

**For Attn of :**

**Chief operating officer.**

**Newly Elected Scrutiny Panel May 2023**

<a href="#">Councillor Jacqueline Sweetman</a> (Chair)	Labour
<a href="#">Councillor Udey Singh</a> (Vice-Chair)	Conservative
Martin Stevens (Clerk)	
<a href="#">Councillor Ellis Turrell</a>	Conservative
<a href="#">Councillor Mary Bateman</a>	Labour
<a href="#">Councillor Philip Bateman MBE</a>	Labour
<a href="#">Councillor Ciaran Brackenridge</a>	Labour
<a href="#">Councillor Claire Darke</a>	Labour
<a href="#">Councillor Jasbinder Dehar</a>	Labour
<a href="#">Councillor Sally Green</a>	Labour
<a href="#">Councillor Celia (CeeCee) Hibbert</a>	Labour
<a href="#">Councillor Harbinder Singh</a>	Labour
<a href="#">Councillor Iqra Tahir</a>	Labour

Following the emergency Scrutiny Board meeting held 2<sup>nd</sup> May 2023, this was rescheduled to convene post elections and is currently scheduled for 13<sup>th</sup> June, we are aware that some of you attended the meeting and are also part of that panel.

We would like to bring to your attention that the issues that we have raised to the Scrutiny Board should be raised at this the Economy and Growth Scrutiny Board as they bear relevance to decisions made here.

Westside Traders Group (WSTG) was set up to represent businesses who have been severely impacted by the roadworks carried out by the Council between November 2021 – May 2023. We have been requesting financial hardship relief since April 2022 and have met regularly with the Council, only to find sheer disappointment in the failings to deliver what WSTG feel were “false promises” made.

It is in the interest of this Scrutiny to understand the economical truth that has been presented to this Scrutiny panel and request for some fairness and justice for the livelihoods of WSTG businesses. It is suffice to say that WSTG have been cooperative to the requests placed upon businesses during various processes of assessment by the council. We are appealing to rectify this unjust situation to this Scrutiny and Scrutiny board which we feel cannot be ignored considering the damage done to businesses and their potential growth and the growth of the area. This panel is also an intrinsic part of approving and scrutinizing decisions made by the Council and its delegates, hence the reason for the need for matters to be addressed here.

We have therefore forwarded all necessary documentation that has been presented to the Scrutiny Board and this document will be an additional enclosure marked as Enc11.

In respect to Economy and Growth Scrutiny Panel there are areas where the panel's responsibility needs to pay consideration to Westside Traders Group in relation to the following functions:-

<b>Responsibility</b>	<b>WSTG Comment</b>
Creating good quality local jobs	This should also include sustaining jobs, especially for established businesses.
Ensuring flexible systems which support local businesses to grow and residents to access good jobs	WSTG feels that this has been considerably lacking as it has been instigated by WSTG and not come from the awareness of the council.
Supporting local businesses to start up, scale up and thrive	Clearly not the case for existing businesses especially as the roadworks may well have inhibited businesses the opportunity to scale up.
Attracting new investment which brings social and economic benefit to all	As several established businesses were forced to close because of the roadworks and the delay in Council providing any kind of financial hardship. This can make the area less attractive to new businesses wanting to invest in.
Creating vibrant high streets with quality culture and leisure offers	Wolverhampton always boasted of its many independents which made it unique. There are far less now than before and this unique "visiting attraction" will disappear as the businesses struggle to mitigate their losses. Over the years what was a vibrant Westside has repeatedly been stripped by poor decisions made by the council for over 12 years. Summer Row, Market moving, Bus Stops, Taxis all moved. With the pedestrianisation/roadworks since Nov 2021 and the lack of consultation/ impact analysis caused major disruption to businesses causing drastic reduction in footfall as a consequence of poor management.
Number of jobs created / safeguarded in the city through the Investment Team	Existing businesses, traders should also have their employees' jobs safeguarded.

<p>Empty properties in the city centre</p>	<p>The pedestrianisation of Westside has added to empty properties as over half a dozen businesses have ceased to trade and others have moved from Victoria St. Some established businesses have suffered irrevocable losses with no financial hardship relief and are hanging by a thread as footfall has been taken away and may not return for a long time.</p>
<p>Business that survive one year in city</p>	<p>With more works planned for Westside, footfall won't return as quickly as people end up going elsewhere. Survivability of established businesses who have demonstrated losses should have their losses mitigated.</p>
<p>% change in? activity in city retail &amp; recreational settings – Google Analytics –</p>	<p>Who reviews this? How will the impact of Westside be measured post pedestrianisation. Additionally moving forward with Bell Box Place? As works have already got underway. How will businesses be supported going forwards realistically. What lessons have been learnt and any impact analysis on existing businesses in area. 2 events have been held in Westside and both were neither advertised well or have the attendance that we would expect. The illusion of successful events being reported is not the reality.</p> <ol style="list-style-type: none"> <li>1. The art fest at start of May was reported to have a few thousand attend – we had a stand and it wasn't that. How can they include football traffic as event success.</li> <li>2. Victoria St Artisan Market – many customers didn't even know about it. No physical banners etc displayed. It was also scheduled on a cup final day.</li> <li>3. Express &amp; Star - Cllr Steve Evans reported around 20 stalls when there appeared to be less with not much variety. It is implied by Cllr Evans with more disruption to come that Council will strive to keep it down to a minimum. We can only</li> </ol>

	hope that disruption is no where near what has already been endured.
Wolverhampton based businesses supported by the Council	Where, who and how are they being supported and is there a qualifying criteria? The experiences of WSTG have not been in the best interest of businesses.

Having gone through past minutes that have been shared on the council website, we would like to bring to your attention some concerns that have come to light which WSTG were unaware of. In particular with what was being communicated about situations from Council to Economy & Growth Scrutiny Board.

**PLEASE NOTE: To make it easier for WSTG to respond to, the text highlighted in red is WSTG take issue with. Our comments about the concern are highlighted in blue.**

**It was easier to include the documented minutes.**

**Economy and Growth Scrutiny Panel - Wednesday, 28th September, 2022 6.00 pm**

The Vice-Chair asked what assurances Officers were able to give that some of the projects highlighted in the presentation would come to fruition. He referred to the West Side Project which had been presented to Scrutiny in the past, but which was no longer going ahead in the form that had been detailed.

The Director of Regeneration with reference to West Side explained that the Council had exhausted all opportunities with the developer Urban & Civic. The project had started with a large capital receipt due to the authority and ended up with Urban & Civic asking the Council to under write a significant amount of funding. This was considered too much of a risk for the organisation. The demand for a hotel had not gone away and the need to develop a new one for the City. A new hotel would require significant investment by the authority, unless a partner could be found to develop one.

Members discussed funding arrangements for regeneration projects in Wolverhampton. The Chair and Vice-Chair asked for an update on this matter at a future meeting.

**WSTG Comment: Was this provided?**

## 6. City Public Realm Works

[To receive a presentation on City Public Realm Works].

### Minutes:

The Temporary Director of City Housing and Environment presented slides on the City Public Realm Works. Phase 1 (Victoria Street) was currently on programme to deliver a new events square to support the Events Programme in the City. Phase 3 (Civic Halls) was currently on programme to deliver a completed scheme for handover to the Civic Halls operator. The project was funded by the Future High Street Fund.

The Temporary Director of City Housing and Environment stated a group had been established which met on a monthly basis to talk to traders about the progress of the works. It also provided feedback on specific issues and sought to obtain their ideas about events the City could hold in the space. Social media provided updates on the works and helped to communicate that businesses were still open. They had secured a business independent advisor to help the Council work with the local business in the area. It had been an intense period of work which had its challenges.

The Chair asked where the project could be improved. The Temporary Director of City Housing and Environment responded that there had been some challenges with engaging with some of the businesses. When works were about to start the City was still in Covid lockdown and some of the messages and leaflets couldn't be sure had been received and read. During the works a large damaged sewer had been identified with a 3 meter void, which needed to be repaired by Severn Trent, meaning that the work programme had to be changed.

**WSTG Comment:** WSTG had raised issues that no evidenced formal consultation took place and this statement by the Temporary Director of City Housing and Environment clearly confirms that there was no follow-up with businesses whatsoever prior to works commencing.

This statement is contradicted by the Director of Housing at the Economy and Growth Scrutiny meeting held 15<sup>th</sup> February, which WSTG were unaware of. It was stated that consultation had taken place. The briefing note [Enc4] produced by Head of Enterprise, Isobel Woods, has also been challenged by WSTG with a formal response [Enc5] presented to Scrutiny Board and now here, both have been enclosed in pack of information.

The Head of Enterprise added that the Independent Business Advisor had helped with the communication. Some businesses had changed hands and there had been new businesses established.

**WSTG Comment** WSTG disagree with above statement, as no real help with communication was received.

Opportunity was given to SCA Management to address and present to the WSTG financial health check sheet and how it should be completed. This was not done.

A Panel Member praised the plans. They asked about car parking for the disabled and the vulnerable in the public realm areas. He stated that there had been problems in Bilston during the WMCA Tram works. He asked why an independent advisor had been employed after the traders had complained because it could have been foreseen there would be problems. He asked if an impact study had been completed before the works commenced. Six months into the works, traders were still struggling and he believed they had not yet received any compensation from the Council for profits lost.

**WSTG Comment:** WSTG agree with this observation of the panel member regarding the impact study, which is what we have been raising to the council to no avail.

Again, it has been highlighted here that an impact study should have been done.

The Temporary Director of City Housing and Environment responded there were plans for parking for the disabled. They had also been working with the traders to ensure they were aware of these plans. There was a liaison Officer employed, but it was true that they had not foreseen the extent of the impact on the traders.

**WSTG Comment:** Temporary Director of City Housing and Environment responded and admitted “they had not foreseen the extent of the impact on the traders”. So why are the council still not accepting financial hardship relief for businesses as being justifiable?

Coming out of a pandemic, switching in retail behaviour and the pandemic meant it was hard to predict the level of impact.

**WSTG Comment:** Why did the council not use government statistics to predict level of impact post pandemic?

The Temporary Director of City Housing and Environment responded there were plans for parking for the disabled. They had also been working with the traders to ensure they were aware of these plans. There was a liaison Officer employed, but it

was true that they had not foreseen the extent of the impact on the traders. Coming out of a pandemic, switching in retail behaviour and the pandemic meant it was hard to predict the level of impact.

**WSTG Comment:** Foremost, WSTG were not aware of the plans but an assumption made (see earlier comment – no consultation) and the disruption it was going to cause. Again, we disagree with the above comment and further state that no one in the Westside area was approached or made aware of them.

The Head of Enterprise acknowledged that a lesson had been learnt on the extent of liaison required with traders for the Public Realm project. Strong robust data and analysis was required on any **level of compensation and support to be awarded to businesses**. The businesses advisor was able to give impartial independent advice to the Council. Any compensation payments needed to go through the correct governance process of the Council.

**WSTG Comment:** If lessons were truly acknowledged why did the council still ignore their own findings and not recognise payment of hardship relief?

What was the impartial advice given to the Council. This clearly identifies that and **makes reference to compensation payments**, yet nothing has transpired merely delaying tactics to avoid paying businesses. WSTG were told not to use the word compensation yet here it is used.

The Temporary Director of City Housing and Environment added that the grant funding allocated to the Council for the **project did not include provision for any compensation payments to businesses**. Sometimes works were scheduled so **shops could maintain access such as late night and early morning working**.

**WSTG Comment:** Does not this show the failings in management and the lack of foresight that a project of that enormity would not have major impact on businesses and why was financial hardship/compensation for businesses not negotiated or provisioned for out of the funds given as a grant. Furthermore, schedule of works, caused the disruption and basically cut off footfall by the sheer number of barriers, poor signage etc which prevented customers from coming into the city.

A Panel Member commented that the feedback he was receiving from businesses within the City as a whole was one of a lack of support from the Council. He asked about the costs of the independent business advisor. The Head of Enterprise responded that a tender process had taken place for the advisor, which was required as they needed to be independent. A local business advisor had been

recruited, 4 of his team had been liaising with the traders. Now European funding was coming to an end, the funding they received to support businesses more generally within the City would change and the criteria on how they could support them. The programme needed to be shaped going forward and work needed to take place with the WMCA. The Shared Prosperity Funding was a key part of the new system. Members asked for a report on the matter to be brought to the Panel at an appropriate time.

Members asked for a report on the compensation and support package to being offered to businesses in the area of the public realm works to be brought back to the Panel when there was a clearer picture.

**Resolved:** That the Panel receives a report on the **compensation and support package** being offered to businesses within the area of the public realm works, when it is clearer as to what is to be offered.

**WSTG Comment:** Did this report get produced and have this panel seen it as it states it has been resolved? In addition, it clearly states compensation and support package so where and what is this compensation and support package?

**Resolved:** That a report be brought to the Panel at an appropriate time regarding funding the Council would receive in the future to support businesses more generally across the City.

**WSTG Comment:** How and when is this going to be communicated to businesses across the city and how will it be assessed with regards to actual provision of support. Who determines this?