

COMMUNITY OVERVIEW AND SCRUTINY COMMITTEE**THURSDAY 29 AUGUST 2002 AT 2.00 PM**

PRESENT: Councillor Knapton (Chairman), Councillors Boaden, Mrs Fisher, Hodgson G, Morton, Mrs Parsons and Mrs Prest (as substitute for Councillor Mrs Pattinson)

ALSO

PRESENT: Councillor Ellis (Portfolio Holder for Community Activities) and Councillor Fisher L (Portfolio Holder for Policy and Performance Management) attended the meeting as observers.

Councillor Mrs Geddes (Portfolio Holder for Corporate Resources) attended the meeting to respond to Members' questions as regards Agenda item A.5(b) – Performance Indicators : Disabled Access.

COS.114/02 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Atkinson and Mrs Pattinson.

An apology for absence was also submitted on behalf of Ms Margaret Easton, Access Officer in relation to Agenda item A.5(b) – Performance Indicators : Disabled Access.

COS.115/02 MINUTES OF PREVIOUS MEETINGS

The Minutes of the Community Overview and Scrutiny Committee meetings held on 18 July and 20 August 2002 (special) were submitted.

Referring to Minute COS.109/02 (Housing Strategy Best Value Review – Scoping Paper), the Chairman indicated that he had, as requested, attended the last meeting of the Best Value Review Team to assess the situation and report back to this Committee.

The Chairman advised that his findings were that the Review Team were performing well as far as the review of the Housing Strategy was concerned, but not so as regards the Best Value aspect. The matter had further been considered by the Overview and Scrutiny Management Committee on 15 August 2002 at which time Members resolved that the Corporate Best Value Officer contact the Best Value Inspectorate detailing that Committee's reservations over continuing with the Review at this time and seeking views on the suggested way forward. To date no response had been received from the Inspectorate.

A Member commented upon the importance of the Review, particularly as regards the delivery of the Supporting People Strategy and homelessness services post transfer, and expressed the hope that it would not be delayed indefinitely.

The Head of Corporate Policy and Strategy indicated that the Overview and Scrutiny Management Committee, whilst seeking a delay, accepted that a number of key decisions required to be made within the set timescales and had therefore asked that a further report be submitted to the next meeting of the Committee detailing how they might best be taken forward.

Referring to the Minutes of 20 August 2002, the Chairman pointed out that the special meeting had in fact commenced at 10.30 am and not 2.00 pm as stated.

RESOLVED – That, subject to the above, the Minutes of the meetings held on 18 July and 20 August 2002 be noted.

COS.116/02 DECLARATIONS OF INTEREST (INCLUDING DECLARATIONS OF 'THE PARTY WHIP')

There were no declarations of interest affecting any item on the Agenda.

COS.117/02 CALL IN OF DECISIONS

RESOLVED – That it be noted that there were no matters which had been the subject of call-in.

COS.118/02 MONITORING OF THE FORWARD PLAN

The Head of Corporate Policy and Strategy presented report TC.170/02 highlighting the Forward Plan (1 September to 31 December 2002) issues which fell within the ambit of this Committee. He drew attention to those items which may be of particular interest to Members.

With regard to Advice Agencies, a Member noted that a decision was scheduled to be taken by the Executive on 30 September 2002 and expressed concern that this Committee may not be afforded the opportunity to comment prior to that date.

At the invitation of the Chairman, the Portfolio Holder for Community Activities commented that any report would be dependant upon the receipt of information from outside agencies and there was not enough material to hand to compile a report at the present time. He added that, bearing in mind time constraints, it was his intention that the matter would come before this Committee and he would suggest that course of action to his colleagues.

RESOLVED – That the issues contained within the Forward Plan for 1 September to 31 December 2002 and which fell within the ambit of this Committee be noted.

COS.119/02 WORK PROGRAMME

The Head of Corporate Policy and Strategy presented the Overview and Scrutiny Work Programme for 2002/03, which took into account matters scheduled to be dealt with by this Committee.

He particularly drew Members' attention to performance monitoring which would form a significant piece of the Committee's workload.

RESOLVED – That the Work Programme be noted.

COS.120/02 MONITORING RURAL POLICY – ACTION PLAN FOR THE ‘DEVELOPING COMMUNITIES’ THEME

The Economic Development Manager presented a joint report between the Head of Economic Development and Director of Leisure and Community Development (EDU.14/02 and LCD.27/02) providing a position statement on the proposed Action Plan for the Rural Strategy’s ‘Developing Communities’ theme. He added that a copy of the report had been forwarded to the Carlisle Parish Councils Association with an invitation to attend the meeting. The Secretary had advised that the Association wished to have time to digest and discuss the report, however, would welcome the opportunity to attend during the next round of discussions.

The Economic Development Manager indicated that the report was the first of two monitoring reports to be prepared over the course of each year, the aim being to provide an overview of the actions which were being implemented, not just by the Council but also by other agencies. He drew Members’ attention to the Action Plan relative to the ‘Communities’ theme, a copy of which was appended to the report.

The Strategy needed to be managed pro-actively, both within the Council and through the Officer Regeneration Team and with partners. Although staff vacancies had resulted in limited progress being made, the implementation of the Organisational Review would address these issues as would the imminent appointment of a post to replace the Rural Support Officer.

Discussion arose during which Members raised the following points, to which the Head of Community Support and Economic Development Manager responded:

The Rural Strategy had been approved prior to Council approval of the new Corporate Plan. How were the drivers reflected, particularly in terms of monitoring?

The timetable had overlapped. However, since the Corporate Plan provided the framework for the City Council’s actions over the next three years, all other Strategies would have key links to the Plan.

What action was planned to address the problem of low turnout at local Elections?

The issue was to be addressed as part of the training programme being prepared by Cumbria Association of Local Councils and would also be taken on board by the Rural Support Officer. A Member expressed the hope that the post of Rural Support Officer would be full-time, rather than part-time.

The application of IT systems and connections for Parish Councils to enable better communication.

Certain Parish Councils wished to be linked by fax rather than by computer. The target was that all Parish Clerks should be connected to the local area network by 2003.

With regard to current investigations into the possibility of a new Customer Contact Centre, could the expertise of the Pentalk Network be of assistance?

Pentalk had started as a rapid reaction to the Foot and Mouth Crisis, rather than this

context. It could, however, be borne in mind.

A bid had been submitted through the Local Strategic Partnership to provide access to Council services from a mobile facility, as part of an Invest to Save Bid. Parish Councils were keen to have a single point of contact with the Authority.

The impact which Regional Government would have on this document?

Clearly Regional Government would have a major impact.

RESOLVED – That the report of the Head of Economic Development and Director of Leisure and Community Development be received.

COS.121/02 ANNUAL REPORT OF PERFORMANCE INDICATORS 2001-02

The Performance Officer presented report TC.141/02 detailing how the City Council had performed against the Best Value and local indicators for 2001/02 and for the year 2000/01.

He drew attention to the indicators within the remit of this Committee, detailed at Section 4 of the report, where performance had either not been achieved or had been exceeded.

He further reported on revisions to the 2002/03 performance indicators to take account of the new corporate objectives of the Authority, community priorities suggested by the City Vision Partnership and new national Best Value performance indicators. These national indicators would feature heavily in the score allocated to the Authority during the 2003/04 Corporate Performance Assessment.

With regard to the Performance Indicators relating to the reduction of crime and fear of crime within our communities, the Head of Corporate Policy and Strategy indicated that a background report would be submitted to a future meeting of the Committee, and therefore Members may not wish to devote time to that particular aspect today.

The Performance Officer then responded to Members' questions.

A Member suggested that it may be of assistance if future reports concentrated on Indicators within the remit of this Committee. The Performance Officer commented that he could take that suggestion on board, however, details of all Indicators were included in order to provide Members with an overall perspective of the Council's performance.

RESOLVED – That the Town Clerk and Chief Executive's report be received.

COS.122/02 PERFORMANCE INDICATORS – DISABLED ACCESS

The Overview and Scrutiny Support Officer presented report TC.174/02 providing background information on the City Council's performance under the Best Value Performance Indicator (BV156) "percentage of authority buildings open to the public, in which all public areas are suitable for, and accessible to, disabled people". The City Council's performance for 2001/02 had been 29.7% against a locally set target of 19%.

In 2000/01 Carlisle's performance in respect of that Indicator had been 27%. When compared with Authorities in their family group, that performance was best described as 'mid-table', which was also the case amongst Cumbrian Authorities. In 2002/03, however,

the target of 29.7% may be reviewed in the light of LSVT and Leisuretime externalisation.

The Best Value Indicator covered an area that was also the subject of new statutory requirements under the Disability Discrimination Act (DDA) 1995. However, the requirements of the Act and the steps needed to meet the Indicator were not the same i.e. a building which complied with the Act did not necessarily meet the definition of 'accessible' required for the Best Value Indicator.

The Overview and Scrutiny Support Officer outlined the requirements of the Act which had largely driven works to improve the accessibility of Council buildings and drew Members' attention to planned works.

The Portfolio Holder for Corporate Resources, the Building Surveying Manager and Building Control Manager were present at the meeting.

The Committee investigated the Council's current performance with the Portfolio Holder and Officers with a view to identifying where improvements could be made.

The Building Surveying Manager outlined the difficulties caused by the differing requirements of the DDA and Best Value Indicator an example of which was The Guildhall. He explained that, although it was not possible to make the listed building wheelchair accessible, so long as the service could be provided by other means (e.g. the contents recorded by video and displayed elsewhere) the requirements of the DDA would be met. However, without the installation of a lift the Council could never meet the Indicator.

The Building Control Manager added that it was unlikely that English Heritage would agree to the installation of a lift and it was difficult for facilities, other than new purpose built buildings, to meet the requirements of the Indicator.

The Building Surveying Manager added that a number of interested parties/agencies (including the Access Group) were involved in the assessment and prioritising of schemes, and the list therefore detailed those which were considered to be of greatest benefit to them. The current situation as regards the LSVT and Leisuretime would require to be taken into account during the coming year. Also the figure of £754,000 was the estimated total cost of bringing all Council facilities in line with the DDA and if it was decided to also work towards the definition of 'accessible' as required by the Best Value Indicator, it may be necessary to re-evaluate that figure.

During discussion, Members raised the following points:

- (1) Concern regarding the costs involved in bringing all of the Council's buildings up to the standard specified in the DDA and the consequent impact on the Authority. A report should be brought forward detailing such costs, together with the costs of enabling each building to meet the standards specified in the Indicator, and proposals for funding the same where considered to be cost effective.
- (2) The possibility of prioritising those schemes which could be easily achieved in order that the maximum number of buildings may be brought up to standard quickly, therefore improving the Council's performance.
- (3) Was there scope for meeting the Indicator by reorganising the facilities within a building and redefining the 'public areas' of a building?

(4) Concern that the target figure set for 2002/03 (29.7%) was the same as the performance achieved during 2001/02. Members stressed that targets must be challenging and ambitious, particularly bearing in mind the introduction of Comprehensive Performance Assessments.

(5) Accessibility to Council facilities was fundamental to what the Authority was about and it was a significant concern when disabled people could not, for example, gain access to the Council Chamber without special arrangements being made.

(6) Whether it would now be possible to delete Community Centres from the list.

The Portfolio Holder indicated that she had met with and discussed the DDA requirements with the Director of Environment and Development, and had been involved in the preparation of report EN.179/01 which outlined the need for modifications to Council buildings and facilities. The Portfolio Holder read out a quote from the Act on the 'test of reasonableness', stressing that care required to be taken to avoid being driven by Performance Indicators rather than common sense. She added that she would be happy to discuss the matter further with Officers, including the prioritisation of work and a draft Action Plan.

RESOLVED – That the Director of Environment and Development, in liaison with the Portfolio Holder for Corporate Resources, be requested to submit a report to the next meeting of this Committee with a draft Action Plan to improve the Council's performance, the Plan to include responses to the issues identified at (1) – (6) above.

COS.123/02 THEATRE/ARTS CENTRE REVIEW/INQUIRY – BACKGROUND REPORT

The Chairman advised that he was aware that certain Members were critical of a further review being undertaken into the possible provision of a Theatre in Carlisle. He felt that this review should examine whether a facility could be provided and by whom, and stressed that the City Council would not, in his view, act as a provider.

The Head of Corporate Policy and Strategy confirmed that the matter appeared in the Carlisle City Vision 2002-2012 document and had been included in the Committee's Work Programme following consultation.

The Head of Corporate Policy and Strategy then presented report TC.171/02 providing Members with background information prior to the start of the Theatre/Arts Centre Review/Inquiry.

He outlined existing and planned provision which included:

Stanwix Arts Theatre (280 seats);

West Walls Theatre (130 seats);

Lonsdale Trust; and

Theatre by the Lake (400 seats main, 73 seats studio).

The provision of a Theatre/Arts Centre would inevitably impact on certain existing services

(i.e. The Sands Centre and Tullie House) and these impacts would require to be assessed as part of any future proposal.

Details of funding and bidding, demand, business planning and related issues and possible locations were also provided.

He commented that the aim of the Review should be to make an initial assessment of the potential for development of a Theatre/Arts Centre Scheme for Carlisle and make appropriate recommendations to the Executive on the manner by which that may be taken forward.

It was proposed that the next steps should be to invite the Director of Leisure and Community Development and Arts Development Manager to the next meeting of the Committee. Officers could then give their views, based on their detailed knowledge and experiences of such matters, and respond to Members' questions.

Depending upon the outcomes of that session the way forward for consideration at subsequent meetings could then be agreed.

Members' suggestions on inputs to the Review were particularly welcomed so that they could be included.

In considering the matter, Members made the following points:

- (a) The City did want a Theatre and the information previously compiled by the Theatre Working Group could be used as a basis for this review.
- (b) It may be that any Theatre/Arts Centre could best be provided as separate entities.
- (c) Programming was important and a high standard of entertainment provision essential.
- (d) The financial viability of such a project required careful investigation.
- (e) Information should be obtained from other Authorities who had developed a Theatre/Arts Centre.
- (f) It was particularly important at this stage not to raise public expectation that such a venue would be provided.

The Portfolio Holder for Community Activities noted that there was no reference to the North Cumbria Technology College bid within the report.

RESOLVED – That report TC.171/02 be noted and the next steps, as detailed in Section 7 thereof, agreed.

COS.124/02 PROPOSED MINOR CHANGES TO THE COUNCIL'S CONSTITUTION

The Head of Legal Services presented report TC.143/02 from the City Solicitor and Secretary detailing minor changes needed to certain parts of the Council's Constitution to incorporate the provisions of new Regulations which required longer periods of notice for

meetings of the Council, Committees and the Executive.

The new Regulations amended from three clear days to five clear days the notice to be given of meetings of Council, Committees and Sub-Committees and the availability of documents for public inspection. The object of the Regulations was to give the public greater opportunity to have access to such documentation prior to meetings in order to improve the democratic process.

A Member commented upon the difficulties being experienced by members of staff in convening Appeals Panels under the current arrangements and asked if consideration could be given to the matter.

RESOLVED – (1) That the proposed changes to the Council's Constitution, which would be referred to the full Council at its next meeting for formal approval, be noted.

(2) That the City Solicitor and Secretary be asked to consider the matter raised in connection with Membership of the three Appeals Panels, and respond to the Member who raised it, with copies to the remainder of the Committee.

[The meeting ended at 3.30 pm]