that a report would be coming to the Scrutiny Panel in September on the success of the “Keep it Street Neat” campaign. Significant learning had been obtained from the campaign. Prior to that campaign there were several systems to which fly tipping could be reported. The response rate had differed depending on the system used to report the incident and there could be multiple reports for the same incident. The service standard used to be 10 working days, the average clearance time during the campaign was two hours. They were working to maintain the clearance time but there were some exceptions, sites on private land were more difficult and required a community protection order / notice. Fly tipping on the Highway they hoped to complete within the revised standard of 72 hours.

A Member of the Panel commented that the time taken to remove bins that the public did no longer want had caused some people to be critical of the Council. The Portfolio Holder responded that the literature had given specific instructions on how bins could be returned. If a member of the public wanted their bin to be removed, they needed to contact the Council via the website. Clearly some more work was needed on the campaign. Some people had believed that merely leaving a bin out with or without a message was good enough and others had left their bin to be returned behind a private gate. There would be a re-launch of the campaign for bins to be returned, which would be clearer. It was important to note that thousands of bins had been returned already. He suggested that he would be happy for the Scrutiny Panel to help shape the re-launch of the campaign.

A Panel Member asked for the Portfolio Holder to, at some stage during the Council year, provide information to the Panel on how well the Council was doing in regard to recycling. The Portfolio Holder responded that the national target was for a 50% recycling rate, the Council was nearing 49% and was doing much better than some of its neighboring authorities.

The Chair asked the Portfolio Holder, Cllr Martin Waite’s question which had been submitted in advance of the meeting. The question was, “What targets for modal shift from private vehicle journeys in the city to active transport does the Council have and how are we going to achieve them?” The Portfolio Holder responded that the Council had completed significant work on cycling lanes and the Bike Share scheme. He wanted cycling rates to go up from 2% to 5% by 2023 and up to 10% by 2033. It was not going to be an easy task, ensuring safety was a key part to encouraging more cycling. He hoped the Council would be a leader across the Black Country for Active Travel. Investment was critical, they were using WMCA funding, £21 million had been allocated from the Transforming Cities Fund. The East Park Gateway project was also about to commence. There was also the West Side Link project.

Cllr Appleby clarified that the advance question he had submitted about car parking was with reference to time limited car parking at weekends, he asked for the Portfolio Holder’s view on this proposal. The Portfolio Holder responded that they always regularly reviewed the Council’s Parking Services in the City. He suggested that there may well be some time limited free car parking in the future across Wolverhampton to help promote the City. It was something which would be considered if it was felt it would be beneficial.

A Panel Member asked for some information on electric charging points for cars in the City. The Head of Business Services responded there would be 15 new charging points in total in Wolverhampton with the first of them being introduced in the City Centre over the Summer. Work was ongoing as to the locations of where the others would be situated across the City.

A Panel Member stated that he felt the Environment Portfolio probably had the biggest impact on the largest amount of people within the City. He paid tribute to the taxi licensing team, which he thought was a safer system than any other authority. There were some parking issues in Wednesfield, which was preventing turnover of cars using the car parks. This was partly due to people being unable to park at Newcross Hospital and having to find an alternative place to park. Bentley Bridge had recently introduced a three-hour time limit to prevent people parking there all day.

Several Members of the Panel expressed support for the proposed Councillor Case Management system for Customer Services and congratulated the Portfolio Holder on the successes over the last year. The Chair thanked the Portfolio Holder on behalf of the Panel for his detailed presentation and for answering the questions raised by Members of the Panel throughout the item. He also thanked Officers for their work supporting the Portfolio Holder. The Portfolio Holder responded that it had been a pleasure to speak to the Panel on his Portfolio.

6 Scrutiny Work Programme

The Scrutiny Work Programme was agreed.

7 Draft Private Homes Strategy 2019- 2024

The Director for City Housing and the Service Manager for Private Sector Housing gave a presentation on the draft Private Homes Strategy 2019-2024.

The Service Manager for Private Sector Housing commented that the draft strategy had not yet been received by Cabinet and it was therefore a pre-decision scrutiny item. She wanted the Panel's input to help shape the policy. In Wolverhampton there were 108,000 dwellings, 56% were owner occupied and 27% social rented. In 2001 the Census had shown 7,000 private rented houses which had nearly doubled by 2011. A recent BRE Stock condition survey of the private rented sector had shown the figure was now at 18,000. By 2020, if not before, it was expected that the private rented sector would have more dwellings than in any other rented housing sector. As the private sector was now significantly larger than previously and on an upward trajectory, it was important for it to have its own strategy.

The Service Manager for Private Sector Housing stated that under the new Homeless Reduction Act, the Council was having to discharge its duties by using the private sector, as social housing was depleted. There had been an increase in houses in multiple occupation (HMO). This was down to migration into the City, welfare reform, single person allowance and universal credit. Properly managed and regulated HMOs was crucial. Fire Safety was very important which included ensuring the safety of people in high rise private homes. There was a mandate to improvement safety following Grenfell and guidance was continuing to be issued by the Ministry of Housing, Communities and Local Government (MHCLG). Much of the guidance was regarding the Local Authority ensuing high rises in the private sector

were safe. Fire risk assessments were completed in HMOs when employees from the Council visited, as fire was the biggest risk to the safety of the occupants.

The Service Manager for Private Sector Housing remarked that each year, they brought approximately 200 empty homes back into use in the Wolverhampton area. The £500 incentive scheme which had operated for the last three years had proved very successful in engaging people. Sometimes compulsory purchase orders were undertaken. They targeted houses that had not been in use for over ten years but were also being proactive targeting housing that had not been in use for a short-time to help prevent them falling into long-term disuse. Wolverhampton Homes administered housing assistance for the City, providing disabled facilities grants, affordable warm grants and small works assistance grants. These initiatives helped to keep people living well and independently in their own homes for longer. A scrutiny review on fuel poverty was planned in the future.

The Service Manager for Private Sector Housing said that the Council had to follow national policy. There was nationally mandated HMO licensing and the definition had changed last October. Since October there had been an additional 100 HMO license applications which had all been inspected. There were now 230 licensed HMOs in Wolverhampton. Instead of just completing reactive work, where it had become clear that some people didn't feel able to complain, proactive intelligence based enforcement now took place. On enforcement work they worked closely with the Fire Service, Police and the Safer Wolverhampton Partnership. They operated a zero tolerance approach to criminal landlords. Local Authority Officers could issue civil penalties for certain offences under the Housing Act. They could fine up to £30,000 per offence. It was important to consider the consequences of enforcement action on occupants as they wanted to avoid them being evicted by Landlords. Collaborative working with other council departments and external organisations was key to helping occupants.

The Service Manager for Private Sector Housing stated that the five-year strategy aimed to improve the condition of the private rented sector, which included ensuring tenants knew of the responsibilities of their Landlords, the reduction of category 1 hazards and targeted interventions such as minimum energy efficiency. They were considering introducing additional licensing where there were the highest number of problems, which could include area-based licensing. Engagement was the preferred method before enforcement action was taken.

The Service Manager for Private Sector Housing commented that they were the first local authority to implement a star rated scheme for private rented properties and landlords. This had helped to improve properties and to sustain people living in properties for longer. It was now an integral part of the Private Sector Housing Service and was being updated further. It was pleasing that other Councils had expressed an interest in purchasing the model. Part of the strategy included new private homes growth. An Equalities Impact Assessment and further consultations would take place in the future on the draft strategy.

Members of the Panel raised the subject of HMOs. The Private Sector Housing Manager confirmed that they were looking to introduce additional licensing requirements. These extra requirements would give them more powers to understand where the HMOs were located in the City. A Member commented that he was pleased to see the authority were taking HMOs seriously and that

enforcement action had been taken. He was concerned that the increase in HMOs in the City was more than the Council had the resources to effectively ensure oversight over, particularly as HMOs were on an upward trend. The location of some HMOs caused him concern. They expressed support for the overall direction of the draft Private Sector Housing Strategy. The Director for City Housing commented that it would be easy to be overwhelmed with HMOs. It was therefore critical to have robust data and data insight so resources could be effectively targeted. Intelligence led and robust overarching policies would help manage some of the difficulties with HMOs in the City. It was an area which would have to be kept under review.

A Member of the Panel asked if the figures for HMOs had been impacted on by the increased popularity of Air Bed and Breakfasts, Bookings.com and renting rooms within houses. The Service Manager for Private Sector Housing responded that when the legislation had been written for HMOs, Air Bed and Breakfasts had not been established. The definition of a HMO was that rent or other consideration was payable and it had to be the main or only place of residence. Air Bed and Breakfasts were slipping through the net as they did not fall under current housing legislation. It was a topic that was coming up nationally, regionally and locally, as to how they should be treated, for instance whether they should be classed as hotels.

A Member of the Panel stated that as part of the strategy there was land available for 9,000 homes. He asked if this allocation of land was part of the Black Country Core Strategy. The Director for City Housing confirmed this to be the case and the City Planning Officer could provide more detail about the specifics.

A Member of the Panel asked about whether there was a commercial opportunity for the Rent with Confidence scheme maintenance services to be offered to private landlords. The Service Manager for Private Sector Housing confirmed that there was a commercial opportunity and they were going to launch a Facebook page for the scheme in the near future.

A Panel Member commented that it was important to ensure good links of communication between planning, housing and building control, to ensure that the law was being adhered to. The City Director for Housing agreed that joint working was important, there were some gaps in legislation, which made it all the more critical to work collaboratively.

A Member of the Panel asked for an update about some of the issues and concerns he had with reference to the Core Joint Strategy. He had particular concerns about his ward - Wednesfield North and surrounding areas. The City Director of Housing said she would speak to her colleagues in Planning and ask for them to provide some information to the Panel at an appropriate meeting of the Panel in the future.

A Panel Member stated that it was important that Members of the Public knew how to report issues of concern about housing and that they could be assured confidentiality would be maintained.

A Member of the Panel commented that car parking was a real issue outside some HMOs, citing Ashmore Park in Wednesfield as an example. The Council had to be mindful of this consideration when licensing them.

The meeting closed at 8:40pm.

[NOT PROTECTIVELY MARKED]