

SCRUTINY COMMITTEE - COMMUNITY

1 September 2009

Present:

Councillor Dilys Baldwin (Chair)

Councillors Shiel, Choules, Mrs Danks, R M Hannaford, Hobden, Newcombe, P A Smith, R Smith, Thompson and Wardle

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

Also present:

Councillor Mitchell - Portfolio Holder for Environment and Leisure

50 **Minutes**

The minutes of the meeting held on 2 June 2009 were taken as read and signed by the Chair as correct.

51 **Declaration of Interests**

A Member declared the following personal interest:-

COUNCILLOR	MINUTE
Councillor Newcombe	53 (Member of Devon County Council and Chair of the County's Children and Young People's Services Overview/Scrutiny Committee)

MATTERS FOR CONSIDERATION BY SCRUTINY COMMITTEE - COMMUNITY

52 **Trews Weir Allotments**

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

The Director Community and Environment had declared a personal interest as a Trews Weir allotment holder and did not attend the meeting for this item.

The Head of Contracts and Direct Services presented the report setting out the current position in respect of Trews Weir Allotments and seeking Members' views on the available options in order for the Portfolio Holder for Environment and Leisure to consider a suitable course of action. The three options were:-

Option 1 – do nothing: This would not result in the loss of allotments within the City but would replace the Council's 'monopoly', albeit a limited, mixed economy of ownership. It would, however, result in the displacement of up to 40 plot holders who hoped to be accommodated within the existing allotment provision.

Option 2 – re-provide a limited number of allotments: By extending into the adjacent community woodland it was likely that up to twelve half plots could be provided within the funding available. The area would require fencing but the visual impact would be minimal. However, this would still result in the displacement of up to 38 plot holders and would not be as cost effective as Option 3. It would result in a minimal increase in plots across the City.

Option 3 – re-use the old allotment site: Using the old allotment site would preclude an extension into the community woodland and would accommodate all of those displaced. It could also be brought into use quickly. It would however have to be fenced and would therefore impact on the visual amenity of the Riverside Valley Park. The environmental impact of the site could be minimised by ensuring sustainable practices were followed. It would also result in a further increase in available plots within the City, but a loss of currently publicly accessible land.

The Lord Mayor thanked officers for their work in seeking to resolve the difficulties faced by the allotment holders following the purchase of the land by a private individual. Commenting on the strong and enthusiastic allotment association in St. Leonards he advocated Option 3 as the only viable solution which he also felt would have a minimal effect on the Riverside Valley Park. He stated that more people should be encouraged to grow their own food as it encouraged exercise and healthy eating.

There was unanimous support from other Members of the Committee for Option 3 with further recognition of officers' diligence in seeking to resolve the position. Reference was made to correspondence from the private owner setting out his position and to the response from the Secretary of the Allotments Association. Reference was made by a Member to the lack of allotments being provided in some new housing developments and it was noted that Option 3 would increase the net number of allotments in the City. Another Member believed that the proposed alternative site would enhance that part of the riverside if sympathetically re-instated.

The Head of Contracts and Direct Services further explained the negotiation process and the steps taken to protect and preserve the existing storage, vegetation, trees etc. prior to re-settlement. He confirmed that planning services were mindful of the need for additional allotments and of meeting the current demand when developing policies for the City and considering new developments.

Scrutiny Committee - Community recommended that the Portfolio Holder for Leisure and the Environment bring forward option 3 above.

(Report circulated)

53 **Community Safety - Annual Report**

Councillor Newcombe declared a personal interest as a Member of Devon County Council and Chair of the County's Children and Young People's Services Overview/Scrutiny Committee.

The Chair welcomed Superintendent John Vellacott to the meeting.

The Community Safety Partnership Co-ordinator presented the report providing Members with the opportunity to comment on the progress of the work of the Exeter Community Safety Partnership in delivering the actions within the Community Safety and Misuse of Drugs Strategy. This item was before this Committee for it to fulfil its role, as agreed at Executive on 16 June 2009, in the scrutiny of the work of the

Exeter Community Safety Partnership, as required by the Crime and Disorder (Overview and Scrutiny) Regulations 2009 under the Police and Justice Act 2006.

The report set out crime figures for the end of March 2009. Crimes had been reduced by some 20% over the previous three years with a continued reduction for 2008/09 when compared with 2007/08. There had been substantial reductions in motor vehicle crime through the combined efforts of partner agencies, through focus on offenders and targeting hot spots.

The following responses were given to issues raised by Members:-

- statistics relating to sexual offences covered a number of different types of incident. The figure of 125 incidents in 2008 had increased to 148 in 2009 and reflected the availability of an improved service for victims of assaults. There were also other issues including the delayed reporting of incidents from childhood and the greater involvement of females in the binge drinking culture. With regard to the latter, Members asked if additional information could be made available and broken down in respect of those areas of the City suffering from problems of late night drinking in association with pubs and night clubs. The Superintendent referred to the recent decision of the Licensing Committee to consult on the introduction of a Cumulative Impact Zone in the Fore Street/South Street area of the City.
- all reported crimes were recorded but priority given to investigating the more serious incidents. More minor matters were generally not pursued.
- the introduction of measures linked to “drinking ASBO’s” would be discussed with the Head of Environmental Health Services and his team at the Council.
- the criteria for the statistics had changed over the years but were important to build a full picture of crime patterns.
- there was a risk of some PACT meetings being activist driven where individuals tried to focus on particular issues. However, the PACT process incorporated measures other than traditional public meetings, such as street briefings, household calls and Police presence outside supermarkets.
- Exeter was currently meeting the detection target rate of 30% (currently standing at 29.8%) and this was the second best in Devon. Exeter was out performing the rest of the Force in respect of detections of sexual offences and rape over the last 4/5 years.
- where an Acceptable Behaviour Contract (ABC) was served on young people the parents were involved as far as possible as co-signatories.
- the PACT initiative included the involvement of the Probation Service and environmental visual audits. The latter was an important initiative involving, for example, the quick removal of graffiti.
- some 30 families had been involved in the Family Intervention Project with only one eviction occurring where the behaviour had not improved. Generally, behaviour had improved including an improved school attendance record. There had been a reduction in the number of children at risk.

The Family Intervention Project was supported financially by the RESPECT task force and had been sustained over a three year period because of a year on year under spend which had been carried over each year. Funding for 2010/11 would be reduced as the RESPECT funding tapered and available funding in 2010/11 was likely to be at only 50% of the 2009/10 level. The Chair asked for a further briefing on this initiative and it was considered appropriate for this to form the topic for a Special Meeting of this Committee in its role as the Scrutiny body for community safety matters.

The Chair thanked Superintendent John Vellacott for attending.

Scrutiny Committee – Community supported the proposal for a Special Meeting of this Committee to be held to consider the Family Intervention Project.

(Report circulated)

MATTERS FOR CONSIDERATION BY SCRUTINY COMMITTEE - COMMUNITY

54 Housing Strategy Progress Report 2007-2012

The Head of Housing Services presented the report setting out the targets in the revised Housing Strategy 2007-12.

He responded as follows to Members' questions:-

- downsizing had been introduced some 18 months previously with a large budget set reflecting the existing waiting list. Take up had been significant and the budget had increased accordingly and had been set at £50,000 for 2009/10. This had already been utilised and incentive payments were no longer available. The position would be explained in the next edition of Insight distributed to tenants. The only support currently was tenant officer's time and funding to pay for removals. A report on a proposed revised scheme would be submitted to a future meeting of this Committee.
- there was no separate young person's strategy but procedures for preventing youngsters becoming homeless were included in the Homelessness Strategy. Homelessness in this category was down to zero in Exeter. The Director Community and Environment explained that there had been difficulties in respect of agreeing procedures for housing young people, especially those between 16 and 17, with social services. Shelter had arbitrated and recommended guidelines which were in accord with a High Court decision in respect of a Southwark Council housing case. However, the County Council were yet to agree on changes and, in the City Council's view, some of the supported accommodation currently used to house young people remained unacceptable. The Director, on behalf of all Devon Districts, had written further to Anne Whitely at the County to seek a remedy to the situation.
- the new build target was between 100 and 130 for 2009/10 and 130-150 for 2010/11, subject to an improving housing market and the commencement of Government schemes.
- identification of acceptable sites for gypsies and travellers was being undertaken by the Head of Planning and Building Control for report to the Planning Committee.

Scrutiny Committee - Community noted the progress being made towards achieving targets set out in the Housing Strategy 2007-12 Action Plan.

55 Homelessness Strategy 2008 - 2013

The Head of Housing Services presented the report updating Members on progress in meeting the targets set out in the Homelessness Strategy 2008-13.

The Government target for reducing homelessness, set in 2005, had been very challenging. This had been achieved and even more exacting targets were being set

in house. It was a multi agency approach and the value of the voluntary sector was recognised.

Scrutiny Committee - Community noted the progress being made towards achieving targets set out in the Homelessness Strategy 2008-13 Action Plan.

(Report circulated)

MATTERS FOR CONSIDERATION BY EXECUTIVE

56 Environmental and Climate Change Strategies

The Head of Environmental Health Services presented the report outlining the progress made by the Council in implementing the action plans of both the Environmental and Climate Change Strategies.

The following responses were given to Members' queries:-

- the Environmental Protection Act enabled Council's to pursue situations where householders failed to correctly leave refuse out for collection. In the first instance, a Section 46 Notice was served requiring the correct presentation of waste. A failure to comply could then lead to the issuing of a fixed penalty notice, or prosecution. As the Council had discovered with the Chalice case, obtaining irrefutable evidence was difficult. With regard to problems associated with business waste being poorly stored and strewn about the roads by late night revellers, the Environmental Health Services team was undertaking a number of initiatives, especially in the Fore Street area, to deal with domestic and commercial waste problems.
- take up of subsidised public transport amongst the 800 Council employees was increasing.
- a designated "graffiti buster" team with van had led to a significant reduction in this problem.
- 20 individuals had shown an interest in becoming tree wardens and were now receiving training with an appropriate communication mechanism established. A report on progress with tree management and the Tree and Woodland Strategy would be submitted to a future meeting of this Committee.

A Member called for greater urgency in improving the Exeter to Exmouth line which he stated could accommodate a double track. It was noted that this was a very busy line at times and that the Avocet Line Railway Users Group was actively seeking improvements. Another Member advocated a comprehensive transport strategy for the City rather than piecemeal improvements to the road network. He referred to the opposition from Alphington Councillors to the proposal for a new Park and Ride site off the A30.

Scrutiny Committee - Community noted the progress made to date and requested Executive to:-

- (1) approve for adoption the revised Climate Change Strategy Action Plan;
- (2) reaffirm the Council's commitment to manage and continually improve its own sustainability performance;

- (3) note the current status of the Council's Carbon Management Strategy and Implementation Plan;
- (4) support the Council continuing to work in partnership with other organisations within the City and with the community to tackle climate change and improve the quality of life in the City; and
- (5) support the submission of progress reports to this Committee on an annual basis.

(Report circulated)

PERFORMANCE MONITORING

57 2009 Review of Recycling Plan (2006-2011)

The Head of Environmental Health Services presented the report updating Members on progress with the Recycling Plan since its approval in 2006 and seeking on-going support for recycling initiatives.

The following responses were given to Members' queries:-

- it would be difficult to introduce a system of collecting batteries placed in separate bags in the recyclable waste bins as this would lead to contamination problems at the MRF. Batteries could be recycled at the Recycling Centre, Marsh Barton.
- the Waste Disposal Working Group was continuing to review the City's waste collection system. A key finding of a waste analysis for 2007/8 was that 22% extra residual waste was generated by properties served by a weekly refuse collection compared to those on a bi-weekly cycle. Changing the collection frequency of suitable properties to bi-weekly would increase the volume of recyclates and recycling rate and reduce the volume of residual waste collected. this proposal was currently subject to public consultation. Around 12,000 properties were suitable for switching from a weekly to a fortnightly collection. The Head of Environmental Health Services stated that around 6,000 properties such as flats, which had insufficient space for the storage of refuse, would need to remain on a weekly collection.

It was noted that the proposals under consideration for the future operation of the waste collection service were currently under review including thorough consultation and the outcomes and proposals would be reported to a future meeting of this Committee. As such, they were not included in the Recycling Action Plan for which approval was being sought.

Scrutiny Committee - Community:-

- (1) acknowledged the positive progress made by the Council in implementing the Re-cycling Plan;
- (2) supported the Re-cycling Plan and the accompanying improvement plan; and
- (3) noted that the Plan referred to in (2) above did not include any proposals in respect of the current review of the domestic waste collection and the proposals to change the frequency of collection.

(Report circulated)

58 Corporate Environmental Performance Indicators - Results and Progress

The Head of Environmental Health Services presented the report setting out information on the Council's corporate environmental performance indicators for the period 2008/09. These demonstrated good progress, with a number of targets being met ahead of schedule. The Environmental Champions Scheme had been particularly successful. The specific indicators under consideration were:-

- the reduction in the total quantity of paper resources used by the Council;
- the purchase of recycled paper;
- the reduction in waste produced from the Civic Centre;
- the reduction in carbon dioxide emissions within the Council; and
- the reduction in water consumption at the Civic Centre.

Scrutiny Committee - Community:-

- (1) noted the results for paper use, purchase of re-cycled paper, waste production, carbon dioxide emissions and water consumption;
- (2) requested that the targets be kept under review; and
- (3) asked for a further report to be submitted to this Committee in 12 months time.

(Report circulated)

59 Community Services - Stewardship to 30 June 2009

The Director Community and Environment presented the report advising Members of any major differences by management unit to the revised budget.

The current anticipated overspend in respect of the Advisory Services was £117,920, the Head of Housing Services detailing the following three main reasons:-

- (a) an increase in the cost of Private Sector Leasing mainly as a result of an increase in void properties. Some of these were due to be handed back and the loss of income had been partly offset by a reduction in rental expenditure;
- (b) an increase in the amount spent on bed and breakfast in the first quarter and an increase in serviced accommodation costs over the budget for 2009/10. This has been partly offset by additional Housing Benefit; and
- (c) an increase in temporary staffing to cover long term sick and maternity leave.

Scrutiny Committee - Community noted the report.

(Report circulated)

60 Housing Services Account Stewardship to June 2009

The Director Community and Environment presented the report on major differences by management unit to the outturn forecast for the first three months of the financial year up to 30 June 2008. During this period, the total of the variances indicated that there would be a net deficit of £691,290, which would be transferred to the working

balance at 31 March 2010. £682,100 was a planned reduction in the working balance to support Revenue Contributions to Capital expenditure and £8,190 was the estimated additional deficit identified at the end of the first quarter stewardship. It was estimated that the working balance would stand at £2,161,975 at 31 March 2010.

Scrutiny Committee - Community noted the report.

(Report circulated)

61 **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 paragraphs 1 and 4 of Part 1 of Schedule 12A of the Local Government Act 1972.

MATTERS FOR CONSIDERATION BY EXECUTIVE

62 **Restructuring of Contracts Development and BEST**

The Head of Contracts and Direct Services presented the report seeking approval for the restructuring of the Contracts Development and the Building and Electrical Service Team (BEST) sections within Contracts and Direct Services in order to improve efficiency, respond to changing circumstances whilst still providing a customer focussed service and making efficiency savings of up to £40,500, subject to job evaluation.

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

- (1) support the continuation of a limited internal building services and agree to the restructuring of Contracts and Direct Services as set out in the report;
- (2) delete the post of Building and Electrical Manager (CE11106);
- (3) delete the post of Energy Manager (CE11121);
- (4) terminate the employment of the holder of the post of Quantity Surveyor (CE1114) on the grounds of redundancy on the implementation of the new structure in accordance with the provisions of Regulation 19 of the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007; with compensation being paid to the holder of the post in accordance with the discretion exercised by the Council under the provisions of the Local Government (Early Termination)(Discretionary Compensation)(England and Wales) Regulations 2006; a payment of compensation to be made in respect of the notice/unexpired period of notice to which the employee would otherwise be entitled under their contract of employment and the post deleted from the establishment of the Council;
- (5) re-designate the post of Senior Architectural Surveyor (CE11131) to Building Maintenance Manager with the grade subject to job evaluation;

- (6) re-designate the post of Assistant Commercial and Development Officer (CE11120) to Commercial and Energy Technician with the grade subject to job evaluation;
- (7) review the Contract Development Manager (CE11104) and the Principal Quantity Surveyor (CE11114) posts to reflect the changes in these posts;
- (8) retain the sum of £20,000 within the budget to fund specialist advice in respect of energy management and quantity surveying; and
- (9) continue the temporary arrangements currently in place for the support officers whereby the post holder of post CE11136 is filling post CE11128 and post CE11136 is filled on a temporary basis until such time as firm proposals are brought forward for the support officers.

(Report circulated to Members)

The meeting commenced at 5.30 pm and closed at 8.10 pm

Chair