

SCRUTINY COMMITTEE - COMMUNITY

10 March 2009

Present:

Councillor Dilys Baldwin (Chair)

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

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 Mitchell - Portfolio Holder Environment and Leisure

Simon Jones - Grant Thornton

11 **Minutes**

The minutes of the meeting held on 20 January 2009 were taken as read and signed by the Chair as correct.

12 **Declaration of Interests**

A Member declared the following personal interest:-

COUNCILLOR	MINUTE
Councillor Newton	22 (self employed worker for agencies involved with the homeless)

13 **External Audit Report on the Council's Arrangements for managing risks from Waste Management and Climate Change**

The Chair welcomed Simon Jones, Performance Audit Manager, Grant Thornton to the meeting. He presented the report advising Members of the outcome of the recently completed Auditor's review of arrangements for managing the risks posed by waste management and climate change and the extent to which those risks are being managed. The report also sought Members' support for the action plan contained in the review.

The report concluded that the Council had in place an appropriate strategy and objectives/targets, which recognised the changing legislation and demands on the Council, and its partners, in respect of recycling and waste reduction. The auditor advised that progress made on the Action Plan would be followed up in June/July 2009.

Members referred to the significant amount of pollution caused by traffic idling in traffic queues during peak periods. Some stated that unnecessary congestion was caused by an excessive number of traffic lights, one Member suggesting that traffic had flowed more easily along Topsham Road when certain lights had failed. The Chair remarked that the impact of traffic lights on flow was a matter for Devon County Council's Highways Section.

Scrutiny Committee - Community noted the Auditor's report and supported the action plan contained within it.

(Report circulated)

MATTERS FOR CONSIDERATION BY EXECUTIVE

14 Housing Revenue Account Business Plan 2009 - 2039

The Head of Housing Services presented the report informing Members of the outcome of the annual review of the Housing Revenue Account Business Plan.

The Government had recently announced that the guideline rent for 2009/10 would be reduced from 6.2% to 3.1%. It had stated that local authorities would be compensated for the loss of rental income but no details had been received as yet. He explained that a reduction in rent of this level equalled some £440,000 of income and it was important that if the rent level was reduced there would be no loss of income.

He responded as follows to Members' queries:-

- a number of factors made predicting the HRA subsidy payment difficult and a range of assumptions were needed to be made when drawing up the business plan. The unpredictability of the system had prompted the Government to undertake a review to try and create a fairer, more stable financial regime;
- certain legislation outlined the Council's statutory obligations to its tenants, for example, the Landlord and Tenant Act. Other national standards were also imposed such as the Decent Homes Standards. However, the Council did have a high degree of discretion when putting together its capital programme to allow local priorities to be addressed. The current programme had been arrived at after extensive consultation with the Tenants and Leaseholders Committee;
- the Council could demonstrate value for money across the full range of its housing services. For example, total management costs were some 30% below the national average and awards had been won for the methods of procuring planned maintenance contracts; and
- it would cost in the region of £5-6,000 to change the rent levels on the housing management system and send out the correct notices to tenants.

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

- (1) agree that, if necessary, the Council borrow against the HRA in 2010/11 to maintain the capital programme pending the outcome of the national HRA subsidy review;
- (2) support a further review being undertaken of the HRA Business Plan in 2010, the findings to be reported to Members; and
- (3) support a revised increase in rents of 3.1%, subject to notification that the Government will fully recompense the Council for the loss of income.

(Report circulated)

15 **Housing Asset Management Strategy 2009 - 2015**

The Head of Housing Services presented the report informing Members of the new Housing Asset Management Strategy and the recommendations contained within it.

In response to Members, he advised that it was necessary to replace the old gas appliances within five years of the programme. There were 500 blocks of flats in the City and dissatisfaction had been expressed in respect of the external conditions of some of the 300 that possessed communal areas. All communal areas were being assessed and this process included the identification of ownership of non Council land to see if the owners would assume responsibility for maintenance etc. Council tenants could undertake their own improvements and were entitled to compensation if they vacated the properties. He confirmed that the replacement of old leased heating equipment was also part of the overall programme.

The Chair welcomed the work being undertaken in respect of communal areas.

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

- (1) approve the Housing Asset Management Strategy 2009-2015; and
- (2) arrange for a further review of the strategy to be undertaken in parallel with the HRA Business Plan in 2010, the findings to be reported to Members.

(Report circulated)

16 **Draft Empty Homes Strategy 2009 - 2014**

The Head of Housing Services presented the report informing Members of progress in the preparation of the Exeter Empty Homes Strategy 2009-2014 and advising about the proposed consultation.

In response to a Member, he advised that Empty Dwellings Management Orders and/or compulsory purchase orders were used as a last resort and that there were only some 15/20 dwellings in the City that could be the subject of such action. Other options were preferred to bring properties into use, particularly as much work and evidence was required to take the matter to court. Conversions of old buildings etc. were difficult and expensive to accomplish and the Homes and Communities Agency were unlikely to offer financial support where grant levels are high. A Member referred to the use of empty shops for temporary housing in cold weather. Guardian schemes were being introduced across the country where the homeless could temporarily occupy such properties and Councils were required to make emergency provision arrangements where temperatures fell below freezing on three consecutive nights. The Street Homeless Outreach Team sought to persuade the homeless to make use of seats for the night at Gabriel House during cold weather.

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

- (1) approve the draft Empty Homes Strategy; and
- (2) support the draft strategy being put out to public consultation with the results and amended strategy being reported to Members in June 2009.

(Report circulated)

17 **Private Sector Housing Renewal Policy - Annual Review**

The Head of Environmental Health Services presented the report proposing specific changes to the Private Sector Housing Renewal policy in order to address local needs, as identified in the on-going private sector housing condition survey. In response to Members, he detailed proposed changes to the renewal policy including the range of financial assistance packages which, from April 2009, would include three new loan products. He also detailed the mechanism for the use of loans, the relation to grants and enforcement action.

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

- (1) adopt the changes to the Private Sector Housing Renewal Policy as set out in the report;
- (2) ensure that the expenditure of the single pot allocation is monitored and authorise the Head of Environmental Health Services, in consultation with the Portfolio Holder for Housing and Social Inclusion, to agree the proposed financial allocation to each of the schemes amended or further schemes; and
- (3) arrange for the policy to be reviewed annually, or sooner if required, in order to ensure that it addresses local needs and/or Government policy.

(Report circulated)

18 **Exeter Air Quality Strategy 2009 - 2014**

The Head of Environmental Health Services presented the report seeking approval of the Exeter Air Quality Strategy 2009 -14 and informing Members of the air quality monitoring and management undertaken by the Council.

In response to a Member referring to queues of over half an hour at the Marsh Barton recycling centre, the Head of Environmental Health Services confirmed that there were no air pollution monitoring stations at the recycling centre. The sampling points were along the main arterial routes into the City. A Member also referred to the increasing congestion along Sidwell Street, particularly on Saturdays, since the change in traffic management arrangements along this street and Paris Street, including tail backs on occasions from the Odeon roundabout to the Debenhams building. Members asked if there were any comparative figures for this area in respect of air quality before and after the change in traffic management.

The Head of Environmental Health Services stated that there were a network of 61 air pollution monitors, along with computer models, to assess air quality in Exeter. Air traffic pollution was more of a concern where residential houses abutted busy roads. This was not the case in Sidwell Street, where residential properties were above the retail units and set back from the road. He undertook to find out whether data was available in respect of air quality before and after the change in traffic flow in this area and whether any of the monitoring stations were located in the vicinity of Sidwell Street. He confirmed that the County Council had been involved in the formulation of the Air Quality Action Plan.

Members were referred to a report on the Paris Street/Sidwell Street traffic management arrangements considered at the meeting of the Exeter Highways and Traffic Orders Committee on 29 January 2009.

Scrutiny Committee - Community supported the report and requested Executive to approve the Exeter Air Quality Strategy 2009 - 14 for adoption by Council.

(Report circulated)

MATTERS FOR CONSIDERATION BY SCRUTINY COMMITTEE - COMMUNITY

19 SPLASH Holiday Play Scheme

The following petition, of approximately 428 signatories, had been submitted to Council on 24 February 2009 by Councillor Martin.

“We, the undersigned, do not believe that Exeter City Council should be considering closing the Splash Holiday Play Scheme.”

The petition had been referred to this Committee.

Notice had been given on 26 January 2009 to Devon County Council as Children’s Services Authority that the February scheme would be the last run by the City Council. The Head of Leisure and Museums reported that, subsequently, the County Council had agreed to continue funding City Council costs for the SPLASH scheme to operate over Easter at the Willowbrook School on a one off basis. Consultation would then be held by the County Council with view to the scheme operating on a permanent basis, managed directly by Willowbrook School. He explained that whilst the scheme had originated as part of the play service run by the City Council it had taken on elements of child care to help parents continue working which was not a City Council function.

The City Council’s contribution of £10,000 to the costs of the scheme had been retained in the budget to help support any sustainable replacement scheme that might be developed.

The Chair requested that consultations on the future of the scheme should include parents of the children involved.

Scrutiny Committee - Community noted the petition and the proposals for Devon County Council to reactivate the scheme, consultations on which were to begin shortly.

20 Legion Way Housing Scheme

The Head of Housing Services reported that a petition of 39 signatures against the re-development of the grassed area on Legion Way, Alphington and the proposal to develop four units of social housing for rent had been submitted to the City Council on 24 February 2009 by Councillor Newcombe.

It was noted that the scheme included parking provision and this had led to concerns regarding additional traffic using the road. Some 40-50 local residents had attended a consultation meeting on 18 February 2009. Work was now being undertaken with architects, housing associations and the Head of Planning Services to review this scheme and address residents’ concerns.

The Head of Housing Services referred to the Council’s policy to identify and assess a number of Council owned land sites, mainly within existing housing estates, that could potentially be developed for new affordable rented housing. This had been adopted to help increase the overall supply of affordable housing across the City in

response to rising demand from households on the Exeter Home Choice register. The project had progressed well with a number of sites at an advanced stage.

The proposed development of four social rented units at Legion Way formed part of this project. The scheme that was currently under consideration included the provision of two, three-bedroom disabled units and two one-bedroom flats on a piece of land within the curtilage of the existing estate.

Scrutiny Committee - Community noted the petition.

21 **Re-tendering of the Housing Responsive Maintenance Contracts**

The Head of Housing Services presented the report informing Members of the current timetable for the re-tendering of the housing maintenance contracts and seeking Member nominations to the project group. Three meetings were to be held by the end of May, the first to be held on 13 March 2009 at 10.00 am in the Civic Centre.

Scrutiny Committee - Community:-

- (1) noted the report; and
- (2) nominated Councillors Choules and Mrs Danks to sit on the project group.

(Report circulated)

22 **PORCH : Prolific Offenders Re-settlement through Co-ordinated Housing**

Councillor Newton declared a personal interest as a self employed worker for agencies involved with the homeless.

The Head of Housing Services presented the report informing Members of the progress of the PORCH Project run by the Exeter Community Initiatives (ECI) and funded, in part, by the Council. By January 2009, since its inception in September 2006, the team had supported 108 prolific offenders, at least 83 of whom could have become homeless on leaving prison if help had not been provided.

In response to a Member, he was unable to advise at present of possible alternative sources of funding for the scheme but was hopeful that some funding could be made available as a result of the re-structuring of the operation of the Street Homeless Outreach Team. The City Council officer serving on the PORCH Committee was Ron Mayers, the Strategic Housing Manager.

Scrutiny Committee - Community:-

- (1) noted the report and the achievements of PORCH; and
- (2) agreed that officers provide support to PORCH in its efforts to secure funding for 2009/10 to continue the service.

(Report circulated)

23 Allotment Strategy Review

The Head of Contracts and Direct Services presented the report setting out progress to date on the Allotment Strategy Action Plan, adopted by the Council in 2007. The report also set out further actions planned for 2009/10.

In response to a Member, he acknowledged that allotment provision was often lacking on new, large scale developments such as at the new housing at Digby. The planners were aware of the option of funding new allotments through Section 106 monies when discussing contributions from developers but priority was often given to affordable housing, traffic schemes etc. Another Member felt that there should be greater emphasis in seeking contributions towards allotments as part of Section 106 Agreements rather than affordable housing. The Head of Contracts and Direct Services said that consideration was also given to utilising City Council open space for allotment purposes. He referred to a forthcoming allotments promotion in the City Centre.

In response to a Member who queried if plots suitable for allotment use were available in Pinhoe, the Head of Leisure and Museums referred to the work of the Wild City project which was actively seeking land suitable for allotment use. Another Wild City initiative was encouraging individuals to lend the use of their gardens to those who might be on the allotment waiting list and others who wished to garden. It had been suggested that the Street Wardens could also be involved in this initiative. It was confirmed that action was taken where it had become apparent that some allotment holders were no longer actively maintaining their plots.

Scrutiny Committee - Community noted the progress made and approved the future proposals contained in the plan.

(Report circulated)

24 Swimming Pool Working Group

A report in the following terms from Councillor Taghdissian, the Chair of the Swimming Pool Working Group, updating Members on the work of the group, was tabled.

"The Working Party has met on at least three occasions since formation and has discussed the provision of a new pool for Exeter. Sadly, no member of the Labour group has been appointed to or attends the Working Party. We do not believe that a costly refurbishment of Pyramids is either right or cost effective and are agreed that a new pool is both necessary and desirable for Exeter. For the sake of clarity, the Working Party does not support the long term retention of Pyramids as one of the City's swimming facilities.

We do, however, support measures which would keep Pyramids open until a new pool is built. To that extent, we support replacement of the existing filter system which, from our inspection on 5 March 2009, appears necessary and, consequently, a justifiable expense. In terms of a new swimming pool, the members of the Working Party did not begin with any fixed ideas of what should be built and no definite conclusions have been reached save that expressed above.

Through the assistance of officers, we have been able to compare and contrast varying leisure facilities in other towns and cities in England. This has been useful in informing our approach to the task of providing a new pool for Exeter. At present the

Working Party has no recommendation to make to this Committee or the Council more generally beyond the above comments.”

Members discussed issues relating to the replacement of the filters, noting the concerns felt that the life expectancy of this equipment was limited. The Head of Leisure and Museums advised that the condition of the filters did not present a health and safety risk but that they were rusting from the inside and that a pressure reduction would occur when problems became apparent. At this point, the filters and the pool would be shut down.

The Chair of the Working Group pointed out that it had been considered preferable to replace the filters sooner rather than later in order to avoid the need for a compensation payment to DC Leisure arising from a pool closure.

The Chair stated that a full report should be brought to this Committee before any commitment is made to replacing the filters.

Scrutiny Committee - Community agreed that a report on the cost of replacing the filters be submitted to the next meeting.

PERFORMANCE MONITORING

25 Stewardship - Community to December 2008

The Director Community and Environment reported on any major differences by management unit to the outturn variances forecast for the third quarter of the financial year up to 31 December 2008 compared with those reported for the second quarter that had ended on 30 September 2008.

The current forecast suggests that, after adjusting for AIM slippage and net movements from reserves, net expenditure for this Committee will decrease from the revised budget by a total of £241,320 representing a variation of 1.42% from the revised budget.

Scrutiny Committee - Community noted the report.

(Report circulated)

26 Stewardship - Housing Revenue Account to December 2008

The Director Community and Environment reported on any major differences by management unit to the outturn forecast for the first nine months of the financial year up to 31 December 2008. During this period, the total of the variances indicated that there would be a net surplus of £25,290 which would be used to increase the revenue contributions to capital works. The working balance would therefore remain at £2,848,591.

Scrutiny Committee - Community noted the report.

(Report circulated)

27 **National Performance Indicator Results 2007/08 How Exeter's Results Compare**

The Director Community and Environment presented the report setting out a full analysis of Exeter's performance indicator results for 2007/08. The report provided an overview of the performance of those services covered by this Scrutiny Committee. In response to a Member, the Head of Housing Services advised that the rough sleepers count was taken on one night in the year and that although 15 had been recorded in a recent count, counts immediately before and after had shown six rough sleepers.

Scrutiny Committee - Community noted the report.

(Report circulated)

28 **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.

MATTERS FOR CONSIDERATION BY EXECUTIVE

29 **Extralet Scheme Programme Report and Restructure**

The Head of Housing Services presented the report updating Members on the progress of the Extralet scheme and proposing a re-structure of the service to integrate staffing within the existing temporary accommodation team to improve the overall management service to tenants and landlords.

In response to a Member, he advised that the 8% fee charged by the Council for managing private properties was less than the market rate, with the Council providing a comprehensive service.

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

- (1) the proposals for the restructure of the Extralet team with effect from 1 April 2009;
- (2) further work being undertaken on options for the future of the team within an expanded county-wide scheme; and
- (3) the submission of a further report to Members once an outcome of the process had been reached.

(Report circulated to Members)

30 **RAMM and the Renaissance Programme**

The Head of Leisure and Museums presented the report outlining and seeking approval for the steps necessary to align the RAMM operation with changes in Renaissance funding.

Scrutiny Committee - Community supported the report and, subject to the agreement of MLA to the Joint Renaissance Business Plan submitted by the five South West Hub partners, requested Executive to:-

- (1) extend the employment of the holders of those Renaissance posts no longer required to deliver the agreed Business Plan to 1 April 2009 for the period of their entitlement to notice, as provided for in their contract of employment, their contracts then to be terminated on the grounds of redundancy and their posts deleted;
- (2) authorise the Director Community and Environment, subject to prior consultation with the Portfolio Holders for Environment and Leisure and Business Transformation and Human Resources and the Head of Human Resources, to make payments, where appropriate, to those employees whose contracts are to be terminated in accordance with the provisions of Regulation 19 of the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007 and the discretion exercised by the Council under the provisions of the Local Government (Early Termination)(Discretionary Compensation)(England and Wales) Regulations 2006;
- (3) further extend, the contracts of the holders of all other temporary Renaissance posts to 31 March 2010; and
- (4) establish such new temporary posts as may be funded under the next Renaissance agreement until 31 March 2010, subject to the creation of job descriptions, person specifications and job evaluations in accordance with corporate policy.

(Report circulated to Members)

The meeting commenced at 5.30 pm and closed at 8.40 pm

Chair