

Attendance

Members of the Scrutiny Board

Cllr Paul Sweet (Chair)
Cllr Philip Bateman MBE
Cllr Rita Potter
Cllr Wendy Thompson
Cllr Simon Bennett
Cllr Susan Roberts MBE
Cllr Zee Russell
Cllr Ellis Turrell (Vice-Chair)
Cllr Barbara McGarrity QN
Cllr Louise Miles
Cllr Udey Singh
Cllr Jacqueline Sweetman

Employees

Martin Stevens DL (Scrutiny Team Leader)
David Pattison (Chief Operating Officer)
Claire Nye (Director of Finance)
Charlotte Johns (Director of Strategy)
John Roseblade (Director of Housing and Environment)
Steve Woodward (Head of Environmental Services)
Claire Walters (Environmental Place Based Development Manager)
Deb Binder (Service Lead – Parking Service and Enforcement)
Earl Piggott-Smith (Scrutiny Officer)

Part 1 – items open to the press and public

Item No. *Title*

- 1 **Apologies for absence**
An apology for absence was received from Cllr Valerie Evans.

- 2 **Declarations of interest**
Cllr Philip Bateman MBE declared an interest as a Director of Birmingham Airport, the Chair of Ashmore Park Nursery Governing Body and a Governor of the Ashmore Park and Phoenix Nursery Schools Federation.

- 3 **Minutes of the 12 October 2022 meeting**
Resolved: That the minutes of the meeting held on 12 October 2022 be approved as a correct record and signed by the Chair.

4 Minutes of the 1 November 2022 meeting

Resolved: That the minutes of the meeting held on 1 November 2022 be approved as a correct record and signed by the Chair.

5 WMCA Scrutiny Annual Report

The Chair of the West Midlands Combined Authority (WMCA) Overview and Scrutiny Committee, Cllr Cathryn Bayton, introduced their Annual Scrutiny Report. She stated that all the Constituent Authorities and Non-Constituent Authorities nominated an elected Member to sit on the Overview and Scrutiny Committee. She was on the Committee as one of the Association of Black Country Authorities representatives. The Chair and Vice-Chair of the Overview and Scrutiny Committee, constitutionally had to be of the opposing party to that of the Mayor of the West Midlands. Additionally, the Chair of the Transport Scrutiny Sub-Committee had to be a Member of the Overview and Scrutiny Committee and be of an opposing party to the Mayor.

The Chair of the West Midlands Combined Authority (WMCA) Overview and Scrutiny Committee stated that there were six meetings a year of the Overview and Scrutiny Committee and the same applied for the Transport Scrutiny Sub-Committee. There were also two question and answer sessions with the Mayor on Policy and Finance. The Annual report outlined the deep dives that had been conducted during the municipal year, which included a review on housing. The planned skills review had been carried forward to the next municipal year due to work load demands on the housing review. Sessions had taken place with Portfolio Holders that covered Housing and Land, and Air Quality.

The Chair of the West Midlands Combined Authority (WMCA) Overview and Scrutiny Committee referred to the briefing note which had been circulated with the agenda. This detailed the work to date of the Scrutiny Committee in the current municipal year. Much of the work of the Committee had been considering the Trailblazing Devolution Deal. This work had included having five separate workshops. A report following the workshops would be submitted to the WMCA Board the following week. This report would form part of the Combined Authority's submission to Government, if it was ratified at the Board.

The Chair of the West Midlands Combined Authority (WMCA) Overview and Scrutiny Committee commented that the Committee were undertaking a skills deep dive this year. The work was underway and was expected to be reported in March 2023. She also Chaired the Transport Scrutiny Sub-Committee. They had considered the Commonwealth Games and the lessons learnt. Walking, cycling and automated mobility had featured as part of the Committees work. They had recently considered the Bus Service Improvement Plan. Next year, Scrutiny would be looking in detail at the expected Bus Franchise Report.

A Panel Member referred to the suspension of the Midland Metro Service which was detailed within the report. He asked if there had been any conclusions from the Scrutiny work that had taken place and if there were any plans to follow up on the work. His second question related to the extensions of line one on the Metro and the delays that had been occurring in Wolverhampton for a short stretch of track. He hoped the WMCA Committee would take note of the impact of the delays on the City, including the economic and reputational impact. He gave praise to the transport organisation during the Commonwealth Games.

The Chair of the West Midlands Combined Authority (WMCA) Overview and Scrutiny Committee responded that the transport arrangements had gone smoothly for the Commonwealth Games and she wasn't aware of any criticisms. Extra bus transport and coaches had been arranged to cope with the rail strikes which had been taking place. On the question regarding the suspension of the Metro Service, due to cracks appearing, the Mayor had commissioned an independent report. She had asked to see the report as had Members of the Public. She hoped the WMCA Scrutiny Committee would consider the independent report early in the New Year. On the matter of the line one extensions and in particular the delays in Wolverhampton it was important to hold the providers of service to account for the delays. She was intending to speak to the Chairman of the Transport Delivery Committee about how they could hold Midland Metro to account and to understand what the problems were with the delays. The Committee hoped to understand the mitigations they could or should have put in place. She understood the economic impact the delays could have.

The Vice-Chair asked if the WMCA Scrutiny Committee had ever invited the WMCA Portfolio Holder for Economy and Innovation to one of their Scrutiny meetings. He asked what the main benefits were of having a Chair who was not of the same party as the Mayor. The Chair of the West Midlands Combined Authority Overview and Scrutiny Committee responded, that the Portfolio Holder had not yet been invited to a WMCA Scrutiny Meeting. Portfolio Holders were invited sometimes when there was a specific paper or review before the Committee. There had been Question and Answer sessions held with the Mayor and the Portfolio Holder for Transport. The Chair of the WMCA Scrutiny Committee had to be from a different party to the Mayor as it was a constitutional requirement. She believed that scrutiny at the WMCA had been a good example of cross-party scrutiny. She was of the view that having opposition Chairs added to transparency.

A Panel Member asked if there was anything written into the contract with the Midland Metro Alliance about how they were held to account. He supported the position of the Chair of a Scrutiny Committee not being from the ruling group. The Chair of the WMCA Scrutiny Committee responded that she was not aware of any contractual requirements. The Midland Metro Alliance would be therefore asked to attend the Committee by invitation.

A Panel Member commented that if the opposition were to take the roles of Chair and Vice-Chair of Scrutiny Panels, it was important to consider whether the opposition had enough Members on the Council to fulfil the roles.

A Member of the Panel referred to a national report on housing target numbers. The report stated that if there was particularly strong local opposition, then the housing target numbers might not be adhered to. She asked if the Chair of the WMCA Scrutiny Committee had any more information on the matter. She asked if the WMCA were doing anything extra on skills and unemployment which was a particular problem in Wolverhampton. She hoped the WMCA Portfolio Holder for Economy and Innovation would be called to the Scrutiny Committee. The Chair of the WMCA Scrutiny Committee responded that there would be a report in March following the skills deep dive. There was a deficit across the whole of the Black Country. With reference to the question on housing she had only seen the national reports. It was the responsibility of each Local Authority to set their own housing target and how

they went about delivering them. There was a duty to co-operate with neighbouring authorities where housing and brownfield land was in short supply.

A Panel Member hoped that Wolverhampton Members who represented the Authority on the WMCA would be called to a Scrutiny Board in the future to present on the areas they covered within the WMCA.

The Chair on behalf of the Panel thanked the Chair and Scrutiny Officer of the WMCA Overview and Scrutiny Committee for their attendance.

6 **Performance and Budget Monitoring 2022-2023**

The Head of Data Analytics and the Director of Finance presented the report on Performance and Budget Monitoring 2022-2023. They summarised the key points contained in the report.

The Vice-Chair noted that in relation to performance, Wolverhampton based businesses supported by the Council was not improving. Businesses in the City Centre had commented to him that they had felt abandoned and that the Council were not interested in their experiences or listening to them. He asked the Director of Finance if the Council was working on an assumption of a 5% Council Tax increase for next year's budget. The Director of Finance responded that it was currently at 3%, they were looking at the modelling for 5%, but no decisions had yet been made.

A Panel Member asked for clarity on which were the six performance indicators which had shown a decrease in performance. The Head of Data Analytics responded that he would send the documentation to him.

A Member of the Panel highlighted the attractive survival business data (1 year) in the City. The Director of Strategy responded that the business support data could be part of a deep dive report going to the relevant Scrutiny Panel.

A Panel Member commented that some residents were waiting long times for customer services to answer calls. She also asked for the business survival rate for 2 and 3 years. The Director of Strategy responded that the average call response time had improved and was now down to five minutes. She would ensure the business survival data for 2 and 3 years was sent to the Scrutiny Team Leader for onward circulation after the meeting.

A Panel Member asked for further information on the Bert Williams Café, which was no longer open and therefore an income of £225,000 had been lost. He asked for more details regarding the installation of an air pump at an expenditure of £30,000. He believed there should be a focus on occupying the empty site. The Chief Operating Officer responded that they would consider the questions about the air pump and the Café in due course after the meeting.

A Panel Member raised a concern about key senior vacant posts at the Council. He asked if these posts had been recruited to, whether there would have been a larger overspend. The Director of Finance responded there would have been an additional budget pressure, but it was recognised that not every post would always be filled year round and this was factored into the budget. The process of how they managed

vacant posts from a budget perspective was something they kept under review. The Chief Operating Officer added that the Council were continuously looking at how to improve recruitment to ensure vacant posts were filled in a timely manner.

A Panel Member referred to a Member of her family who had received an invoice, which stated that the Council due to Covid restrictions was not open to the public. She asked for letters and invoices that were sent by finance to be checked to remove any erroneous wording. There had also been a statement about not being able to pay face-to-face. Customer Services needed to reflect the needs of the residents. The Director of Finance responded that she would look into the wording that had been sent in error about the Council being closed to the public.

A Panel Member remarked that she had been informed that the roof had fallen in at the old Beatties store in the City Centre. Her understanding was that if a building had no roof, that business rates did not need to be paid. She asked if the Council was aware of the roof problem and whether the current owners were paying business rates. The Director of Finance commented that it was true if a building was not fit for operational purposes, then business relief did apply. She would also check if the rate payments were up to date from the owners of the building.

A Panel Member referred to the overspend on parking services of £85,000. He was concerned that this was on the charging system. The Director of City Housing and Environment responded that he would respond directly to the Member by email before the next meeting.

A Member of the Panel referred to a forecast underspend in facilities management due to primarily the lower running costs of the Civic Centre. The refurbishment of the Civic Centre had cost £25 million pounds. He asked what purpose the Civic Centre would service in the future, with staff and the public using the building less due to agile working and residents being able to interact with the Council using other methods. The Director of Finance responded that savings had covered the borrowing costs to refurbish the building. Some of this was down to rationalisation of other buildings, with staff being relocated at the Civic Centre and savings in the running costs of the Civic Centre. The Civic Centre still had a central place for residents and was also used by other public sector partners.

The Vice-Chair asked about the Director of Regeneration budget which had a forecast of a 20% overspend. He asked why the savings target had not been met which had led to the overspend. The Director of Finance responded that she would provide more information by email about the savings target. Some of the savings' targets were no longer deemed deliverable. The budget did not just relate to the salary of the Director of Regeneration.

A Panel Member asked about the costs of insurance and in particular on the cost of claims to the Council. She had advised residents in the past to make claims against the Council and felt genuine and provable claims should be paid where the Council was at fault, without the person having to go to court. The Director of Finance responded that the insurance costs sat within the Audit Team part of the budget. There were no current financial pressures in the area. The Council had a good track record and had a good relationship with brokers. She was happy to bring further information in the future.

Members agreed to note the report.

7 **Levelling Up including Investment Zones**

The Director of Strategy gave a presentation on Levelling Up, a copy of which is attached to the signed minutes. She remarked that the Levelling Up White Paper had been published in February 2022. The White Paper set out ambitions for a full system change in how Local Government would work going forward, alongside local Leaders and communities to decentralise power and to close the gap on inequalities. The White Paper set out five pillars to guide the reform around Levelling Up. These were better co-ordination, reducing silo working across government, the importance of devolution and local empowerment, data monitoring and evaluation to inform evidence based decision making, the criticality of transparency and accountability and longevity of activity (medium and long-term). There were 12 mission statements referenced in the White Paper. These 12 national missions had specific targets for the Government to achieve by 2030. They covered areas such as productivity, healthy life expectancy and skills.

The Director of Strategy stated that Wolverhampton had been specifically referenced in the White Paper as a place with strong local leadership and ambition. The Government had committed to work with local leaders, the private sector and across Government departments to increase local prosperity and social mobility. With reference to Levelling Up in Wolverhampton, the Government had endorsed the Our City: Our Plan as the strategic framework for Levelling Up in Wolverhampton. The Council's Cabinet had endorsed the approach in July 2022.

The Director of Strategy explained the five work streams as part of the Levelling Up Wolverhampton aim. These were: -

- Levelling Up Governance
- Levelling Up – Key Asks
- LEP Integration
- UKSPF
- Trailblazer Devolution Deal

The Director of Strategy commented that Levelling up bids were up to £20 million pounds and had to be sponsored by a Local MP. Over the Summer, the Council had submitted two further bids for Levelling Up Round 2. A health, care and wellbeing Hub for Bilston proposal had been submitted, this had been sponsored by Pat McFadden MP. The second bid that had been submitted was sponsored by Jane Stephenson MP and was for Phase 1 of a Green Innovation Corridor. It would link Wolverhampton's key assets at the Springfield Campus with those at the University of Wolverhampton Science Park.

The Director of Strategy stated that Wolverhampton had set out five cluster areas as part of an expression of interest in the Government proposals for Investment Zones. There had however been a change of direction by the Government following the appointment of a new Prime Minister. The Green Innovation Corridor remained part of the City's plans and was set out in the Investment prospectus which set out comprehensive proposals for the City Centre.

The Director of Strategy remarked that the Levelling Up White paper announced significant change for the delivery of economic development functions across the country. It proposed that Local Enterprise Partnerships should integrate into local democratic structures. Consequently, as of the 31 March 2023 the economic development functions of the Black Country Local Enterprise Partnership would fold into the West Midlands Combined Authority. A report would be before Cabinet on 14 December 2022 which set out the process.

The Director of Strategy spoke on the UK Shared Prosperity Fund. The UK Shared Prosperity Fund (UK SPF) was intended to replace EU funding, in particular the European Regional Development Fund (ERDF) and European Social Fund (ESF). The UKSPF had three funding themes: -

- Place and Communities
- Supporting Local Business
- People and Skills

The UK SPF was distributed by the Combined Authority. Wolverhampton's £3.7 million allocation was broken down across 2022/23, 2023/24 and 204/25.

2023/2024 - £456,226

2023/24 - £912,452

2024/25 - £2,390,625

Total - £3,759,303

The Cabinet Resources Panel on 16 November 2022 set up delegations to receive grant funding and set out initial distribution over the next three years as follows:-

Place and Communities – C.£2.022 million

Local Business Support - £681K

People and Skills – C. £1.05m

Multiply (Government funding stream supporting numeracy skills) - £316k

Wider scrutiny on external funding would take place at the Resources and Equalities Scrutiny Panel on 19 December 2022.

The Director of Strategy spoke on the West Midlands Trailblazer Devolution Deal. One of the 12 missions in the Levelling Up White Paper was to "Give every part of England that wants it a devolution deal with more regional powers and simplified, long-term funding". "Trailblazer" devo deals had been announced for West Midlands and Greater Manchester. Ongoing discussions were taking place with the region, and they expected further announcements to take place in the New Year.

The Director of Strategy commented on the critical importance of the relationship between local and national government for Levelling Up. Local Government had emphasised the need for sustainable and sufficient funding in the longer-term and reducing the fragmentation of funding pots. Bringing budgets together in place and a renewed focus on prevention, backed by Government investment. It had been a benefit having the DLUHC Headquarters in Wolverhampton, which had opened in September 2021. The relocation of DLUHC in the City was part of the "Beyond

Whitehall Programme". DLUHC had advised they now had around 250 people working in the i9 building at Wolverhampton.

A Panel Member asked what businesses could apply for UK Shared Prosperity funding and what support would be available from the Council. He asked if the Council would be providing training courses for "Multiply" or if it would be for external agencies to offer. The Director of Strategy responded that funded was delegated to the City for Multiply. She thought the main source of delivery would be through Adult Education but other providers would be available. Half of the £88 million awarded by the WMCA was going into the Business Support Model. This would involve a network of strategic business advisors. Only small business grants would be available through the fund, but the Council would be able to help businesses in submitting grants.

The Vice-Chair stated that Levelling up had been transformational for Wolverhampton with millions of pounds of funding being brought into the City, since December 2019. He hoped future funding would also be invested in the smaller communities in Wolverhampton rather than just the City Centre. He expressed a concern that derelict buildings were sometimes being intentionally burnt down.

A Panel Member asked for Board Members to be notified of the outcome of the latest Levelling Up Bids as early as was possible.

Members asked questions of clarity regarding funding, the LEP, and the Levelling Up Bids. The Director of Strategy responded accordingly.

A Panel Member commented that the Economy and Growth Scrutiny Panel had requested a report on how the Council's strategic business intentions impacted at a local Ward level. The Director of Regeneration had given her an assurance over 12 months ago that a review could take place, but this had not yet happened. The Director of Strategy responded that she would liaise with colleagues regarding the report. The Chief Operating Officer added that he would ensure a report would come before the Economy and Growth Scrutiny Panel in the future.

A Panel Member asked for a further report to Scrutiny Board in the future considering the amount of Levelling Up funding available and its geographical spread across the City.

A Member of the Panel praised the fact that 1335 extra Police Officers had been recruited in the West Midlands since 2019. He asked about the transfer of the Town's Fund Board to the City Levelling Up Board and who had made the decision. He asked if there were any performance indicators for the Board and how success was measured. He asked whether the Leader of the Opposition could sit on the Board.

The Director of Strategy responded that Membership decisions for the Levelling Up Board were made by the Board themselves. It was Chaired by Linda Johal. New terms of reference would be going to their next meeting in February. Papers were published on the Invest website, which would provide more information on how it operated.

Members of the Panel expressed opinions on the Leadership in Wolverhampton.

8 Graffiti

The Director of City Housing and Environment introduced the item on graffiti. He commented that graffiti was both a local and national problem.

The Environmental Place Based Development Manager commented that compared to some service requests, the number of those relating to graffiti was quite low. 303 enquiries had been logged since 1 January 2022. 244 items of graffiti had been removed following the enquires. They were looking at a sustainable approach to the removal of graffiti to prevent it reappearing. They were taking a more proactive, rather than a reactive approach. A Logistic Support Officer was now employed by the Council. There was an issue with graffiti on utility boxes. Utility boxes were not the property of the City Council and without the owner's permission or exhausting all efforts to determine the ownership, they couldn't just remove the graffiti. A prevention approach was now part of the strategy. Anti-graffiti paint made graffiti easier to remove.

The Vice Chair commented that the people living in the Ward he represented cared about the area and consequently reported graffiti. Graffiti could sometimes be a sign of gang activity and therefore removing "tags" he believed should be a priority before the issue escalated. He did wish to put on the record that when he reported graffiti on Council owned property it had been quickly actioned. He wanted more proactivity in dealing with graffiti on privately owned property.

A Panel Member asked if the Council were working with the Police to identify tags placed by Gangs. The Environmental Place Based Development Manager responded that they were forming an electronic database so there could be an evidence base around the tags and then they could engage with enforcement colleagues. They had not had the means to carry out this activity in the past.

A Panel Member commented that tagging having decreased in Wednesfield was now starting to rise again. He felt there was benefit in bringing the education sector, the business sector and the Council together to help combat the issue at Ward level. If the taggers could be identified then the Police and enforcement teams could be utilised.

A Panel Member suggested approaching Schools was a good place to start in identifying tags.

9 Grass Verges

The Head of Environmental Services presented a report on grass verges. He outlined the main points covered in the report. The Environmental Place Based Development Manager and the representative from Transport Services detailed the legislation that could be used in enforcement activity on grass verges.

The Vice-Chair displayed some photographs he had taken of grass verges damaged by vehicles. The photos were from Buttons Farm Road in Penn, Henwood Road in Compton and Pool Hall Crescent. He felt specific solutions were needed for specific areas, such as defined parking spaces.

The Director for City Housing and Environment responded that creating car parking space could be expensive, particularly if there were services in the grass verge. It was important to look at grass verges on a case-by-case basis, considering finance and taking into account any road safety issues.

A Panel Member expressed a concern of costs in changing grass verges. Finding a solution in one area would raise expectations that all of them in the City could be rectified. She did express a concern that when utility companies carried out works on grass verges, they only used grass seed, which tended not to grow. Some grass verges, she was aware suffered from extensive weeds or overgrown grass which was not attractive. The Head of Environmental Services asked for the place details to be passed onto him by the Councillor, so he could investigate the issue. If the details were passed onto him, where the utility companies had not made good the grass verge, he would contact them and ask them to re-seed or re-turf the area.

A Panel Member commented on the importance of enforcement. The Environmental Place Based Development Manager responded that the Council could enforce, the problem was the burden of proof.

A Member of the Panel commented that the majority of their case work related to parking and housing. In the cul-de-sac where she lived there was one person who had 12 vehicles parked outside their house. She had seen some residents place boulders on grass verges to deter parking. This caused her some safety concerns, such as people walking home in the dark who could stumble on the boulder. She felt a good solution was for people to have their own driveways where possible.

The Director for City Housing and Environment referred to Bushbury TMO (Tenant Management Organisation) which had supplied some off-road car parking for residents. Clearly the Council would not be able to afford installing driveways at people's homes.

There was a discussion about what entailed an obstruction on the footpath and the legal position.

A Panel Member commented on the transition of cars to electric power and the need for this to be taken into consideration when addressing grass verges in the future. Electric charge points on residential streets could be the future. The Director of City Housing and Environment responded that 80 new electric charging points were about to be installed in Wolverhampton.

A Panel Member commented on the green agenda and the importance of green space in the absorption of water and therefore the alleviation of flooding. Considering green space for homes in the future was important and how electric cars were charged. Planning for the future was vital, he appreciated the shortcomings of the current legislation in relation to grass verges. He thought the green agenda was a good area to focus on for Scrutiny Board in the future.

A Panel Member referred to the duty in legislation for the Council to maintain grass verges. The Head of Environmental Services responded that they did carry out certain maintenance activity on grass verges when it was appropriate. The Panel Member asked for alternatives and solutions to grass verges where there were particular problems.

10 **Scrutiny Work Programme**

A Panel Member asked if Scrutiny Board Members could be invited to the intended site visit to the National Brownfield Institute, which was listed on the Economy and Growth Scrutiny Panel.

A Member of the Panel asked if there could be an in-depth study on fly tipping in the future at a Scrutiny meeting. The item could consider what other Cities did to combat the problem.

A Panel Member asked if there could be more regular items on the WMCA Interface. He also asked if there could be an item on Levelling Up, which involved speaking to people working in the Department. A Panel Member added it would be good to have a site visit to the Department if possible, to view the new Offices.

11 **Forward Plan of Key Decisions**

The Forward Plan of Key Decisions was considered and noted.

12 **Date of Next Meeting - 24 January 2023**

The date of the next Scrutiny Board meeting was reported as Tuesday, 24 January 2023 at 6pm.