

SCRUTINY COMMITTEE - COMMUNITY

2 June 2009

Present:

Councillor Dilys Baldwin (Chair)

Councillors Shiel, Branston, Choules, Mrs Danks, P A Smith, R Smith, Taghdissian, Thompson and Wardle

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

Also present

Councillor Newton - Portfolio Holder Housing and Social Inclusion

Councillor Mitchell - Portfolio Holder Environment and Leisure

31 Minutes

The minutes of the meeting held on 10 March 2009 were taken as read and signed by the Chair as correct.

32 Declaration of Interests

Members made no declarations of interest.

33 Portfolio Holders to present their priorities for the forthcoming year

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

A City of Strong Communities

- Organise re-elections for the Tenant and Leaseholder Committee (TALC) and carry out training of new committee members so that they can contribute effectively.
- Continue to act on recommendations of Resident Auditor Team.
- Support the My Neighbourhood pilot areas to be trailblazers in the City as a model of good practice for Council partnership working with communities.
- Develop a model for the Council to use to roll out its neighbourhood engagement work.
- Work in partnership with Exeter Council for Voluntary Services on the 'Take Part - Active Learning for Active Citizenship' project which will include events and training on how your city works.

A City Where Everyone Has a Home

- Provide at least 80 new units of affordable housing.
- Investigate the opportunity to bid for some of the current funding being made available for Councils to build homes.
- Undertake a comprehensive review of the responsive repairs service for council housing, establish a procurement strategy and retender the work.

- Continue the Older Persons' service review in partnership with Devon County Council's Supporting People team.
- Implement the Devon Homechoice Scheme.
- Implement service charges for tenants living in flats.
- Deliver the Private Sector Renewal Strategy, in particular the development of the new loans scheme.
- Keep working to achieve the adoption of an effective housing and support protocol for young people by all the Devon district councils and Devon County Council.

A Safe City

- Review the antisocial behaviour and neighbourhood management policies in housing to deliver improved services.

A City where the Environment is cared for

- Promote the Code for Sustainable Development to ensure that new social housing is as environmentally friendly as possible.

A Prosperous City

- Use all available tools to help owner occupiers retain their homes including participation in the national mortgage rescue scheme and advice and support.
- Develop the Enhanced Housing Options Scheme to help people access homes where there are jobs.

The following responses were given to Members' questions:-

- Advertising lettings in the local press was no longer cost effective given the high cost of advertising and the small number of people who find properties in this way and a system of personalised newsletters would be introduced for those wishing to be notified by post. Devon Home Choice would be funded by landlords on the basis of the number of properties advertised per year. The cost was approximately £48 per property advertised.
- Of 1,450 applicants who were considered to have the potential to become homeless in the last 12 months, 530 had been prevented from becoming homeless for a period of at least six months. In the same period, 21 had been referred to mortgage advisors. The number of repossessions listed in the County Court covered the area beyond Exeter as well as the City.
- The title of the Portfolio Holder would be kept under review.
- The My Neighbourhood initiative was to be extended and a report on the way forward would be submitted to the next meeting of this Committee in September.
- It was hoped that the target of providing at least 80 new units of affordable housing would be exceeded if the bid for monies available for the Council to build new homes was successful. Negotiations with developers to amend Section 106 Agreements to provide more social housing were proving successful.
- Joint working with the Children's Trust and other agencies was helpful in avoiding duplication in the area of social services work. Developing a co-ordinated approach was also a priority area for the Children's Trust.
- Exeter CVS was the lead partner in the "Take Part - Active Learning for Active Citizenship" project which had the full support of the City Council because of the crossover of work in a number of areas.

- The identification of a site for the provision of extra care accommodation for the elderly in Whipton would be re-activated following completion of the older person's service review in partnership with the County Council.

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

Healthy and Active City

- Develop the exit/continuation strategy for the Free Play City project. Funding ends August 2010. Continue to deliver the play strategy and hold a further 200 play ranger sessions.
- Develop play in targeted areas including Kings Heath, Pinhoe, Wonford and Summerway. Support the use of the playbuilder grant.
- Deliver a youth sports programme in target sports and achieve target number of sessions and attendance.
- Work with Exeter Schools Sports Partnership to deliver Sports Unlimited and Skilled for Health Programmes. Deliver target number of sessions and activities.
- Continue to explore options for future swimming provision in the City.

Cultural and Fun Place to Be

- Continue to make progress with the scheme to improve and extend RAMM, closely monitoring the budget.
- Plan and agree arrangements for the opening of the new RAMM including exhibitions.
- Let the new Leisure Management Contract.
- Engage fully with the new Renaissance management regimes to optimise benefit for Exeter and Devon.

A City of Strong Communities

- Develop a programme of targeted advice to help higher risk BME food businesses comply with regulations.

Excellence in Public Services

- Set up the new Harbour Authority or re-activate municipal port activity as cost neutral and effective, subject to the inspector's report.
- Use benchmarking and unit cost information to critically review the parks and open space service and to deliver efficiencies.
- Explore the remodelling of waste collection rounds from a five day to four day working week.

A City Where the Environment is Cared For

- Manage the exit strategy for the Wild City Project to leave plans in place for the continuation of constituent projects where possible.
- Review the action plans of both the Local Authority Carbon Management Programme and the Climate Change Strategy in the light of budget and staffing reductions.
- Improve the recycling rate beyond 37% and continue to reduce waste collected.
- Develop a pilot initiative with the University to target student household rubbish problems in student areas.

- Implement the Tree and Woodland Strategy and in particular the tree warden network to ensure partners protect and enhance the City's treescape in a sustainable way making allowance for the effects of global warming.

A Safe City

- Reduce the incidence of discarded needles in public conveniences by 20%.
- Review the role and deployment of the Community Patrol to ensure service improvements.
- Ensure that the Committee is fully involved in the Community Safety agenda.

A Prosperous City

- Review the impact of regulatory functions on businesses and ensure that the benefits of regulation justify costs and are risk based.

The following responses were given to Members' questions:-

- The importance of co-ordinating all relevant services to ensure that sufficient personnel are involved in developing play opportunities was recognised.
- Mechanisms were in place to address problems of vandalism in play areas and fly tipping.
- The cost of the RAMM re-development were being closely monitored.
- The re-modelling of the waste collection round from a five day to a four day working week would reduce costs by eliminating the Monday collection and remove overtime payments for Saturday collections necessitated by the need to catch up during those weeks with a bank holiday.
- The provision of play equipment at Belmont Park, which had been deferred following the recent freeze on capital projects, had not yet been restored to the programme but was high on the priority list once funding was available.
- The Swimming Pool Working Group was examining all options for the future provision of swimming facilities in the City including the siting and nature of a facility which encompassed additional leisure facilities as well as the examination of funding mechanisms. It was not possible to predict what future maintenance work would be necessary during the remaining useful life of the Pyramids.
- Existing arrangements with the University for waste collection from student households would be enhanced by:
 - Use of extra scavenging teams to remove bags from pavements;
 - Stickers distributed to help identify properties requiring extra collections;
 - Bulky collections of white goods to be increased; and
 - Street wardens to door step student properties.

Scrutiny Committee - Community noted the priorities presented.

34 Trews Weir Allotments

The Chair agreed to take this matter as urgent business in order for Members to be advised of the latest position in respect of Trews Weir Allotments prior to advertisements being shortly placed relating to future tenure of the site.

The Director Community and Environment declared a personal interest as a Trews Weir allotment holder.

The Head of Contracts and Direct Services reported that part of Trews Weir Allotments was privately owned but had been leased to the Council. The owner had put the land on the market. Although the Council had been willing to meet the price acceptable to the owner, which had been slightly above that of an independent valuation, the owner had subsequently accepted an offer some £10,000 greater.

Meetings had been held with the new owner who wished to continue to run the site as private allotments but on different terms and conditions including potentially increased rents. Notices to quit had been served on the allotment tenants as the Council's lease ended in September 2009 and the new owners wished to advertise the site to enable those members of the public wishing to become tenants to record their interest.

The Head of Contracts and Direct Services stated that the Council wished to work with the new owners to maintain allotments in this area. For those tenants who did not wish to accept the new terms and conditions, efforts would be made to identify alternative allotments in the vicinity. This would include short term arrangements with other tenants who may wish to share their allotments temporarily with those displaced.

In response to a Member, he advised that there were no covenants in place in respect of this area, but that planning policy prevented use of the site other than for allotments, pasture or fishing rights.

Scrutiny Committee - Community noted the position.

MATTERS FOR CONSIDERATION BY THE EXECUTIVE

35 Food Law Enforcement Plan 2009/10

The Head of Environmental Health Services presented the report seeking approval for the adoption of the Food Law Enforcement Plan 2009/10, which set out the Council's regulatory function in respect of food safety over the forthcoming year. It also set out the Council's performance against the previous year's Food Law Enforcement Plan.

In response to a Member enquiring about "Scores on the Doors", he advised that it was not mandatory for an establishment to display its score on the premises. Such schemes were increasing in popularity across the country and the Food Standards Agency was seeking to develop a national model scheme. He confirmed that officers would be placing greater focus on non-compliant businesses in order to assist them to comply, which included special assistance to BME owners of food businesses whose first language was not English.

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

- (1) approve the Food Law Enforcement Plan 2009/10; and
- (2) authorise the Head of Environmental Health Services to change the Enforcement Plan, as necessary, in response to centrally issued guidance and/or to meet operational needs.

(Report circulated)

36 **Health and Safety Service Plan 2009/10**

The Head of Environmental Health Services presented the report seeking approval of the Health and Safety Service Plan for 2009/10 which set out the Council's functions for regulating health and safety in businesses for the forthcoming year.

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

- (1) approve the Health and Safety Plan 2009/10; and
- (2) authorise the Head of Environmental Health Services to make changes to the Service Plan, as necessary, in response to centrally issued guidance and/or to meet operational needs

(Report circulated)

37 **Policy for the Ethical Care of Human Remains at RAMM**

The Head of Leisure and Museums presented the report proposing a policy for the ethical care of human remains in the museum collection in the form of an annexe to the Acquisitions and Disposals Policy 2005-2010.

In response to a question, he said that he was not aware of any imminent requests for further repatriation of objects.

Scrutiny Committee - Community supported the report and requested Executive to adopt the Policy for the Ethical Care of Human Remains as set out in the report as an annexe to the overall Acquisition and Disposal Policy.

(Report circulated)

38 **Replacement of filters at the Pyramids Swimming Pool**

The Head of Leisure and Museums presented the report seeking approval for the replacement of filters at Pyramids, which had reached the end of their useful life. He explained that had the option for building a new pool at Clifton Hill been pursued maintenance expenditure on the Pyramids would still have occurred.

A Member stated that it was inappropriate to utilise the budget originally earmarked for the design of a new pool on maintenance requirements for the Pyramids and expressed his fear that additional, as yet unidentified, expenditure would be necessary in respect of further repairs and maintenance.

The Head of Leisure and Museums reported that in the event of the filters failing the contractor would be entitled to compensation for losses incurred during the pool closure. The principal risk was a failure of the filters occurring before the installation of new vessels and it was anticipated that failure before the end of 2009 was likely. There was also a risk that once replacement started, the contractors could find other elements of the plant which needed replacing, leading to extra costs and additional closure time. The risk of this, following the survey, was assessed as low. Because of the size of the plant room it would be possible to construct the new filters on site and installation would entail pool closure for only approximately two days, subject to no additional works being required. He explained that under the terms of the contract with DC Leisure, the Council was responsible for the plant and building with the contractor responsible for general fittings and operation.

In response to questions from a Member, the Chair of the Swimming Pool Working Group advised that the working group had yet to form a view about the location of any pool and had no firm conclusions in respect of alternative sites, but that he personally was of the view that Clifton Hill was not the most suitable site noting that, amongst other issues, it was likely that it would be unable to meet demand for other leisure facilities following the closure of Pyramids. He was also of the view that because of the likely development to the north east of the City, traffic congestion in the City Centre and the need for a top class sporting facility, the Clifton Hill site was not a suitable location. He stated that, in respect of any alternative potential venue for a new facility, the Group had not addressed the issue of a feasibility study and how it would be funded. A Member expressed surprise that the Group had not considered utilising the AIM budget, the Chair of the Group responded that the members of the Group had flagged up the need for replacing the filters but that it was not within its role to deal with any issues relating to the maintenance of the Pyramids. The Head of Contracts and Direct Services explained the operation of the AIM budget.

Councillor Branston moved and Councillor Choules seconded the following amendment to the recommendation, that:-

- (a) the decision not to pursue Clifton Hill as the favoured site for a new swimming pool be rescinded; and
- (b) the Director Community and Environment be instructed to bid for funding from the AIM budget to finance the replacement of the filters at the Pyramids.

The motion was put to the vote and lost.

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

- (1) agree to the replacement of the filters and associated pipework at the Pyramids as soon as practicable;
- (2) support the funding of the work from the budget remaining from the new pool project; and
- (3) support the proposal not to install equipment to disinfect water using ultraviolet light.

(Report circulated)

39 **Empty Homes Strategy 2009 - 2014**

The Head of Housing Services presented the report informing Members of the consultation results for the draft Empty Homes Strategy 2009-2014 and recommending that the amended version be approved.

He explained the process involved in respect of an Empty Dwellings Management Order comparing it with a Compulsory Purchase Order. Although its inclusion in the strategy was not compulsory he strongly urged the Committee to support its inclusion and provided an example where this procedure would give the Council the power to improve a neighbourhood within the City.

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

- (1) approve the actions and revisions to the Empty Homes Strategy as set out in the report;
- (2) approve the revised action plan;
- (3) ensure that this Committee receives an annual progress report against the Action Plan; and
- (4) ensure that, in accordance with the Local Government and Public Involvement in Health Act 2007, the Empty Homes Strategy and Action Plan be placed on the website and further comments invited from the community.

(Report circulated)

40 **Fire Safety Policy for Housing Properties**

The Head of Housing Services presented the report seeking approval for a new policy regarding the management of fire safety in the Council's housing stock. The policy mainly applied to the common areas of flats where the greatest risk of fire existed and the co-operation of residents was central to its success. He explained the legal position where leaseholders preferred to install their own doors, the negotiation process involved in encouraging residents not to leave materials etc. in communal areas and the way in which the legislation was interpreted in conjunction with the Fire Officer. He advised that inspections had been made of all communal areas in the ownership of the Council and that it was a greater challenge for the Council than for Housing Associations to maintain standards because of the higher number of flats in its ownership.

Scrutiny Committee - Community supported the report and requested Executive to approve the Fire Safety Policy for the Council's Housing stock.

(Report circulated)

41 **Crime and Disorder (Overview and Scrutiny) Regulations 2009**

The Assistant Chief Executive presented the report advising Members of the new Regulations under the Police and Justice Act 2006 establishing an overview and scrutiny of the work of Crime and Disorder Reduction Partnerships (CDRPs), Exeter's CDRP being called the Exeter Community Safety Partnership.

Scrutiny Committee - Community:-

- (1) supported the report and agreed its enhanced role to encompass scrutiny of the Exeter Community Safety Partnership; and
- (2) requested Executive to recommend to Council an addition to the terms of reference of the Scrutiny Committee - Community, enabling the Committee to discharge the functions of a Crime and Disorder Committee to oversee and scrutinise the work of the Exeter Community Safety Partnership.

(Report circulated)

MATTERS FOR CONSIDERATION BY SCRUTINY COMMITTEE - COMMUNITY

42 Review of Leisure and Museums Strategy

The Head of Leisure and Museums presented the report reviewing progress towards the key outcomes in the strategy.

Scrutiny Committee - Community noted the report.

(Report circulated)

PERFORMANCE MONITORING

43 Revenue Final Accounts - Community 2008/09

The Director Community and Environment advised Members of the overall financial performance of the Community and Environment Directorate for the 2008/09 financial year ended 31 March 2009.

The Scrutiny Committee - Community noted the report.

(Report circulated)

44 Housing Revenue Account - Final Accounts 2008/09

The Director Community and Environment advised Members of the overall financial performance of the Housing Revenue Account for the 2008/09 financial year ended 31 March 2009.

The Scrutiny Committee - Community noted the report.

(Report circulated)

45 HRA Capital and Revenue and AIM Property Maintenance out-turn report 2008/09

The Head of Contracts and Direct Services submitted a report detailing the fourth quarterly/outturn report, covering the period from January to March 2009 (but including updated figures at 29 April 2009). It included the financial position of the £7 million programme of reactive and planned property maintenance and refurbishment at the end of 2008/09 and covered revenue funded housing and non-housing schemes as approved by Council for the financial year 2008/09 and budgets for schemes rolled forward from 2007/08. Where necessary, the report also provided specific details on significant programme variations.

A Member suggested separating out the housing element of the budgets from within the AIM data.

The Scrutiny Committee - Community noted the outturn financial position and works in 2008/09 as detailed in the report.

(Report circulated)

46 **AIM Property Maintenance Proposed Programme 2009/10**

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 2009/10 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 2009/10.

The Scrutiny Committee - Community noted the programme of property asset related work for 2009/10, as detailed in the report.

(Report circulated)

47 **Annual Results of Performance Monitoring 2008/09**

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 Scrutiny Committee - Community noted the report.

(Report circulated)

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

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

MATTER FOR CONSIDERATION BY THE EXECUTIVE

49 **Re-tendering of the Housing Contracts - Procurement Strategy**

The Head of Housing Services presented the joint report informing Members of the proposed procurement strategy for the re-tendering of the housing responsive maintenance contracts.

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

- (1) select the preferred contract packaging option as set out in the report;
- (2) agree that, provided that value for money can be clearly evidenced, the management and administration of the electrical testing and re-wire programme be awarded to the in-house team (BEST) from 1 October 2010; and

- (3) authorise the Head of Housing Services and the Head of Contracts and Direct Services, subject to prior consultation with the Portfolio Holder for Housing and Social Inclusion and the Leader of the Council, to make the final decision on contract packaging following contractor interviews.

(Report circulated to Members)

(The meeting commenced at 5.30 pm and closed at 8.55 pm)

Chair