

For Attn of :

Chief operating officer.

Newly Elected Scrutiny Panel May 2023

Councillor Philip Bateman MBE (Chair)	Labour
Councillor Ellis Turrell (Vice-Chair)	Conservative
Martin Stevens (Clerk)	
Councillor Valerie Evans	Labour
Councillor Rita Potter	Labour
Councillor Wendy Thompson	Conservative
Councillor Simon Bennett	Conservative
Councillor Susan Roberts MBE	Labour
Councillor Barbara McGarrity QN	Labour
Councillor Jacqueline Sweetman	Labour
Councillor Qaiser Azeem	Labour
Councillor Jacqui Coogan	Labour
Councillor Anwen Muston	Labour
Councillor John C Reynolds	Labour

Following the emergency scrutiny meeting held 2nd May 2023, it was requested to be reconvened by Councillor Bateman as he and other councillors expressed a need to have all background information in order to understand fully the situation raised by WSTG to scrutiny. The request was upheld for it to reconvene to post elections allowing sufficient time to circulate relevant information to the newly elected scrutiny board by WSTG.

We hereby bring to your urgent attention all relevant information for you to review prior to the next scrutiny meeting of 13th June. We have presented it as a paper trail in an endeavor to make it more coherent and understandable on account of the volume of correspondence. We appreciate your patience and cooperation in reading it particularly as some of you are newly elected.

In order for the panel to scrutinize Council's decisions and failings during the course of the public realm work that took place during Phase 1 which was deemed to be November 2021 to February 2023, in actual fact was Nov 2021 – May 2023. Westside Traders Group (WSTG) feel that it has been a gross injustice to businesses of Victoria St, Salop St, Skinner St & School St. in that the council did not provide WSTG businesses hardship relief as promised over 14months ago. We have catalogued correspondence which clearly demonstrates that there is and was justifiable cause for financial hardship since WSTG first presentation to Council

March 2022. We are giving you a true representation of the reality of the situation encountered by WSTG.

Please find attached all correspondence between Council and WSTG which has already been sent to Scrutiny and has been included here for completeness and for you to have all necessary background information to scrutinize.

Background

To put into context, following the appalling way that WSTG was given a directed choice by the Council at a meeting held on 13th March, gave rise to a huge amount of anger and frustration of how businesses had been dealt with in a total demeaning, insulting and inconsiderate way. The consequence of which WSTG realized the economic way of how the truth was being portrayed by the Council and that WSTG businesses and their livelihoods were of very little consequence to the Council. Hence the reason why WSTG wrote into the scrutiny panel to challenge what has been portrayed and communicated to members of the council and cabinet.

In order to understand the chain of events, we have given a timeline presentation of facts to give perspective to the dire strait's businesses find themselves in. See Attachments:

1. **WSTG-Followup-Scrutiny2May23-Detailed-Log-1.pdf**
This covers the correspondence and communication during the period 13th March 2023 to date.
2. **paper trail for scrutiny-Concerns – 1June23.pdf**
This covers the period when WSTG was formed to April 2023
3. **We have forwarded all correspondence inclusive of attachments that has been sent to Cabinet and to Councillors. We apologise if there has been duplication as some of you have received have already received it.**

List of attachments sent :

Response to Council Options-3 4Apr23-2-5ENCS

Enc1-WestsideRetailerMeetingMinutes7Apr22

Enc2-WSTG Subgroup Council Meeting 9.May.22Council

Enc3- STATEMENT-OF-FACT-TO-COUNCIL

Enc4- Public Realm Support Packages for Businesses (Briefing Note) - 15 February 2023

Enc5- WSTG response to Enc4 – Briefing Note 15.Feb.23

Response to Council Options-16Apr-3WSTG-Resp

Enc6- Westside Business Survey 31st Oct 2022

Enc7- Westside traders actions issues update June 28 22

Enc8- Minutes 5th Dec 2022 WSTG-Response To Council

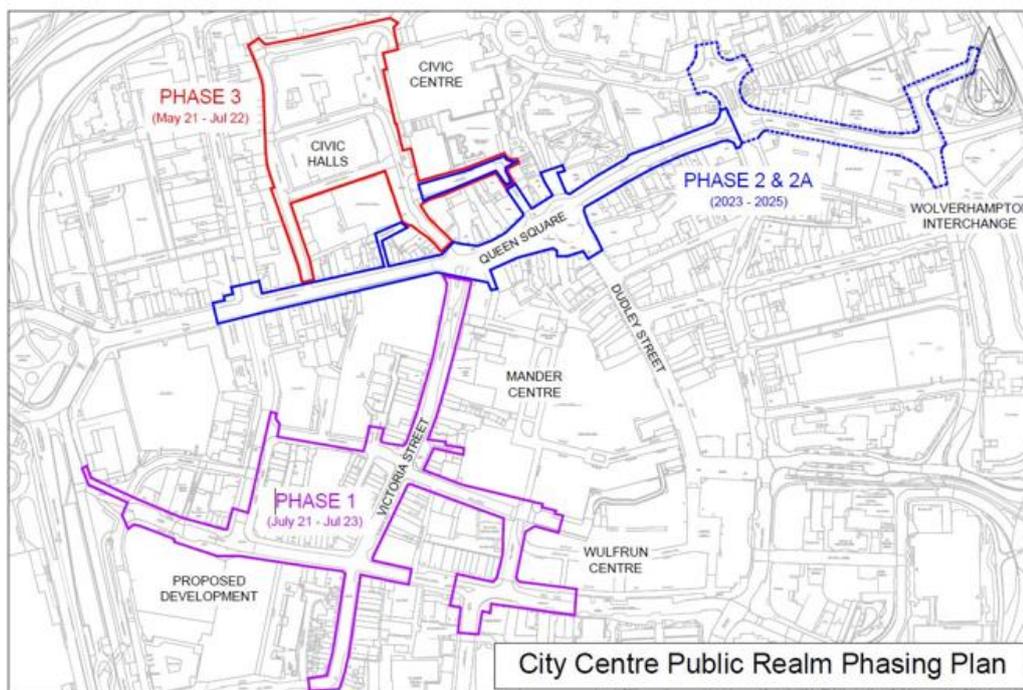
Enc9-BriefingNote27Apr23-Suppleet City Centre West Relaunch Grant
Exceptional Scrutiny Report

Enc10- WSTG-Scrutiny 2May23 - Board Response

Again, we thank you for taking the time to read and understand comprehensively what WSTG have endured.

Whilst the council cannot mitigate the mental stress that they put WSTG through, the aftermath of which businesses are still suffering from and may never recover from. The least the council can do is **mitigate demonstrable business losses**. Bearing in mind following the health check conducted by SCA Management, 11 businesses were found to have demonstrated loss between the 2 comparative windows. Had the realistic window been used, there would have been a greater percentage of businesses showing the real true losses. It was **clearly accepted by the council that financial impact had occurred**, hence an initial payment of £5k was paid to 5 of the 11 businesses as a **business support payment**. As stated by Isobel Woods in her letter dated 26th October, it was for businesses affected during Phase 1 of the works. The actual calculated losses of the health check were never paid to those 5 businesses. **Is this not a legal agreement as it was a provable demonstration of loss that has been validated through the financial health check process?**

Sensitivity: PROTECT



Phase 3 ,2 &2a

The council has shown and demonstrated a diminished responsibility over the consequential impact on businesses of Westside.

WSTG has demonstrated fairness and integrity in their approach to resolve what council created by poor consultation and lack of impact analysis both financially and mentally. All this duress is unnecessary, however, with respect to fiduciary WSTG would not have taken it to this level if the situation did not warrant it. Do the council not have a fiduciary responsibility to businesses as they contribute to the public purse?

It must also be clarified that WSTG are not setting any precedence for other current and future developments. Does the council not have a fiduciary to those customers to allow continued services with minimum disruption.

We take issue with comparison to Bilston Rd as a comparison. An A Road cannot be compared to city centre as business rates model is totally different as are the rents. Yes, disruption to flow of traffic, WSTG has had all of that, together with busses, taxis etc removed permanently. Bilston Rd still has a flow of traffic WSTG doesn't particularly Victoria St.

Prepared for Scrutiny Board Members & Cabinet Members following 2nd May Scrutiny

WSTG have shown transparency, if there had been transparency from council to the Scrutiny panel and its own members, then perhaps it wouldn't have been such a shock to members that WSTG have raised all these issues.

There has to be accountability and measures to put right what has been caused to WSTG businesses. This does not mean a lesson learnt as businesses are still carrying forward their losses, that won't ever be recovered from.

Hence the 5k relaunch should still be offered together with a FINANCIAL HARDSHIP RELIEF based on the realistic window that was suggested Apr21-Dec21 compared to Jan22-Sep22 based on sales turnover and NOT Jan21-Sep21 compared to Oct21-Jun22, where general retail was not open until April and Hospitality much later. The calculated average loss of the 2nd period should then be reflected forward to the date of completed works, which was May 2023 when it should have been February 2023. This is the realistic window. This is particularly relevant for businesses who have already demonstrated losses and had to bear the brunt for whole duration of the roadworks.

The relaunch grant is offered to those who have suffered and includes other businesses new to the area who have not had to endure the hardship but chose to invest in the area knowingly of the works being done whereas WSTG had already been enduring works since November 2021. Where is the fairness? The Re-launch grant also has been expanded to other areas when the issues WSTG raised were to do with Phase 1. Please note we do not begrudge new businesses but are raising an important point of fairness.

We would like a fair and honest resolve on this matter.

This has gone on long enough. What's clear is that there is little understanding or comprehension of businesses and their operations, hence why they had to employ a 3rd person like SCA to understand impact. WSTG don't want to waste any more time in pleading and **demonstrating the true reality of events and losses incurred** by businesses. This is costing and having further impact on not only our livelihoods but on our mental health as business traders.

The financial hardship request is to assist those long-term businesses that have suffered extensively from works throughout the whole period from start to finish. Particularly lower Victoria St/ Salop St/Skinner St, who have suffered the brunt for the duration of the works.

Please note some long-standing businesses have already gone.

Kind Regards

WSTG