

## SCRUTINY COMMITTEE - COMMUNITY

7 June 2011

### Present:

Councillor Kevin Mitchell (Chair)

Councillors Thompson, Branston, Bull, Choules, Clark, Crow, Hobden, Morris, Mottram, Newcombe, Tippins and Wardle

Director Community and Environment, Head of Leisure and Museums, Head of Contracts and Direct Services, Head of Environmental Health Services, Acting Head of Housing Services, Museums Manager, Housing Needs Manager and Member Services Officer (HB)

### Also present:

Councillor RM Hannaford - Portfolio Holder for Housing and Community Involvement

Councillor Sheldon - Portfolio Holder for Environment and Leisure

### 31 **Minutes**

The minutes of the meeting held on 8 March 2011 were taken as read and signed by the Chair as correct.

### 32 **Declaration of Interests**

Members declared the following personal interests:-

<b>COUNCILLOR</b>	<b>MINUTE</b>
Councillor Newcombe	35 (Devon County Councillor and Chair of the County Council's People's Scrutiny Committee)
Councillor Morris	42 (husband employed by UCATT)
Councillor Choules	46 and 48 (employed by the University of Exeter)

### 33 **Questions from the Public under Standing Order 19**

In accordance with Standing Order No. 19, a question from Ms B.James in respect of the supply of rented accommodation from the private sector was put, to which the Portfolio Holder for Housing and Community Involvement responded. A copy of the question had been circulated to Members and was made available at the meeting. The question and the reply from the Portfolio Holder for Housing and Community Involvement (in italics) is appended to the minutes.

A Member stated that a number of private landlords had experienced difficulties in respect of benefit claimants and that this could prejudice the availability of private housing for rent. He requested that a report be submitted to a future meeting of the Committee on ways of improving the system. Members were informed that it was not possible to change the system locally as it was a national scheme. The Housing Needs Manager also stated that advice given to tenants of private properties by Council officers was in accordance with the Homelessness Code of Guidance.

A motion that a report be submitted to the next meeting was put to the vote and lost.

The member of the public asking the question responded to the points raised.

Scrutiny Committee - Community agreed that the answer be noted.

#### 34 **Questions from Members under Standing Order 20**

In accordance with Standing Order No. 20, a Member asked for an update on progress in appointing a permanent Head of Housing Services together with a supplementary question on progress on the overall staff restructuring. The Portfolio Holder for Housing and Community Involvement advised that preliminary discussions on restructuring proposals had been held with group leaders and that further information could therefore be obtained from the respective leaders.

#### 35 **Portfolio Holders' priorities for the forthcoming year**

Councillor Newcombe declared a personal interest as a Devon County Councillor and the Chair of the County Council's People's Scrutiny Committee.

Together with an update in respect of priorities for 2010/11, Councillor Sheldon presented the priorities within the Environment and Leisure Portfolio for the forthcoming year. Both reports are attached to these minutes.

The following responses were given to Members' questions:-

- although graffiti could be required to be removed from public buildings, bus shelters etc., it was only possible to remove these from private property with the owners' consent. In some cases, the expense was considerable and therefore a charge was made;
- solutions to address problems associated with the accumulation of rubbish in back alleys would be actively pursued;
- means of further improving recycling rates would be investigated including potential schemes for improving glass collection. Because of the associated costs, any proposals for glass collection would be reported to this Committee;
- in conjunction with the University, additional waste collections were being arranged for the end of term period in key areas. There would be community collections on 11 and 23 June 2011 with additional domestic collections scheduled for the period 13 June - 1 July. The University were proactively assisting in educating students in the collection regime. Similarly, schemes for the other end of term periods would be examined; and
- the provision of additional play equipment and the protection from vandalism of existing equipment had been identified as priorities.

Together with an update in respect of priorities for 2010/11, Councillor RM Hannaford presented the priorities within the Housing and Community Involvement Portfolio for the forthcoming year. Both reports are attached to these minutes.

The following responses were given to Members' questions:-

- the reduction of empty properties was a priority and the empty homes team had been restructured to this end. Empty Dwellings' Management Orders were a possible avenue for bringing empty properties back into use where informal approaches had failed;
- the 30 year business plan for housing would take into account the new Council Housing Finance reform and an interim report with indicative figures would be

submitted to the next meeting of this Committee in September, with final figures likely to be known in the New Year;

- the affordable housing target for 2011/12 was 150;
- improved dialogue with other housing providers would be a further target as would continuing partnership work with other agencies such as the Police within the neighbourhood management policy;
- negotiations were ongoing with the County Council in respect of continued housing support within the Supporting People framework for older persons' housing related services;
- because of the potential for further harsh winter weather, provision for rough sleepers would be re-assessed;
- dialogue with developers would continue as an important aspect of maximising opportunities for the provision of affordable housing with a view to seeking different structures for their provision; and
- in the same way as liaison meetings with social landlords and tenants were central to housing management practice, consideration would be given to establishing similar dialogue with residents of the City's four Residential Park Homes sites.

Scrutiny Committee - Community noted the achievements and priorities presented.

### **MATTERS FOR CONSIDERATION BY EXECUTIVE**

#### **36 Food Law Enforcement Plan 2011/12**

The Head of Environmental Health Services presented the report informing Members of the Council's performance against the previous year's Food Law Enforcement Plan and seeking approval for the adoption of the Food Law Enforcement Plan 2011/12 which set out the Council's regulatory function in respect of food safety over the forthcoming year.

He responded as follows to Members' queries:-

- establishments which posed an immediate threat to food safety could be and had been closed by visiting Environmental Health Officers. During an inspection, where a number of issues had been identified, those with the greatest priority were identified for early action;
- although there was a structured risk-based programme for visits by officers, all inspections were undertaken without prior notice. Exeter compared well with other areas and compliance rates were above 97%;
- in respect of the food hygiene rating system (FHRS), establishments could ask for a further inspection after two months. They could also post their own comments on the FHRS web-site;
- recent inspections of food stalls, etc., had been undertaken at both Exeter City FC and Exeter Chiefs; and
- food safety courses were an important intervention tool and a recent course for child minders had proved very successful, reducing the need for inspection of low risk premises.

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

- (1) approval of the Food Law Enforcement Plan 2011/12, which included the revised Food Safety Enforcement Policy; and

- (2) authorisation of the Head of Environmental Health Services to change the Enforcement Plan, as necessary, in the light of centrally issued guidance and/or to meet operational needs.

(Report circulated)

### 37 **Health and Safety Service Plan 2011/12**

The Head of Environmental Health Services presented the report seeking approval of the Health and Safety Service Plan for 2011/12 which set out the Council's performance over the past year, proposals for requiring health and safety in businesses for the forthcoming year and included a revised health and safety enforcement policy.

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

- (1) the approval of the Health and Safety Service Plan 2011/12, which included the Health and Safety Enforcement Policy; and
- (2) authorisation of the Head of Environmental Health Services to change the Enforcement Plan, as necessary, in the light of centrally issued guidance and/or to meet operational needs.

(Report circulated)

## **MATTERS FOR CONSIDERATION BY SCRUTINY COMMITTEE - COMMUNITY**

### 38 **Cost of Reverting To Weekly Residual Refuse Collections**

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

The Head of Environmental Health Services presented the report setting out an estimated cost of returning all households to a weekly residual collection and highlighting associated implications.

Councillor Winterbottom referred to the Special Meeting of this Committee held on 11 January 2011 as a result of the difficulties in refuse collection experienced over the Christmas period due to weather conditions at which he had proposed a Council tax increase of £2 a month to meet the extra cost of reintroducing a weekly collection. He enlarged on this suggested solution, the £2 relating to a Band D household with increases of £1.78 and £1.56 for Band C and D properties respectively also proposed, as he believed that C and D properties were largely terraced properties which would benefit most from weekly collections. He also stated that such an increase would represent approximately 1.6% of the total Council tax paid. With the introduction of a waste to energy plant he maintained that, as there would be less landfill, there would be a reduction in disposal costs.

He felt that weekly collections would have environmental benefits as such a regime was more suitable to temperate climates such as the UK and stated that the National Association of Pest Controllers had identified an increase in rats in urban areas over recent years, partly attributable to the increase in household waste. He also stated that there should be an associated small increase in employment opportunities and that the Government was in favour of weekly collections. He requested that a survey

be undertaken via the Exeter Citizen on increasing the Council Tax on the basis suggested to fund the reintroduction of a weekly collection.

The Head of Environmental Health Services confirmed that research had shown substantial increases in recycling associated with an alternate weekly collection. A £2 a month increase in Council Tax would still equate to an increase of nearly 20% for City Council tax payers, which would far exceed the Government cap on Council tax rises. In addition, there would still be significant costs to the Council tax payer associated with the gate fee payable for waste taken to the waste to energy plant.

There was support from some Members for a survey. One Member suggested that environmental improvements would be most noticeable in those properties where black bins were collected from back alleys. Here, rubbish was sometimes left out for up to 10 days, one of the associated problems being difficulty of access for those with bicycles and prams. Other Members opposed the proposal and stated that the majority of the top 30 recycling Councils and, all in the top 10, operated an alternate weekly collection regime and that recycling rates were higher when residual collections were every two weeks. He also stated that the media often focussed on bad news stories. A Member queried the accuracy of any survey undertaken in the manner suggested, stating that she had experience in such surveys and a newspaper survey would only attract a 5% return at most, with any returns being dominated by the “motivated disgruntled”, rather than the satisfied majority. Reference was made to the proposal in the Localism Bill for local authorities to pay EU fines which could apply if the level of biodegradable landfill material did not meet EU standards.

The motion to undertake a survey was put to the vote and lost.

Scrutiny Committee - Community noted the report.

(Report circulated)

### 39 **Temporary Accommodation Review and Strategy**

The Acting Head of Housing Services presented the report informing Members of the Council’s plan to continue the reduction in the use of Temporary Accommodation for homeless people.

He enlarged on how the initial reduction in numbers had been achieved and referred to the pressure which had contributed to the Council seeing an increase in demand and why the prediction was for future increases in demand. Members were advised of the breakdown in the budget following cuts in Supporting People funding and informed that discussions were continuing with the County on how to maximise the service, in particular for older persons. Further details were provided on those defined as in “priority” housing need and on the rough sleepers’ counts.

Scrutiny Committee - Community noted the report and supported the actions proposed.

(Report circulated)

40 **RAMM's Temporary Exhibition Programme 2011/12**

The Museums Manager presented the report setting out the importance of the exhibition programming to a successful opening and detailing the upcoming programme for 2011/12.

A Member felt that, on opening, the museum should include regular exhibitions by Exeter residents and local artists. The Museums Manager responded that, each year, there would be an open invitation and fixed date for artists and artist groups to send in their proposals which would be considered by RAMM's programming group supported by an external panel of advisors. She went on to confirm that the staff would consult with the Portfolio Holder on exhibition policy generally as the newly refurbished museum re-established itself.

Scrutiny Committee - Community noted the report.

(Report circulated)

**PERFORMANCE MONITORING**

41 **HRA Capital and Revenue and AIM Property Maintenance Out-Turn 2010/11**

The Head of Contracts and Direct Services submitted a report detailing the fourth quarterly/outturn report, covering the period from January to March 2011 (but including updated figures at 21 April 2011). It included the financial position of the £7.6 million programme of reactive and planned property maintenance and refurbishment at the end of 2010/11 and covered revenue funded housing and non-housing schemes as approved by Council for the financial year 2010/11 and budgets for schemes rolled forward from 2009/10. Where necessary, the report also provided specific details on significant programme variations.

Scrutiny Committee - Community noted the outturn financial position and works in 2010/11, as detailed in the report.

(Report circulated)

42 **AIM Property Maintenance Proposed Programme 2011/12**

Councillor Morris declared a personal interest as her husband was employed by UCATT.

The Head of Contracts and Direct Services presented the report detailing the proposed programme of property asset related project work in relation to the budgets set in 2011/12 in respect of reactive and planned maintenance, improvement and refurbishment to housing and non-housing properties and other projects to be monitored by the Asset Improvement and Maintenance (AIM) group in 2011/12.

He advised that the permanent kitchen and bathroom replacement had not yet been put in place.

Scrutiny Committee - Community noted the programme of property asset related work for 2011/12, as detailed in the report.

(Report circulated)

43 **Annual Results of Performance Monitoring 2010/11**

The Director Community and Environment presented the report advising Members of performance at the end of the year on a range of services across the Directorate.

Scrutiny Committee - Community noted the report.

(Report circulated)

44 **Housing Revenue Account - Final Accounts 2010/11**

The Director Community and Environment advised Members of the overall financial performance of the Housing Revenue Account for the 2010/11 financial year ended 31 March 2011.

Scrutiny Committee - Community noted the report.

(Report circulated)

45 **Revenue Final Accounts - Community 2010/11**

The Director Community and Environment advised Members of the overall financial performance of the Community and Environment Directorate for the 2010/11 financial year ended 31 March 2011.

The Scrutiny Committee - Community noted the report.

(Report circulated)

**MATTERS FOR CONSIDERATION BY EXECUTIVE**

46 **Changes to Community Patrol Service and Control Centre**

Councillor Choules declared a personal interest as an employee of the University of Exeter.

The Head of Environmental Health Services presented the report seeking approval for the restructuring of the Community Patrol following a review of the activities and resources of the Patrol. The Committee resolved to discuss that part of the report that was not exempt in open meeting.

The Head of Environmental Health Services responded to Members' queries. With regard to the statistical information on complaints received, he advised that, whilst a general picture of anti social behaviour could be built up, including that of transient noise, this comprised a whole raft of different requests covering domestic and all commercial premises as well as open spaces. It was therefore not practicable for the information to be used when Licensing Hearings considered premises licences. In response to a question about relocating the Community Patrol base, he explained how the Community Patrollers would organise their transport to and from work.

One Member felt that the proposal was retrogressive. Another was concerned that the proposal to retract the overall service was inappropriate when there was an active night-time economy. The Chair referred to transient noise such as that occurring when the nightclubs were emptying and that, as such, it was possible to trace noise problems back to an individual premises and he asked how that would be dealt with in the future. The Head of Environmental Health Services replied that with

chronic noise problems from either commercial or domestic venues, monitoring would be carried out by means of digital noise recording devices (MATRONS) and programmed monitoring by Environmental Health Officers.

Reference was made to the spike in complaints at the beginning of October associated with the return of students to the City. It was proposed that consideration be given to providing extra cover for this period.

Scrutiny Committee - Community:-

- (1) requested further consideration of the proposed shift pattern with a view to increasing after hour cover by moving the shift to 23.00 hours to 24.00 hours every day of the week for the whole of the October period when a greater number of student-related problems were being experienced; and
- (2) subject to (1) above, supported the report and requested Executive to approve the proposed re-structure of Community Patrol resources and the proposed hours, as set out in the report.

(Report circulated to Members)

**47 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 items on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 1 of Part I, Schedule 12A of the Act.

**48 Changes to the Community Patrol Service and Control Centre**

Councillor Choules declared a personal interest as an employee of the University of Exeter.

The Head of Environmental Health Services presented the report seeking approval for the restructuring of the Community Patrol following a review of the activities and resources of the Patrol.

Subject to Min. No. 46 above, Scrutiny Committee - Community supported the report and requested Executive to approve the proposed re-structure of Community Patrol resources and the proposed hours, as set out in the report.

(Report circulated to Members)

**49 Restructure of the Housing Enabling and Empty Homes Team**

The Acting Head of Housing Services presented the report seeking approval for the restructure of the Housing Services Unit's Enabling and Empty Homes Teams to create a new Housing Development Team.

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

- (1) approve the deletion of the posts of Empty Homes Partnership Manager and Empty Homes Partnership Officer [CE06118 and CE06182] from the establishment of the Council, the employment of the holders of these posts to be terminated on the grounds of redundancy on 30 September 2011 with



compensation being paid to the holders of the posts 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;

- (2) approve the new structure as outlined in Appendix II of the report, to be implemented in accordance with the Council's Organisational Change Policy, and for any displaced employees to be confirmed as redundant; and
- (3) where, despite all efforts, notice of redundancy is confirmed and suitable alternative employment not found, those employees with two or more years' service be paid a compensation payment upon employment termination 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.

(Report circulated to Members)

The meeting commenced at 5.30 pm and closed at 9.15 pm

Chair