

## SCRUTINY COMMITTEE - COMMUNITY

5 June 2007

### Present:

Councillor Margaret Baldwin (Chair)

Councillors Robson, Bond, Branston, Choules, Mrs Danks, Mitchell, Moore, Newton and Winterbottom.

Director Community and Environment, Head of Leisure and Museums, Head of Contracts and Direct Services, Head of Housing Services, Head of Environmental Health Services, Principal Accountant (SR) and Head of Housing Services Officer (HB).

### Also present:

Councillor D. Baldwin - Portfolio Holder Housing and Social Inclusion  
Councillor Boyle - Portfolio Holder Environment and Leisure

### 30. **Minutes**

The minutes of the meeting held on 27 February 2007 were taken as read and signed by the Chair as correct.

### 31. **Declarations of Interests**

Members declared the following personal (\*prejudicial) interests:-

<b>COUNCILLOR</b>	<b>MINUTE</b>
Councillor Bond	36 (works in food industry)
Councillor Moore	39* (is on Homechoice register)

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

### 32. **Portfolio Holders to present the priorities for the forthcoming year.**

Councillor D. Baldwin presented the following priorities within the Housing and Social Inclusion Portfolio for the forthcoming year:-

- to work to maintain Exeter's top position in the South West for the per capita provision of new affordable homes for rent and shared ownership, to prevent as much homelessness as possible and to further reduce the number of households in temporary accommodation;
- to build on the successful implementation of the licensing provisions of the Housing Act 2004 having licensed nearly 700 houses in multiple occupancy;
- to train all private sector and Council grant staff in the Housing Health and Safety Rating System;

- to build on the award of over £1 million in grants to less-well-off home-owners and people with disabilities and to help to keep their homes fit to live in;
- to build 100 new affordable homes across the City and seek funding for future years;
- to further reduce the number of households in temporary accommodation below 220;
- to work with the elected Tenants' and Leaseholders' Committee to give residents from across the City a greater say in the management of their homes;
- to conduct a full Tenant Census and use the findings to ensure services are tailored to an individual's needs;
- to continue to work towards the Decent Homes standard and continue the bathroom replacement programme;
- to further increase the energy efficiency of the City's homes;
- to continue regular neighbourhood inspections and include residents in drawing up action plans for improvement;
- to undertake a mock inspection of the housing landlord services to help improve the quality of services provided;
- to further reduce void turnaround times by using a void incentive scheme to reduce the cost of rubbish removal from empty properties; and
- to use a range of incentives to encourage better behaviour and to ensure improved rent payments from tenants.

The following responses were given to Members' questions:-

- housing associations, through joint meetings etc. were encouraged to adopt policies similar to those of the Council on the management of anti-social behaviour;
- the private sector housing team comprised five staff members and had licensed over 600 higher-risk houses in multiple occupation as part of Mandatory HMO Licensing. Licensing required the Council to carry out a full premises inspection within a five-year period using the new Housing Health and Safety Rating System (HHSRS). In the previous quarter, 20 improvement notices and one emergency renewal action notice had been issued by officers in response to poor conditions found; and
- various methods were used to identify landlords (e.g. land registry searches, council tax and housing benefits records). Although it was more difficult to deal with landlords not resident in the Exeter area, the Council was still able to take appropriate action. Officers had identified a growing problem with overcrowded dwellings, particularly in relation to migrant workers. However, the Council had new powers to address such overcrowding.

Councillor Boyle presented the following priorities within the Environment and Leisure Portfolio for the forthcoming year:-

- continue to maximise recycling opportunities and increase the recycling rate to a minimum of 35% by the end of the year, with a target of 40% by 2010;
- investigate the setting up, within the existing trade-waste collection service, of a recyclable collection in order to maximise recycling opportunities to trade customers;
- undertake a “responsible smokers” campaign by providing public information and more cigarette bins and working with the commercial sector to ensure a smooth implementation when the public-smoking ban comes into force in July 2007;
- construct new public toilets at the Matford and Honiton Road Park and Ride sites, to include disabled and baby-changing facilities;
- continue to respond positively to the provisions of the Clean Neighbourhoods and Environment Act 2005 by actively enforcing the new dog control orders, littering legislation and the alarm notification area for the City;
- work with Devon County Council to draft the City's Air Quality Action Plan for the new air quality management area;
- work towards obtaining a Local Act of Parliament to enhance powers to control unregulated street trading;
- to build a new swimming pool to replace the Pyramids. It is believed that a city centre site will give optimum accessibility for all Exeter residents, be family-friendly, include other related facilities and provide a pleasant area for social interaction after swimming;
- seek to provide another temporary ice rink in the city centre over the Christmas period;
- open the Ark (the new museum store) and move the contents of RAMM to it so that the refurbishment and extension can begin;
- begin a major programme of projects and events during the closure of the main RAMM building, to include *West Exe: A Sense of Place*, which will produce an on-line gallery, temporary exhibitions in the Guildhall, schools and libraries and start to tour with *RAMM in a Van*;
- start a new programme of public education and interpretation events in the Valley Parks;
- create new parks at Summerway, Wyvern and Digby, all with play areas and teen facilities, plus other new and refurbished play facilities;
- develop the *Free Play City* project to include increased numbers of Play Rangers, improved marketing of the City’s free play facilities and activities and develop improved trails and activity areas in valley parks;
- reincorporate the old Orchard Adventure Playground into Mincinglake Valley Park;
- Floodlight the Flowerpot Chill Zone;
- apply to the Heritage Lottery Fund to renovate Rougemont and Northernhay Gardens;
- manage the Equal Opportunities Programme set for 2007/8 to improve access at Council sites; and
- refurbish Hamlin Lane and King George V changing rooms to improve facilities for users.

The following responses were given to Members' questions:-

- a report on the potential of the Clifton Hill site for a new swimming pool would be presented to the next meeting of the Committee;
- the Licensing Team undertook enforcement work over the Christmas period in respect of street traders in the High Street and prosecutions had been pursued where possible. Those traders with peddler's licences and who used a stand with wheels were exempt from action under the relevant legislation; Ben Bradshaw MP had been asked to lobby with other local authorities for the introduction of a Private Act of Parliament to introduce tighter controls.

Members referred to concerns that there was an increasing problem in respect of dog fouling in the City and that additional resources were necessary to ensure that owners picked up after their dogs. It had been suggested that there were insufficient bins in certain areas of the City and one Member felt that additional bins could be provided as part of new housing developments through the Section 106 process. Members were advised that over the last eight months around 160 fixed penalty notices had been issued and a number of prosecutions successfully undertaken in respect of dog fouling. A review of bin location and use was to be undertaken in July and consideration was also being given to training the Community Patrollers to enforce in this area of work. Current Cleansing resources were at capacity with an average of 60 bins emptied daily and the waste deposited at the North Devon land fill site. It was suggested that a working group be set up to examine the issues raised in respect of the collection and disposal of dog waste.

Scrutiny Committee - Community supported the setting up of a Dogs Working Group to comprise Councillors Choules, Mrs Danks, Newton, Robson and one other from the Conservative Group.

### 33. **Exeter Free Play City : A Play Strategy for Exeter 2007-10**

The Head of Leisure and Museums presented the report recommending adoption of the Play Strategy by the Council.

The adoption of a revised Play Strategy had been one of the requirements of funding play schemes through the Big Lottery Fund. The mechanism for support was a baseline figure of £200,000 to each authority together with a population and needs based allocation. Exeter's allocation had been £231,000 out of a total sum of £160 million. Some authorities had been unable to submit bids because of insufficient resources and voluntary bodies had therefore been invited to bid. A structure had been set up so that all young people and participants could have a voice for play and the Exeter Play Association had been reformed which was meeting quarterly. After consultation with the Association, the following schemes had been submitted to the Big Lottery Fund, funding support having recently been confirmed:-

- (a) Playing the Environment - Play Ranger Project - £160,055 over three years;
- (b) Playing with the Imagination - Community Artists project - £51,000 over three years; and

(c) Playing for Real - Environmental Play Project - £20,000.

The Head of Leisure and Museums described how the strategy would lead to more adventure play facilities and that this brought an element of risk. However, the intention was to encourage children to learn how to recognise and deal with risk as it was widely acknowledged that facilities had become bland and boring.

Responding to Members' questions, the Head of Leisure and Museums reported that the Play with the Imagination scheme would cover three age groups from different social backgrounds but targeting wards with the highest elements of deprivation. There would be a focus on activities relating to nature and use would be made of the scrapstore resources.

In targeting the 12-19 age group and building on the provision in the last few years of skateboard parks at Flowerpot and Exhibition Fields, some 3/4 additional multi games play areas would be provided offering activities such as 5 a side football, basketball etc. in locations away from houses but with an element of overlooking. In addition, "Teen Shelters" would be constructed offering dry areas for youngsters to meet and additional BMX areas provided.

Scrutiny Committee - Community supported the Play Strategy and requested its adoption by Executive.

(Report circulated)

**34. Review of the Environmental Strategy**

The Head of Environmental Health Services presented the report setting out the Council's Environmental Strategy summarising the results of the public consultation exercise and highlighting the changes that had been made to the strategy as a result.

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

- (1) approve the Environmental Strategy;
- (2) ensure that the general progress towards meeting the aims of the Strategy are monitored on an annual basis and reported to this Committee; and
- (3) ensure a commitment is made to undertaking a full review of the Strategy in five years time (2011/12).

(Report circulated)

**35. Draft Climate Change Strategy 2010-17**

The Director Community and Environment presented the report setting out a draft Climate Change Strategy for Exeter.

Councillor D.J. Morrish attended the meeting and spoke on this item having given notice under Standing Order No. 44. He had submitted the following Notice of Motion to Council on 20 February 2007 which had been referred to this Committee:-

*"That this Council accepts its responsibilities for meeting the challenge posed to our society by the impact of Climate Change and therefore resolves that:-*

- (1) the Executive and Scrutiny Committees give urgent consideration to the appointment of a Climate Change officer who will occupy a senior position and have overall responsibility for Climate Change Policy; and*
- (2) the Climate Change officer will:-*
  - (a) in co-operation with other Council officers be responsible for advising Members on the policies, both international and national, which are already in place and this Council's expected and necessary response;*
  - (b) advise Members on the targets we need to achieve and monitor our performance; and*
  - (c) report to each regular meeting of the Executive and submit an annual report to Members."*

He felt that climate change presented serious and urgent challenges and expressed regret that the problems now being faced had not been taken more seriously in the past which he felt had been due to the lack of public appreciation of the scale and nature of the developing problems and the absence of any single responsible body.

He believed that the steps set out in the report did not offer sufficient urgency. For example, the proposal to undertake a review of the strategy should be undertaken much sooner than the ten years proposed. He felt that allocating duties relating to climate change to a range of officers rather than appointing a Climate Change Officer was the wrong approach and he asked that consideration of appointing a dedicated officer should be revisited in 12 months time. He also felt that an item on climate change should be included on the agenda for every meeting of Executive. These views would be reported to the next meeting of Executive.

Another Member also thought that the proposal to review the strategy in 10 years time was too long and questioned the proposal to spread the work on this issue amongst a number of officers. Another Member felt that an individual champion on climate change issues was an appropriate way forward. A further Member felt that employing a dedicated climate change officer might be an inappropriate use of resources at this stage.

The Director reported that she would be undertaking the co-ordination of work of the various officers who would be working on Climate Change matters and that a spread between different individuals was appropriate at this stage particularly given the different areas of expertise available across the Council. For example, some climate change issues could be related to the planning function where appropriate controls were available. The Strategy Action Plan would be reviewed annually. The allocated

sum of £25,000 would be utilised to buy in expertise and use would be made of the University in this respect. She confirmed that the Portfolio Holder for Environment and Leisure would be the Council champion on this issue.

Other Members referred to traffic congestion which, notwithstanding climate change, also contributed to health problems in the City. A Member suggested that further measures were necessary to reduce reliance on car usage and that part of the problem was the high bus fares in the City. It was noted that transport related matters fell within the remit of Scrutiny Committee - Economy.

A Member proposed that a Working Group be set up to examine the feasibility of appointing a Climate Change Officer for a further report to be made to this Committee on the financial implications.

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

- (1) approve the draft Climate Change Strategy, including the target for carbon reduction;
- (2) agree a supplementary budget of £25,000 to fund the work set out in the report;
- (3) after consultation on the draft strategy, to consider the final strategy and action plan in January 2008;
- (4) ensure that the general progress towards meeting the aims of the Strategy be monitored on an annual basis and reported to this Committee;
- (5) ensure a commitment being made to undertaking a full review of the Strategy in 10 year's time;
- (6) request Council to sign up to Fair Shares Fair Choice; and
- (7) agree to the establishment of a Working Group to consider the appointment of a Climate Change Officer.

(Report circulated)

### 36. **Service Plan for Food Law Enforcement 2007/08**

Councillor Bond declared a personal interest in this matter as he was employed in the food industry.

The Head of Environmental Health Services reported that the Food Standards Agency Framework Agreement required the Council to produce a Service Plan for Food Law Enforcement referred to as the Enforcement Plan. The Enforcement Plan had the key aim of demonstrating how the Council would fulfil its statutory obligations in respect of its food safety service. Members' approval was sought for the adoption of the Enforcement Plan.

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

- (1) adopt the Service Plan for Food Law Enforcement 2007/08; and
- (2) authorise the Head of Environmental Health Services to make appropriate changes to the Enforcement Plan in the light of centrally issued guidance and/or to meet operational needs.

(Report circulated)

**37. Private Sector Housing Renewal Policy 2007/08**

The Head of Environmental Health Services presented the report seeking specific changes to the Private Sector Housing Renewal Policy in order to address local needs, as identified in the on-going private sector house condition survey, with particular regard to achieving the Government's target for decent homes in the private sector.

The following responses were made to Members' questions:-

- the changes to the Private Sector Housing Renewal Policy were being advertised through press releases, articles in the local press and other marketing methods;
- although the grants offered covered the removal of items from loft spaces to encourage the uptake of loft insulation, the Council did not take possession of the loft contents; and
- eligibility for support was means tested and therefore excluded well off individuals. The condition of the house was also important in determining the applicability of grant support e.g. a renovation grant would only be given in relation to a house in poor repair.

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

- (1) adopt the changes to the Private Sector Housing Renewal Policy outlined in the report;
- (2) ensure the monitoring of the expenditure of the single pot allocation with the proposed financial allocation to each of the schemes proposed or further schemes being developed with the approval of the Portfolio Holder for Housing and Social Inclusion; and
- (3) ensure the review of the policy annually, or sooner if necessary, in order to ensure that it addresses local needs and/or Government policy.

(Report circulated)

**38. Approval of Health and Safety Service Plan 2007/08 and Smoke Free Enforcement Policy**

The Head of Environmental Health Services reported that under the Health and Safety at Work etc. Act 1974, the Council had a duty to ensure it made adequate provision for health and safety regulation in its area. The Health and Safety Commission (HSC)



also required the Council to produce a Health and Safety Service Plan detailing the Council's programme for regulatory responsibilities in its area. The report sought approval of the plan for 2007/08 and support for the change of emphasis in the Council's approach to health and safety regulation following on from its signed agreement of the Statement of Intent for partnership working with the Health and Safety Executive (HSE) in October 2005.

The report also sought support and approval of a policy to enforce the provisions of the Health Act 2006 in relation to smoke-free areas.

With regard to the forthcoming smoking ban in enclosed spaces and workplaces, officers were aware of the potential for noise nuisance from customers who step outside licensed premises for a smoking break. Although information and guidance had been given to licencees to reduce this problem any complaints would be investigated and dealt with by statutory nuisance or licensing conditions as appropriate. Some licencees were considering the provision of smokers' shelters in beer gardens, etc. and these should be positioned at least 1.5 metres away from the main building (so as not to be deemed enclosed public spaces). Most licence conditions would not prevent someone leaving a licensed premises where there was no shelter and returning after smoking.

Officers were also aware of the potential increase in smoking-related litter on the streets. The Council currently provided dedicated cigarette bins and "stub-out" panels on many litter bins. Premises could provide their own bins, but smokers also needed to be encouraged to take responsibility for their habit and ensure they dispose of their litter appropriately - the take-up of cheap portable personal ash-trays would assist.

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

- (1) adopt the Health and Safety Service Plan 2007/08;
- (2) adopt the draft Smoke-Free Enforcement Policy, subject to any necessary minor amendments;
- (3) amend the Scheme of Delegations for the Head of Environmental Health Services and appropriate officers to be authorised to act under the provisions of Chapter 1 of the Health Act 2006 and the Smoke-Free Enforcement Policy; and
- (4) authorise the Head of Environmental Health Services to approve any subsequent revision or amendments to the Smoke-Free Enforcement Policy in light of Government guidance and operational needs.

(Report circulated)

### 39. **Annual Review of Exeter Homechoice**

Councillor Moore declared a prejudicial interest as he was on the Homechoice register and left the meeting during consideration of this matter.

The Head of Housing Services presented the report seeking a number of policy changes to the Exeter Homechoice policy.

Scrutiny Committee - Community supported the report and requested Executive to adopt the changes to the Exeter Homechoice Allocation Policy as outlined in the report.

(Report circulated)

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

### **40. Gas Policy for Council Housing**

The Head of Housing Services presented the report seeking support for the new policy and procedure for dealing with the servicing and repairs to gas appliances and associated pipework within the Council's housing stock.

In response to a Member, he advised that it was not presently the policy to provide carbon monoxide detection systems although combined fire and carbon monoxide systems were on the market and could be examined to test efficiency. Carbon monoxide alarms were likely to be effective if located near the source of leaks rather than in communal areas which were where fire alarms were normally located. Wherever possible, gas appliances were being removed with the introduction of central heating systems and it was noted that problems had occurred where there were appliances in rooms used by residents as bedrooms. Care was taken with portable calor gas heaters although the greatest problem with these was condensation. He reported that advice on gas safety was included in literature provided to tenants, a review of which was currently being undertaken.

Scrutiny Committee - Community supported the new Gas policy for Council Housing.

(Report circulated)

### **41. Review of Cultural Strategy**

The Head of Leisure and Museums presented the report on progress in the implementation of the Cultural Strategy during 2006/07.

He outlined the changes made following the review and advised that further changes would result from the review of the Vision Strategy in order to link to its objectives. It would also be important to tie in to the aspirations of an emerging regional strategy for the cultural infrastructure of the South West requiring co-operation and synergy at a sub regional (Exeter and the Heart of Devon) level and to ideas emerging from the Cultural Olympiad to be launched after the Beijing Olympics for the four years up to the London Olympics. The outcome of the bid for Unitary status would also be crucial.

Members were advised that the result of the application to the Heritage Lottery Fund for a major project to enhance Rougemont and Northernhay Gardens would be known in September. A Member supported the policy of free swimming for under 18's in

school holidays and another sought assurances that full support would be given to the Barnfield Theatre.

Scrutiny Committee - Community noted the report.

(Report circulated)

42. **Temporary Staff at the Royal Albert Memorial Museum**

The Head of Leisure and Museums updated Members on the current staffing arrangements of the Royal Albert Memorial Museum (RAMM) and advised of a series of delegated decisions which had culminated in the present structure.

In response to a Member's questions, he advised that the Museum would close to the public in December 2007 with work commencing in Spring 2008 for 14 months for completion in 2009. The RAMM would be re-opened to the public in 2010. Staffing levels would not change during closure with staff working on removing materials, undertaking outreach work and preparing interpretative information and other work for the new displays in preparation for re-opening.

Scrutiny Committee - Community noted the report including the temporary appointment decisions.

(Report circulated)

43. **Revenue Final Accounts - Community 2006/07**

The Director Community and Environment advised Members of the overall financial performance of the Community and Environment Directorate for the 2006/07 financial year ended 31 March 2007.

The Scrutiny Committee - Community noted the report.

(Report circulated)

44. **Housing Revenue Account - Final Accounts 2006/07**

The Director Community and Environment advised Members of the overall financial performance of the Housing Revenue Account for the 2006/07 financial year ended 31 March 2007.

The Scrutiny Committee - Community noted the report.

(Report circulated)

## **PERFORMANCE MONITORING**

45. **AIM Property Maintenance Outturn Report 2006/07**

The Head of Contracts and Direct Services submitted a report detailing the fourth quarterly/outturn report, covering the period from January to March 2007 (but

including updated figures at 16 May 2007). It included the financial position of the £13.3m programme of reactive and planned property maintenance and refurbishment and both Revenue and Capital schemes as approved by Council for the financial year 2006/07 and budgets for schemes rolled forward from 2005/06. Where necessary, the report also provided specific details on significant programme variations.

The Scrutiny Committee - Community noted the outturn financial position and works in 2006/07 as detailed in the report.

(Report circulated)

**46. AIM Property Maintenance Proposed Programme 2007/08**

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 2007/08 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 2007/08. The programme took account of those similar project works and budgets rolled forward from financial year 2006/07.

The Scrutiny Committee - Community noted the programme of property asset related work for 2007/08, as detailed in the report.

(Report circulated)

**47. Performance Monitoring**

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.

The following responses were provided in respect of Members' queries:-

- improvements had been made to the length of stay in temporary accommodation and the average length of stay was 20 months; and
- the criteria for counting rough sleepers was set by the Government and financial support was dependent on targets being met. A multi agency approach had been adopted and much valuable work was being undertaken by the Street Homeless Outreach Team. The number of people attending St Petrocks and selling the Big Issue was not an accurate reflection of the true street homeless picture as the majority of these individuals were currently being housed.

The Scrutiny Committee - Community noted the report.

(Report circulated)

The meeting commenced at 5.30 pm and closed at 8.00 pm

Chair