

SCRUTINY COMMITTEE - COMMUNITY

2 September 2008

Present:

Councillors Shiel, Branston, Choules, Mrs Danks, Hobden, Newcombe, Newton, R Smith, Taghdissian and Thompson

Director Community and Environment, Head of Leisure and Museums, Head of Contracts and Direct Services, Head of Housing Services, Head of Environmental Health Services, Community Safety Partnership Co-ordinator and Member Services Officer (HB)

Also present:

Councillor Mitchell - Portfolio Holder Environment and Leisure
-
Inspector Janice Bird - Devon and Cornwall Constabulary
Sergeant Graeme Johnston - Devon and Cornwall Constabulary

53 **Chair**

In the absence of the Chair, Councillor D. Baldwin, the meeting was chaired by Councillor Shiel, the Deputy Chair.

54 **Minutes**

The minutes of the ordinary meeting held on 3 June 2008 and the special meeting held on 8 July 2008 were taken as read and signed by the Chair as correct.

55 **Declaration of Interest**

A Member declared the following personal interest:-

COUNCILLOR	MINUTE
Councillor Newton	63 (Employee of the Meaningful Occupation Project (part of Exeter Shilhay Community))

MATTER FOR CONSIDERATION BY SCRUTINY COMMITTEE - COMMUNITY

56 **Community Safety Annual Review**

The Community Safety Partnership Co-ordinator presented the report on the progress of the Exeter Community Safety Partnership in delivering the actions in the Community Safety and Misuse of Drugs Strategy 2005-08. He also detailed the contents of the 2007/08 Annual Report. He reported that crime figures had reduced from 14,332 crimes in 2003/04 to 10,724 in 2007/08.

The following responses were given to issues raised by Members:-

- the performance indicators used had been chosen with regard to local trends and issues and following discussion and negotiation with the Safer Devon Partnership and with reference to the Devon LAA;
- issues relating to drugs were largely picked up by the work of the Devon Drug and Alcohol Action Team;
- the work of the Partnership was published through media interviews and a booklet summarising the Annual Report would shortly be circulated to all households;
- theft from person was at a low level, with many of the crimes such as mobile phone thefts reflecting national trends;
- the Police had started on a process of promoting their community engagement work through the launch of PACT (Partners and Communities Together) and were aiming to have quarterly meetings in each locality to invite residents to share their concerns regarding community safety and to suggest improvements for the community. In the four My Neighbourhood areas, the Police were working in partnership with the City Council. Leaflet drops had been undertaken and street meetings held. It was a flexible initiative rather than focusing purely on meetings and officers had recently knocked on doors to seek public views;
- it was recognised that the Family Intervention Project was of great value by providing early intervention to reduce anti-social behaviour;
- work with the Criminal Justice Board was in its early stages and liaison was taking place with the Partnership;
- conditions on Acceptable Behaviour Contracts and Anti-Social Behaviour Orders were on a case by case basis; and
- the Partnership had helped fund activities such as SPLASH and the Youth Service programme which provided holiday activities for youngsters.

The Chair thanked Inspector Janice Bird and Sergeant Graeme Johnston for their attendance.

(Report circulated)

MATTERS FOR CONSIDERATION BY THE EXECUTIVE

57 New Swimming Pool for Exeter

Councillors Edwards and Winterbottom attended the meeting and spoke on this item having given notice under Standing Order No. 44.

In accordance with Standing Order No. 19, a question in respect of the funding of a new swimming pool had been submitted. The Chair read the question out and replied. A copy of the question had been circulated to Members and was made available at the meeting. The question and the reply from the Chair (in italics) is appended to the minutes.

A Member expressed her concern in respect of the recent press reports relating to the costs associated with the proposal to provide a new pool and other projects. It was noted that these had not been the result of the normal circulation of papers for the meeting of this Committee.

The Head of Leisure and Museums presented the report highlighting serious financial issues affecting the previous decision to build a new pool and recommending a refurbishment of the Pyramids instead. This followed an options appraisal comparing the provision of a new pool with refurbishment. The report also considered further the procurement methods for the chosen option.

Councillor Edwards stated that the Council had resolved earlier in the year to proceed with the construction of a new pool and that Members had been assured that the scheme could be funded. He was surprised that, only a few months later, a decision had been made that there was currently insufficient finance for the project. He did not feel that financial circumstances could change so quickly in a matter of months to make the project unviable. He opposed the proposed refurbishment of the existing pool on the grounds that setting a budget of £2 million for refurbishment which would also include a contingency element was inappropriate as it was quite possible that further additional works would be likely after initial refurbishment. He stated that the facility had been refurbished twice in recent memory, both of which had necessitated the closure of the pool to public use. He believed that works to the existing pool would prove to be a 'bottomless pit' absorbing additional funding over the years.

He urged all political groups to meet to seek a solution to funding a new pool and examine alternative means of raising funds, including the utilisation of a Government fund. He believed that it would be a great shame if a new pool could not be provided, particularly given the renewed interest in swimming following the success of British swimmers at the Beijing Olympics and in the run up to the London Olympics in 2012.

Councillor Winterbottom also opposed the proposal to abandon the construction of a new pool. He stated that the Pyramids was nearly 70 years old and therefore not fit for purpose as a modern facility. Increasing its period of use by potentially 20 years was unacceptable and he wondered if any future Lord Mayor of Exeter would one day attend a centenary celebration of the facility. He referred to recent success at the Olympics and to the building of a 50 metre swimming pool at Plymouth at a cost in the region of £44 million. He stated that the facilities at the Pyramids were basic, the changing rooms in particular being poor in quality and were often cold in winter. He urged the Committee to request the Executive not to refurbish the Pyramids but to proceed with the original decision to provide a new pool.

In response to a Member, the Director Community and Environment advised that the Council's Asset Management Group actively managed all of the Council's assets and income generated from these was already included within the Council's overall budget.

A Member referred to the great demand for a new pool and felt that after the proposed £2 million had been utilised on the refurbishment programme it was likely that further problems would come to light. He suggested investigating a partnership approach on the same lines as the Science Park, that is, with the University and Devon County Council. The Head of Leisure and Museums advised of previous discussions with the University, who had expressed their preference for a pool on the campus. He was not aware of any other funders. In response to a Member, he confirmed that the proposed refurbishment works were largely to meet health and safety requirements but that the works would not completely satisfy disability legislation. Advice had been received that the roof did not require as much work as originally anticipated.

Another Member was surprised that the situation in respect of the pool funding had changed and suggested an approach to the South West Regional Development

Agency or major companies with a view to obtaining financial backing and sponsorship.

Another Member referred to minor problems of noise reported by the neighbours of the Pyramids that had been resolved by Pyramids staff. He stated that although a small number of residents had expressed concerns regarding parking at Clifton Hill, the majority of Newtown residents had responded enthusiastically to the plans for a new pool. He felt that a further report on valuations associated with the proposed scheme was necessary and that Ben Bradshaw MP should be lobbied with a view to identifying potential funds to help with the cost of a new pool. He also suggested virement from other Council budgets to help funding. He referred to the clubs who used the Pyramids and stated that some 500 people used the facilities on a daily basis. He believed that all would benefit from a move from the outdated facilities. He circulated copies of news cuttings from the 1930's as well as statistics comparing the cost of construction in that era with current prices. He also compared pool provision in towns similar in size to Exeter.

Other Members pointed out that, although a new pool would be of great benefit to the City, the costs were currently prohibitive. One Member hoped that the financial position could change in two to three years time when the potential for building a new pool could be revisited. Another Member recognised the validity of the suggestion of approaching potential funders such as the RDA or private sponsors as a potential option in three to five years time. She supported refurbishment as the way forward for the present but also supported investigations into ways of attracting funding for the future.

Scrutiny Committee - Community did not support the report and requested Executive to:-

- (1) rescind the decision to build a new swimming pool at Clifton Hill;
- (2) close the Pyramids Swimming Centre;
- (3) re-affirm the decision to build a new swimming pool; and
- (4) arrange for a meeting to be held between the Portfolio Holder for Environment and Leisure, the four group leaders, the Chair and Deputy Chair of this Committee, officers and users for further consideration to be given to the location and funding of a new swimming pool.

(Report circulated)

58 **Topsham Museum**

The Head of Leisure and Museums presented the report clarifying the status of Topsham Museum with respect to its custody of the Council's building and collection.

Members expressed their appreciation for the work of the Topsham Museum Society.

Scrutiny Committee - Community supported the report and requested Executive to:-

- (1) support a three year funding agreement with Topsham Museum Society to be concluded in time for the 2009/11 funding round;

- (2) agree to the payment to the Museum of an annual grant being equivalent to the premises rent and the cost of insurance in return for the Society maintaining an accredited museum;
- (3) agree to the Council absorbing the additional future cost of the insurance over and above that granted, the cost to be £4,155 for 2007/08 and £1,074 for 2008/09;
- (4) support future increases in insurance costs being funded by the Council through additional budget provision; and
- (5) thank Topsham Museum Society for its excellent work in maintaining a free access museum with high standards and being shortlisted for the Art Fund prize for its recent developments.

(Report circulated)

59 **Leisure and Museums Strategy**

The Head of Leisure and Museums presented the report on the Leisure and Museums Strategy adopted as a draft in 2007 which had been subjected to wide consultation and broadly welcomed and supported.

Scrutiny Committee - Community supported the report and requested Executive to approve the formal adoption of the Leisure and Museums Strategy.

(Report circulated)

MATTERS FOR CONSIDERATION BY THE SCRUTINY COMMITTEE - COMMUNITY

60 **Installation of Play and Leisure Facilities at Kings Heath Park**

The Head of Leisure and Museums presented the report providing Members with a detailed understanding of the development of the Kings Heath play site.

In response to a Member, he advised that there were a number of ways in which the Council worked to ensure that play facilities are provided as part of a new development including:-

- asking for money from the developers for the work to be undertaken by the Council;
- requesting the work to be done prior to the occupation of a certain number, or all, of the houses; and
- adopting a robust approach through the planning process and taking developers to court where they have failed to meet the requirements of the legal agreement.

Scrutiny Committee - Community noted the report.

(Report circulated)

61 **Review of the Council's Arrangements to Respond to Noise Complaints**

The Head of Environmental Health Services presented the report setting out progress on the adoption of an action plan to improve responses to noise complaints.

Members thanked Council officers for their quick and efficient responses when noise problems had been reported. The following responses were given to issues raised by Members:-

- staff had received abuse when responding to complaints;
- there was close liaison with the University through developing an accreditation scheme with the Council and the University was actively addressing problems associated with noise caused by students. It was seeking to improve the management of student lets and adopting a more rigorous disciplinary position. It was also adopting an improved follow up process when complaints were received;
- there was close liaison between the Community Patrollers and the Police. The former had discretion with regard to the nature of the response to a call but did not currently work beyond midnight. On occasions, some dozen calls could be received in a short period which could not all be responded to at the same time. In these instances, complaints were investigated to build up a picture of the problems reported; and
- it was recognised that publicising the role of the Community Patrollers was helpful so that the public were more aware of the service in respect of noise problems.

Scrutiny Committee - Community noted the improvements to the Council's noise service and the further improvements under development.

(Report circulated)

62 **2008 Review of Recycling Plan 2006-2011**

The Head of Environmental Health Services presented the report updating the Committee on progress with the Recycling Plan since its approval in 2006 and seeking ongoing support from Scrutiny for recycling initiatives.

He advised that the policy of seeking to reduce contaminants in bins had recently received wide media coverage in the national press and Sky News.

The following responses were given to issues raised by Members:-

- the Regulation of Investigatory Powers Act provided Council's with powers of surveillance but no covert action was currently initiated by the Council;
- Exeter was in the middle of the performance table of Devon authorities for waste recycling because other authorities collected organic waste separately but was highest in terms of dry recyclates (glass, paper, plastics, tins and cardboard);
- further consideration would be given to the provision of "no dumping" signs in back alleys;
- the cost of the planned Waste to Energy plant was to be met by the County Council;
- regular meetings were held with County Council Waste Management officers in respect of the re-cycling centre at Marsh Barton. Issues relating to the re-

use of items which could be repaired would be taken up with the County Council;

- the City Council had considered doorstep collections of organic waste but this was an option that had been discounted at present due to the difficulties this posed in an urban area, the City Council's promotion of home composting and green waste collection and the advent of the planned Energy from Waste Plant at Marsh Barton, which would effectively deal with this waste; and
- a doorstep collection of glass had been considered but discounted at present due to the success of the City's "bring-sites", the risk of cross-contamination to other recyclates and the cost of setting up such a service.

Scrutiny Committee - Community:-

- (1) acknowledged the positive progress made by the Council in implementing the Recycling Plan; and
- (2) supported the Recycling Plan and the accompanying action plan pending the review of the Recycling Plan.

(Report circulated)

63 **Draft Trees and Woodland Strategy**

The Head of Contracts and Direct Services presented the report setting out the draft Tree and Woodland Strategy for the City.

Members noted the proposal in the strategy to address the low number of street trees in Exeter and for emphasis to be given to ensuring that the planning process fully reflected the aims and objectives of the strategy.

Scrutiny Committee - Community accepted the Draft Tree and Woodland Strategy and the action plan prior to further consultation.

(Report circulated)

64 **Homelessness Decisions Affecting Vulnerable People**

Councillor Newton declared a personal interest as an employee of the Meaningful Occupation Project (part of Exeter Shilhay Community).

The Head of Housing Services presented the report setting out the housing options and advice provided to vulnerable homeless applicants to whom the Council had no duty under Part VII of the Housing Act 1996, as amended by the Homelessness Act 2002.

In response to a Member, he advised that although the legislation provided 21 days to appeal against a decision relating to housing, in practise, officers adopted a lenient approach given the difficult circumstances of the clients. For example, the 21 day period was calculated from the day an individual collected the letter from the Customer Services Centre rather than the date the letter would have been dispatched to their known address. In respect of the homeless, the location of an individual was often known to Street Homeless Outreach Team workers.

Scrutiny Committee - Community noted the procedures that had been put in place.

(Report circulated)

65 Housing Strategy 2007 - 2012

The Head of Housing Services presented the report updating Members on progress in meeting the targets set out in the revised Housing Strategy 2007-12.

In response to Members, he confirmed that the draft Local Development Framework contained a proposal to increase the affordable housing requirement for development to 35%. It was not felt that this was presenting a disincentive to developers. Indeed, some were now seeking to progress with affordable housing provision in order to utilise Government grants and thus maintain their workforce until the market improved. Some were offering to increase social housing provision above that agreed in the planning permission.

Commenting on problems reported in relation to the Codrington Mews development, the Head of Housing Services advised that Housing Associations were subject to Housing Corporation standards and that the City Council also sought to ensure that policies were consistent across the City. The Strategy covered the needs of gypsies and travellers and 12 pitches had been identified across Exeter for these groups. He advised that the Council did meet the Government target of housing homeless families within the six week deadline.

With regard to the recently announced Government measures to combat the credit crunch and potential increase in house repossessions, the Council would examine the package of new measures available including the mortgage to rent initiative. Although the Council had insufficient funds to purchase additional land for housing, it was seeking partnership developments on land already in its ownership for housing provision.

Scrutiny Committee - Community:-

- (1) noted the progress being made towards achieving targets set out in the Housing Strategy 2007-12 Action Plan; and
- (2) noted the effects of the market downturn on the delivery of aspects of the Housing Strategy and supported the additional actions set out in the Action Plan to respond to these conditions.

(Report circulated)

PERFORMANCE MONITORING

66 Community Services - Stewardship to 30 June 2008

The Director Community and Environment presented the report advising Members of any major differences by management unit to the revised budget.

The Scrutiny Committee - Community noted the report.

(Report circulated)

67 **Housing Revenue Account Stewardship to June 2008**

The Director Community and Environment presented the report on major differences by management unit to the outturn forecast for the first three months of the financial year up to 30 June 2008. During this period, the total of the variances indicated that there would be a net surplus of £127,010, of which £27,010 would be transferred to the working balance at 31 March 2009 and £100,000 would be used to increase the Revenue Contributions to capital works, increasing the working balance to £2,875,601.

The Scrutiny Committee - Community noted the report.

(Report circulated)

68 **Progress Update - Environmental and Climate Change Strategies**

The Director Community and Environment presented the report outlining the progress made by the Council in terms of implementing the action plans of both the Environmental and Climate Change Strategies.

Scrutiny Committee - Community:-

- (1) noted progress made to date;
- (2) supported the Council reaffirming its commitment to manage and continually improve its own sustainability performance;
- (3) supported the Council continuing to work in partnership with other organisations within the City and with the community to tackle climate change and improve the quality of life in the City; and
- (4) requested the submission of progress reports to this Committee on an annual basis.

(Report circulated)

69 **Corporate Environmental Performance Indicators - Results and Progress**

The Director Community and Environment presented the report setting out information on the Council's corporate environmental performance indicators for the period 2007/08. The specific indicators under consideration were:-

- the reduction in the total quantity of paper resources used by the Council;
- the purchase of recycled paper;
- the reduction in waste produced from the Civic Centre;
- the reduction in carbon dioxide emissions within the Council; and
- the reduction in water consumption at the Civic Centre.

Scrutiny Committee - Community:-

- (1) noted the results for paper use, purchase of re-cycled paper, waste production, carbon dioxide emissions and water consumption;
- (2) requested that the targets be kept under review; and

- (3) asked for a further report to be submitted to this Committee in 12 months time.

(Report circulated)

70 Local Government (Access to Information) Act 1985 - Exclusion of Press and Public

RESOLVED that, under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the consideration of the following item on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Part I, Schedule 12A of the Act.

71 Leisure and Museums Restructure

The Head of Leisure and Museums presented the report providing further information relating to the proposals for cost savings in the Leisure and Museums Unit:-

Scrutiny Committee - Community noted the report and requested Executive to agree:-

- (1) the termination of the employment of the holder of the post of Community Outreach Manger (CE 12121) on the grounds of redundancy as from 31 March 2009, the postholder to be paid a compensation payment in accordance with the discretion exercised by the Council under the provisions of the Local Government (Early Termination) (Discretionary Compensation) (England and Wales) Regulations 2006 and that his post be deleted on that date;
- (2) the immediate deletion of the post of Play Development Manager (CE 12122), savings from this year's budget of £27,100 inclusive of on-cost to be used to fund the extension of the post of Temporary Countryside Ranger (C3 12236) with the remainder to be used to assist the funding of the costs of redundancy and early retirement of the Community Outreach Manager;
- (3) the extension of the post of Temporary Countryside Ranger (CE 12236) from 11 December 2008 until 31 March 2009;
- (4) the extension of the post of Part-time Splash Holiday Co-ordinator (CE 12205) to 31 May 2009 with subsequent deletion, with the Splash scheme to be terminated at that point unless external funding for the post has been identified; and
- (5) a new staffing structure for the Leisure and Museums Unit, as set out in the report, with effect from 1 April 2009, with the Head of Leisure and Museums authorized to transfer services and functions as appropriate during the rest of this financial year.

(Report circulated to Members)

The meeting commenced at 5.30 pm and closed at 8.35 pm

Chair

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QUESTION FROM MEMBER OF PUBLIC

UNDER STANDING ORDER NO.19

SCRUTINY COMMITTEE - COMMUNITY - 2 SEPTEMBER 2008

QUESTION FROM KEVIN MOORE RE: SWIMMING POOL

- 1 Has the aspect of funding from an educational, health and sports point of view been examined if the Council were to build a new pool on Exhibition Field near the Arena Stadium ? For in the locality and in walking distance are many schools that would benefit from such an arrangement.**

Answer

The prospects for attracting external funding were considered when the initial research was being carried out for the pool, as were the advantages of different sites. Although the government has recently announced a very limited capital grant scheme for swimming pools, available to those councils which agree to join the schemes for free swimming for the over 60's and children, officers believe that it will be heavily over-subscribed and that only a small amount will be given to each applying council. Officers are not aware of any other schemes in the educational, health or sports sectors which would be of any assistance in building a new pool, wherever it was sited.

The Exhibition Fields site is very large, but the car park is used to its capacity on those occasions when the Arena hosts major events. The rest of the space is made up of playing fields, and any development would probably mean serious problems for the other sports users. This emerged when officers were re-checking the options for the report on today's agenda. Although Exhibition Fields is near a number of schools, the Council's original intentions were that a new pool should be as near to the City Centre as possible, because the majority of use is not school related.

- 2 Would there also be savings in closing the Northbrook Swimming Pool and The Pyramids if this were to happen ?**

Answer

Savings from closing the Pyramids have already been taken into account in calculating the net costs of a new pool. There would be additional savings of approximately £60,000 (current contract prices and rates) from closure of the Northbrook Swimming Pool, but no opportunity for a capital contribution, since the City Council does not own either the building or the land.

