

SCRUTINY COMMITTEE - COMMUNITY

15 January 2008

Present:

Councillor M Baldwin (Chair)

Councillors Robson, Bond, Branston, S Brock, Choules, Mrs Danks, Mitchell, Moore, Newcombe, Newton, Shiel and Winterbottom

Director Community and Environment, Head of Leisure and Museums, Head of Housing Services, Head of Environmental Health Services and Member Services Officer (HB).

Also present:

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

1. **Minutes**

The minutes of the meeting held on 6 November 2007 were taken as read and signed by the Chair as correct.

2. **Declaration of Interests**

No declarations of interest were made.

3. **Half yearly reports of Portfolio Holders**

Councillor D Baldwin presented the following progress on priorities within the Housing and Social Inclusion Portfolio:-

- **On target to achieve 120 affordable homes**, either through new build schemes, property acquisitions or partnerships with the private sector.
- **Quarter 2 figures show 224 households in temporary accommodation.** The target of 220 households in temporary accommodation should therefore be met by the end of March 2008.
- **The new tenants and leaseholds committee (TALC)** has been elected and formally constituted. They are now starting work and undergoing training to increase their capacity and obtain new skills.
- **Tenant census** has achieved over 65% returns following three separate mailings. Data has been loaded onto the housing management system and the data is being used to tailor services to individual needs.
- **The Decent Homes and Exeter Standard programmes are continuing on target** to make major improvements to the housing stock. New systems have

been put in place to closely monitor the programme and ensure annual targets are achieved.

- **Neighbourhood inspections** have now reached the end of the first year. Many areas have shown considerable improvement. As a result some areas will have less frequent inspections to allow new areas to be brought on board.
- **The mock housing inspection of landlord services was undertaken** during the first week of October. The recommendations made by the inspectors are now being reviewed and prioritised to help service improvement plans for the next 3-4 years.
- **Void turnaround times** remain at around 23 days and whilst this is still a good level of performance, it has proved difficult to improve on this. This is mainly due to the success of the downsizing scheme which has resulted in a higher number of family properties than expected becoming vacant, many of which require considerable work to bring them up to standard.
- **The appraisal of incentive schemes** is not due to start until the fourth quarter of the year. It is hoped that a first report will be submitted in September 2008.
- **HMO Licensing** - The mandatory licensing of high risk houses in multiple occupation (HMOS) has made good progress with 800 properties currently licensed and approximately 25 being processed. This number represents 98% of the estimated 840 mandatory licensable HMOS in Exeter.

Councillor Boyle presented the following progress with priorities within the Environment and Leisure Portfolio:-

- **Recycling** - rates continue to be high, with improvements in the amount of material being recycled rather than land-filled. Initiatives such as street sweeping, recycling and the pilot trade waste recycling scheme have assisted. The amount of recycled material collected should achieve the 35% target by year end.
- **Trade Waste Recycling** - this pilot scheme was successfully introduced in October 2007 to over 500 trade customers and initial results show a good level of recyclates being collected (18 tonnes of cardboard and paper for recycling after the first 17 days).
- **Smokers** - a comprehensive scheme of visiting and issuing information packs to businesses in the City helped ensure a smooth introduction of the smoking ban. There had been very good compliance with a low number of complaints being reported. Twelve dedicated smoker bins had been installed in the City Centre, Heavitree and Whipton shopping areas to help reduce the impact of smoking related litter.
- **New toilets** - the new Matford Park and Ride Toilets were opened in November 2007 complete with an innovative rain-water harvesting system. The Honiton Park and Ride toilets are due to commence construction in the New Year.

- **Clean Neighbourhood and Environment Act 2005** - the provisions of the Act have been successfully implemented. The number of fixed penalty notices issued for littering and dog related offences is approximately 500 this year, together with 30 successful prosecutions. As well as the litter enforcement officers and environmental protection assistants carrying out patrols, fixed penalty notices are also being issued by the community patrollers. The alarm notification area has been introduced with approximately 600 of the estimated 1,000 dwellings with alarms having registered with the Council.
- **Air Quality Action Plan** - the air quality action plan has been drafted and will be subject to consultation in the New Year.
- **Unregulated Street Trading** - the status of streets within the City has been reviewed and new designations drawn up to give tighter control of street trading. In relation to sham pedlars, a more robust approach has been adopted in association with the Police and this has seen a significant drop in the number of sham pedlars in the High Street. This approach, together with tighter controls has, for the time being, reduced the need for a Local Act of Parliament.
- **Application to Heritage Lottery Fund to renovate Rougemont and Northernhay Gardens** - the application was withdrawn because the scheme criteria changed. Money that would have been spent developing the bid is to be used on improving these parks.
- **Equal Opportunities Programme to improve access at Council sites** - a number of projects, particularly relating to allotments, have been started with the remainder to come on stream. Money will be spent by the year end.
- **Refurbish Hamlin Lane and King George V changing rooms to improve facilities for users** - King George V changing rooms upper storey are fully refurbished. Hamlin Lane changing rooms are to be refurbished in the summer closed season.
- **New pool** - agreement achieved to site, scope and budget.
- **Temporary ice rink** - this was much improved over last year. More than 26,000 used the rink compared with 29,000 over a longer period in 2006.
- **Open the Ark** - there has been a successful handover of the building with snagging under way.
- **Major programme of museum events** - A Sense of Place is now functioning and the website goes public shortly. The library gallery is occupied for fitting out. The temporary exhibitions programme is planned.
- **Valley Parks education and interpretation** - 17 events were held from April to October together with 6 talks, 11 conservation days, plus a 5 day conservation holiday. 1,589 people have been involved in total so far this year.

- **Free Play City programme** - rangers have been appointed and a winter programme of regular park sessions set up and flagged on the website. A number of special events have been held, including Halloween.
- **Reincorporation of the former Orchard Adventure Playground into the Valley Park** - buildings and fences have been removed with basic landscaping to be completed by March. Community consultation on seats etc. is to start in the New Year.
- **Investing in Volunteers** - RAMM had received an award for the work of volunteers, the first in the City and one of only five nationwide to museums.

The following responses were given to Members' questions:-

- glass and bottle collection from pubs is treated as trade waste and owners required to meet the costs;
- the German Market had proved beneficial to the existing street traders in Castle Street and it had attracted the public to the Ice Rink. No complaints had been received in respect of the mulled wine bar which had operated in a professional manner. A Member remarked that two of the three traders had reported that trade had remained at a status quo position during this period with the third advising that trade had been down 10% due to inclement weather; and
- 210 tonnes of recycling waste had been collected during the week after Christmas compared with 180 tonnes for an average week, indicating that the encouragement given to increasing public commitment to recycling had been a success.

The reports of the Portfolio Holders were noted.

4. **Community - General Fund - Estimates/New Capital Bids/Fees and Charges**

The Director Community and Environment presented a report on the Community Revenue Account Estimates and Fees and Charges, which outlined the strategic framework within which the estimates had been prepared, changes in accounting practices which affected all budgets and gave detailed reasons for major changes in the Management Unit estimates. Detailed schedules of the capital programme for Community were also attached to the report.

The following responses were made to queries raised by Members:-

- adjustments to the capital programme and deferral of schemes had occurred partly as a result of committing to the construction of a new swimming pool which will be a major scheme to fund;
- the reduction of £45,000 in 2008/09 and 2009/10 to equal opportunities improvements reflected the fact that a substantial programme had already been achieved in this area. The need to balance the overall programme had resulted in the deletion of the Exwick Cemetery boundary fencing scheme and a reduction in investment in general open space improvements such as

toilets and allotments, again an area where there had been significant investment in improvements in recent years;

- items which had been put forward for deletion from the programme, could be considered again at the next spending round for inclusion in future programmes;
- the use of the skateboard park was monitored and visits were made by Community Patrollers. Floodlighting was not considered a health and safety priority. This scheme and the provision of CCTV cameras at the Triangle Car Park could be assessed for consideration for inclusion in future programmes;
- the annual City Council budget of £80,000 for play area improvements had not changed. The additional £120,000 in 2008/09 related to extra funds likely to result from Section 106 Agreements;
- the proposed reduction of £110,000 towards energy projects over three years has been replaced by £500,000 funding for the Local Authority Carbon Management Project and, in addition, the levy on parking charges would provide further funds for projects to save energy in properties/businesses etc.;
- free swimming for children had been provided over a two year period only. Funding would now focus on other play initiatives such as play rangers, improvements in provision for BMX riders etc.; and
- enforcement officers issued fixed penalties notices in respect of littering during the weekday with Community Patrollers issuing them in the evening and weekends. Enforcing against litterers late at night in the City Centre posed a far greater problem. Those responsible were often intoxicated making any enforcement difficult and dangerous in such a volatile situation. The Police had advised that they would struggle to support enforcement officers in these situations due to their officer commitment to maintaining public order within the City Centre at night. In addition, a fixed penalty notice should not be served on intoxicated individuals. The Chair asked if this issue could be considered by the Community Safety Partnership.

The Scrutiny Committee - Community supported the draft Revenue Estimates for 2008/09 and Fees and Charges for approval by the Executive.

In accordance with Standing Order No. 43, Councillors Mrs Brock, Mitchell, Newton and Newcombe requested that their names be recorded as abstaining in respect of this recommendation.

(Report circulated)

5. Community - Housing Revenue Account - Estimates/New Capital Bids/Fees and Charges

The Director Community and Environment presented a report on the Housing Revenue Account Estimates and Fees and Charges, which outlined the strategic framework within which the estimates had been prepared, changes in accounting practices which affected all budgets and gave detailed reasons for major changes in the Management Unit estimates. Detailed schedules of the capital programme for Housing were also attached to the report.

The Scrutiny Committee - Community supported the draft Revenue Estimates for 2008/09 and Fees and Charges for approval by the Executive.

(Report and Community and Housing Estimates and Fees and Charges circulated)

6. **Scrutiny Issues**

The minutes of the meeting of the Working Group held on 26 November 2008 were received.

Scrutiny Committee - Community supported:-

- (1) the creation of a Trees Working Group with a membership of Councillors Mrs Danks, Mitchell, Robson and Winterbottom, the first meeting to be held at 3pm on Monday 28 January 2008; and
- (2) the creation of the following groups with membership as indicated, dates of the first meetings to be circulated in due course:-
 - (a) Toilets - Councillors Mrs Danks, Moore, Newcombe and Shiel;
 - (b) Re-cycling - Councillors Mrs Danks, Newcombe, Robson and Winterbottom; and
 - (c) Review of Sports Provision - Councillors Branston, Bond, Choules, Mrs Danks, Newton and Robson.

(Minutes circulated)

7. **Housing Rents 2008/09**

The Head of Housing Services presented a report recommending a rent increase from 1 April 2008 for council dwellings.

In response to a Member, the Head of Housing Services confirmed that rent convergence was a requirement by the Government for both local authorities and housing associations. However, the date for full convergence to be achieved had now been put back to 2016/17.

The Scrutiny Committee - Community noted the report and recommended Executive approve that rents of Council dwellings are increased from 1 April 2008, by an average of 5.7%, which includes a general increase of 3.9% together with the phased introduction of the Government's rent restructuring proposals.

(Report circulated)

MATTERS TO BE CONSIDERED BY EXECUTIVE

8. Provision and Management of Dog Waste Bins

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

The Chair presented the report setting out the key findings of a member working group in relation to improving the provision of dog waste bins within the City and reducing the contamination of land by dogs.

The working group had considered the following key issues:-

- examining existing provision and identifying changes in bin capacity and collection rate to better meet need;
- determining a methodology for prioritising provision of bins in new locations in response to any requests;
- identifying changes to improve the use of bins;
- the provision of bins on private land; and
- the role of education and enforcement.

The following responses were given to questions raised by the Member attending under Standing Order No. 44:-

- extra weighting was given to requests for bins adjacent to play areas and playing fields as was the case where sports teams collected dog waste prior to their games commencing. Where it was difficult to provide extra bins, other measures, such as increased enforcement or additional education were undertaken;
- in addition to the Dog Warden, other Environmental Health Assistants were trained in and dealt with dog enforcement issues;
- progress on the implementation of the initiatives would be reviewed;
- with regard to bin size, there was a limit to the weight of bin that could be carried by the collectors. The group had agreed that the present bin design was fit for purpose. Twin bins would be used where there were higher rates of use; and
- the working group had examined the use of ordinary bins and it was hoped that additional education would result in the proper use of the bins. Similarly, the merits of promoting dog waste disposal units to householders would be investigated.

A Member expressed concern that, apart from a dog bin at the play area in Clyst Heath, there was a sparsity of provision in the Kings Heath/Clyst Heath area. She recognised that many of the roads in the new Kings Heath area had not yet been adopted but urged provision of bins as soon as possible as a number of requests had been made following meetings as part of the neighbourhood engagement pilot. Another Member, similarly referred to the lack of bins at Gras Lawn and adjoining estates. The Head of Environmental Health Services stated that other strategies would be utilised where the provision of bins was difficult including education and the upping of patrols.

In response to a Member, he advised that the needs of all areas where additional bins were being sought had been fully assessed with input from the Senior Dog Warden who possessed significant knowledge and therefore provided a valuable overview and could recommend the most suitable locations. He also advised that allowing for the recruitment process, it was likely that the additional Collector/Driver would be engaged sometime in the first quarter of 2008/09, subject to approval of finances. He also confirmed that he would ask for the merits of a request for a bin for the Bonhay Road area, made some four year ago, to be examined.

A Member remarked that problems were apparent over the Christmas/Easter and Bank Holiday periods when dog waste was left to the side of overflowing bins. The Head of Environmental Health Services confirmed that there were seasonal variations and the proposed introduction of bin code numbers should assist the public in reporting problems.

Another Member welcomed the commitment of additional resources to this issue.

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

- (1) approve the purchase of a dual purpose collection vehicle at a capital cost of £30,000 in 2008/09 and the employment of one full time equivalent Collector/Driver from 1 April 2008 at an annual revenue cost of £25,000 which includes running costs;
- (2) approve the adoption of the methodology, as set out in the report, for prioritising dog bin provision in response to requests; and
- (3) approve the completion of the remaining recommendations of the working group, as set out in the report, by June 2008.

(Report circulated)

9. **Climate Change Strategy (2008-2018)**

The Head of Environmental Health Services presented the report on the Council's Climate Change Strategy seeking support for the revised Strategy and action plan. The report also summarised the changes made to the strategy as a result of the research undertaken by the University of Exeter and the outcomes of a public consultation exercise.

With regard to the City Council car-parking climate change levy, the Director Community and Environment stated that the funds raised were to be distributed in an open and transparent way. It was hoped that an independent panel would be created comprising the Portfolio Holder, a reader nominated by the Express and Echo and representatives of Low Carbon Exeter and the business community. There would be support from energy experts including a representative from the University. Ideas would be sought from the public including through the Citizen as part of the initiative was to engage the public. Schemes would be wide ranging and not focus on a single sector such as business or transport.

Members would be briefed on the Local Authority Carbon Management Programme and asked for their views on the distribution of the Climate Change parking levy on 6 February.

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

- (1) approve the Exeter Climate Change Strategy;
- (2) ensure that general progress towards meeting the aims of the Strategy be monitored on an annual basis and reported to this Committee;
- (3) ensure that the action plan is revised in Spring 2009 and thereafter every three years; and
- (4) commit to a full review of the Strategy in five year's time (2013).

(Report circulated)

10. Creation of new post of Stock Condition Surveyor

The Head of Housing Services presented the report seeking approval for the creation of a new permanent, full time post of Housing Stock Condition Surveyor to undertake internal and external stock surveys on the Council's housing stock.

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

- (1) support the creation of the post of Housing Stock Condition Surveyor; and
- (2) ensure that any budget saving from this proposal be used to help fund the housing capital programme.

(Report circulated)

11. Housing Operation Manager's Post (CE06126)

The Head of Housing Services presented the report seeking approval to re-create the post of Housing Operations Manager within the Housing Services Unit.

Scrutiny Committee - Community supported the report and requested Executive to approve the post of Housing Operations Manager (CE06126) being reinstated to the structure.

(Report circulated)

MATTERS CONSIDERED BY SCRUTINY COMMITTEE - COMMUNITY

12. Review of Street Trading Controls in Exeter

The Head of Environmental Health Services presented the report on a review of the current controls on street trading in the City together with recommendations as to any

necessary changes. The report also examined whether there was a need for a local Act to allow tighter controls over traders purporting to be pedlars (sham pedlars).

He advised that the following additional streets had been requested by the Police for inclusion in the list of Prohibited Streets:-

- Cathedral Yard and Cathedral Close;
- Belgrave Road;
- Barnfield Road (from junction with Southernhay East to junction with Western Way);
- Verney Street;
- Red Lion Lane;
- Western Way; and
- New Bridge Street.

In response to a Member, who referred to Land Securities' ownership of streets in Princesshay, he confirmed that a local authority could control any street. The controls in respect of Marsh Barton were necessary because of the number of itinerant hot food traders that sought to trade in this area particularly as one trader had caused obstruction on occasions.

In response to another Member, who suggested that additional buskers enhanced the colour and atmosphere of a town centre as witnessed on the continent, he advised that the City Centre Manager had compiled a list of those buskers who were deemed of a suitable standard and quality to perform in the City Centre. Buskers were free to operate in any street, whether controlled or not. However, if they sought to sell goods such as CD's, they would need to adhere to any street controls, as would any other trader. In any control regime it would be inconsistent to "turn a blind eye" to one trader, but enforce against another. Any busker wishing to sell his/her CD's could busk in an uncontrolled street or make arrangements for off-site sales. A licence was not required for busking. A separate licence regime existed to permit charities to collect money but again, sale of items was not permitted.

Scrutiny Committee - Community:-

- (1) request Council to authorise the Head of Environmental Health Services, in conjunction with the Head of Legal Services, to proceed with seeking the street trading designations as set out in the report, including those streets included following consultation with the Police, in accordance with the procedures laid down in the Local Government (Miscellaneous Provisions) Act 1982; and
- (2) request the Head of Environmental Health Services to report back to this Committee and Licensing Committee in September 2008, with a review of the effectiveness of current enforcement controls in respect of sham pedlars, and the need for any further controls.

(Report circulated)

13. **Progress report on the Home Energy Conservation Strategy**

The Head of Environmental Health Services presented the report informing Members of progress being made by the City Council in respect of Exeter's Home Energy Conservation Act (HECA) Strategy. In response to a Member, he confirmed that there had been a reduction in Government funding for private sector renewal which could impact on energy saving schemes but that there were other pots that could be utilised such as Warmfront for low income households. Better insulation and improved heating systems could make a significant difference to living conditions to householders.

With regard to the recent tragic loss of life as a result of a faulty thermostat, he confirmed that checks were made on private sector properties when inspected under the Housing Health and Safety Rating System. The Head of Housing Services reported that the vast majority of the Council's 5,000 stock had benefited from newly installed central heating systems in recent years and did not possess the type of boilers/thermostats involved in the above incidents. Some 500 however did potentially retain immersion heaters for their hot water and the Council's responsive repairs contractors had been requested to check thermostats when undertaking other repairs in Council houses. Thermostats would be upgraded where found to be of similar type to those involved in these incident. Whilst it was not thought appropriate to undertake a full inspection of every system, articles would be included in the Tenant's Newsletter "Insight" on this issue including information on tell-tale signs of problems and, in response to a Member, it was considered appropriate to include similar information in the Citizen.

Responding to a Member, he agreed that the increase in household bills as a result of increased fuel costs would impact on the number of households living in fuel poverty and that, as a consequence, it would very likely make the proposed target figure for 2010 more challenging to meet.

Scrutiny Committee - Community noted the progress made towards implementing Exeter's Home Energy Conservation Strategy.

(Report circulated)

14. **Bowling Greens in Exeter**

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

The Head of Leisure and Museums presented the report updating Members on the provision of bowling greens in Exeter. He clarified that the development programme produced by the Isca Centre development committee did not represent the official policy of the Isca centre nor was he recommending that any plan based on this model be implemented by enforcing any closures. The intention was to maintain the status quo and not to close any greens. The aim now was to help increase take up at all the City's clubs.

Councillor Hannaford, speaking under Standing Order No 44, stated that bowlers welcomed the report and the proposal to maintain the status quo. He supported the

proposal to maintain current capacity and to seek ways of encouraging new members. He referred to a programme of involving schools and special needs groups in Exmouth and urged the introduction of a similar programme in Exeter. Similarly, such promotion should be undertaken when additional sheltered accommodation units come on line in Exeter. Bowling clubs were part of the historic fabric of the West Exe and their closure would have been very unfortunate. He hoped that the clubs would now go from strength to strength.

Another Member also welcomed the commitment to keep all clubs open and not to seek to provide another green at one facility which could weaken the vitality of other existing clubs. Another Member referred to the good work of the Belmont club in encouraging participation by users of the Gateway Centre.

The Head of Leisure and Museums confirmed that much work had been done in conjunction with the clubs and that other initiatives not yet pursued would be brought on stream.

Scrutiny Committee - Community:-

- (1) noted the report;
- (2) thanked the Bowls Clubs for their co-operation and supported their efforts to attract new members and improve their standards; and
- (3) instructed officers to continue assisting all clubs in the City with their development programmes.

(Report circulated)

The meeting commenced at 5.30 pm and closed at 7.40 pm

Chair