



# Petitions Committee

## Minutes - 30 January 2015

### Attendance

#### Members of the Petitions Committee

Cllr Val Evans (Chair)  
Cllr Arun Photay (Vice-Chair)  
Cllr Judith Rowley  
Cllr Alan Bolshaw  
Cllr Bhupinder Gakhal  
Cllr Daniel Warren

#### Councillors in attendance

Cllr Steve Evans

#### Employees

Laura Gilyead  
Gwyn James  
Kathy Roper  
Martyn Sargeant

Graduate Management Trainee  
Service Manager Strategy  
Head of Young Adults Commissioning  
Head of Democratic Services

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## Part 1 – items open to the press and public

*Item No.*     *Title*

- 1        **Apologies for absence**  
There were no apologies for absence.
  
- 2        **Declarations of interest**  
There were no declarations of interest.
  
- 3        **Minutes of previous meeting**  
Resolved:  
          To approve the minutes of the meeting held on 12 December 2014 as a true record.
  
- 4        **Matters arising**  
There were no matters arising.
  
- 5        **Schedule of outstanding petitions**  
Resolved:  
          That the Street Trading in Piper's Row petition be closed.
  
- 6        **Revised Petitions Scheme**  
Laura Gilyead, Graduate Management Trainee, explained that the Petitions and E-Petitions Scheme is available for all residents on the Council website and is sent out to all lead petitioners on receipt of a petition. She outlined changes made to simplify

the wording and structure of the scheme making it easier for residents to understand how to submit a petition and how the Council would deal with it.

Cllr Val Evans noted that Wolverhampton Homes had a petition committee and asked that the contact details be included in appendix one of the document.

Resolved:

To approve the revised Petitions and E-Petitions Scheme.

## 7 **Prosser Street cul-de-sac parking**

Lead petitioners, Mrs Vera Beddows and Mrs Audrey Yates explained that many problems had arisen where the curb had been dropped in the cul-de-sac to allow for garages and access to gardens. They explained that there were multiple cars per house in the cul-de-sac which made parking difficult. Residents had been advised to park at the end of Prosser Street but they explained this was not appropriate when it was dark as it was a long way to walk. It was explained that former garages in the cul-de-sac were fenced off to be replaced by bungalows. The lead petitioners explained that many cars had been parked on the grass verges under residents' windows.

Gwyn James, Transportation Manager, advised that employees had visited the site since receiving the petition and were aware of parking issues. He explained there was limited space in the cul-de-sac to provide extra parking and that three or four additional spaces could be provided but pipes and cables under the footpath would need to be altered to enable this. This would be expensive and was not included in the existing budget. He explained that this location would be put on a schedule of priority locations for future programmes.

The lead petitioner asked if residents can park in front of another resident's dropped kerb. The Transportation Manager explained that the Police could take action if a car is parked over another resident's dropped kerb.

The Transportation Manager explained that residents are encouraged to provide their own off-road parking however considerations should be made if a property had off-road parking at the front and was also given access at the back. He explained that he would make employees aware of this situation and would check if additional accesses had been approved. He noted that if access had not been granted to a property, the Council could take legal action.

Cllr Bolshaw asked the lead petitioners if additional parking would solve the issues raised. The lead petitioner commented that the problem would never be solved due to visitors and new building work but additional spaces would help.

Cllr Rowley suggested introducing a residents' permit scheme allowing each property one permit. The Transportation Manager explained that a consultation had taken place with a view to introducing a similar system in a different area however residents did not agree to the scheme as it would cost approximately £40 per year per permit to cover issuing costs.

Cllr Gakhal asked if the lead petitioners had any other solutions to the problem. The lead petitioners explained that there was a car park but this was too far away to park and walk.

Cllr Warren asked how many properties had off-street parking. It was reported that no properties in the cul-de-sac had off-road parking.

Cllr Warren asked how many schemes the Council had similar to this. The Transportation Manager commented that there were approximately 100 to 200 similar schemes on the schedule that had been reported. It was noted that before April 2014 there had been a budget for these issues of £40,000 however there was currently no budget.

Resolved:

1. That the consideration of a parking scheme within Prosser Street for inclusion in future works programmes be supported should funding for this type of facility be identified.
2. That a further report be submitted to the Petitions Committee after investigations into access to the back of properties in Prosser Street had been completed.

## 8 **The Future of Old Tree Nursery**

Lead petitioner, Nick Kelleher, explained that the main concern of the petition was the provision for workers' jobs. He commented that many of the workers at Old Tree Nursery (OTN) had been working there for 28 years. He explained that when he had requested the business plan for OTN, it had not been presented to him and that the results of the consultation had been ignored. He commented that the consultation results were restricted on the Council website. He explained that in previous few years, orders of new stock had not been made and so the nursery had been losing customers.

Workers from OTN, Joe, David and Junior, explained that their work at the nursery meant a lot to them. They enjoyed their work and had transformed the site.

The lead petitioner explained that Joe had been on a placement with Street Scene however this had not resulted in a job. He noted that many of the workers had not yet been given the opportunity to trial a new placement.

Cllr Steve Evans and Kathy Roper, Commissioning Team Manager, presented the report in response to the petition.

Cllr Steve Evans thanked the workers for attending and speaking about their concerns. He commented that he had visited OTN to meet the staff and explain that the need for change was due to funding cuts. He explained that OTN makes £15,000 per year however running costs are approximately £275,000. Previously, a grant had been received from government for £79,500 but this had ceased. Cllr Steve Evans was keen to remind petitioners that the original proposal was to close OTN in October 2014 but this had not happened and the Council was looking to avoid closure in the future. He noted that he had received letters from members of staff at OTN outlining other possible outcomes. These had been taken into consideration along with the responses to the consultation.

The Commissioning Team Manager explained that two workers had undertaken work placements with Street Scene and three jobs had, so far, been identified with learning disability provision. She explained that one to one discussions had taken place with each of the workers about their futures.

Cllr Steve Evans explained that the Council had a legal duty to deliver a balanced budget. Grants to the Council had been dramatically reduced. By 2018, the Council would have lost 52% of its funding and so could not continue to work the same as in previous years. He commented that it would have been easier for the Council to close OTN but employees had worked tirelessly to look for alternative solutions.

The Commissioning Team Manager explained a market warming exercise had been initiated to investigate potential possibilities. She explained that OTN was not a service and so the Council had not been looking for an organisation to replicate the current workings but had been looking for other potential uses of the site. Heantun Housing Association/The Accord Group (Heantun/Accord) presented the best options as they proposed to use the site and promote workers with learning difficulties as part of their broader business. Permission had been granted by Cabinet to carry out further discussions with Heantun/Accord.

The Commissioning Team Manager explained that the report to Cabinet on the outcome of consultation on the future of OTN was currently exempt as advised by Legal Services. She commented that publicising the report would be investigated.

The lead petitioner commented that one of the workers had been on a placement as a handy person but had been advised by his line manager at OTN to keep going even though a position would not be made available.

Cllr Steve Evans noted that jobs had been offered as a result of placements and he would not advise a worker to take up a placement if there would be no vacancy at the end. He explained that as part of on-going discussions, interested parties had been asked to consider taking on the remainder of workers.

The lead petitioner expressed concern as section 5.1 of the report suggested that the remaining workforce would be transferred to new management. The Commissioning Team Manager explained that discussions with potential new management would be for like for like jobs. This would be included in their business cases.

The lead petitioner commented that OTN workers currently represent 5-10% of the Council's learning difficulties workforce. He also asked about the future of OTN's support worker. The Commissioning Team Manager explained that they were looking to move the support worker to broader learning disabilities services.

OTN worker, Joe, asked about the future of OTN. Cllr Steve Evans acknowledged the stress and worry this proposal has caused to staff at OTN. He explained that the Council could not give any definite answers at the time as no agreements had been signed and discussions were on-going however these would be directed towards keeping the nursery open and providing alternatives. The Commissioning Team Manager explained that employees would be meeting with Heantun/Accord in two weeks to hear their business case. This would include exactly what would happen to

the site and the workforce. She explained that plans would be clearer at the end of February 2015. She noted that, with advice from HR, the Council would be able to advise how the Transfer of Undertakings (Protection of Employment) Regulations 2006 ("TUPE") would apply. The lead petitioner asked about the situation if not all staff at OTN are kept on under TUPE. Cllr Steve Evans commented that not all trials are successful but the Council would continue to find alternatives for all of the workers.

Cllr Bolshaw asked if all of OTN employees had learning disabilities. It was explained that nine employees had learning disabilities and one had a physical disability. There were two managers who did not have learning disabilities.

Cllr Rowley commented that from the evidence given, the Council was looking for the best possible outcome for all parties involved. She noted that the Council was a listening Council, pursuing moral obligations but also working within the law.

Resolved:

That the proposal to proceed with further discussion with Heantun Housing Association/The Accord Group in relation to their expression of interest for Old Tree Nursery be supported.