

## **COMMUNITY OVERVIEW AND SCRUTINY PANEL**

**THURSDAY 9 JANUARY 2014 AT 10.00 AM**

**PRESENT:** Councillor Mrs Luckley (Chairman) Councillors Ellis, Mrs Prest, Mrs Vasey, Scarborough, Miss Sherriff (until 11:25), Mrs Stevenson and Wilson (until 11:15)

**ALSO**

**PRESENT:** Councillor Mrs Riddle, Communities and Housing Portfolio Holder

**OFFICERS:** Communities, Housing and Health Manager  
Contracts and Community Services Manager  
Deputy Chief Executive  
Director of Economic Development  
Overview and Scrutiny Officer  
Private Sector Technical Team Manager  
Sports Development Officer

### **COSP.01/14 APOLOGIES FOR ABSENCE**

An apology for absence was submitted on behalf of Councillor Mrs Quilter, Culture, Health, Leisure and Young People Portfolio Holder

### **COSP.02/14 DECLARATIONS OF INTEREST**

There were no declarations of interest affecting the business to be transacted at the meeting.

### **COSP.03/14 MINUTES OF PREVIOUS MEETINGS**

RESOLVED – That the minutes of the meetings held on 19 November 2013 be agreed as a correct record of the meetings and signed by the Chairman.

### **COSP.04/14 CALL-IN OF DECISIONS**

There were no matters which had been the subject of call in.

### **COSP.05/14 OVERVIEW REPORT AND WORK PROGRAMME**

- The Scrutiny Officer presented report OS.02/14 which provided an overview of matters relating to the work of the Community Overview and Scrutiny Panel and included the latest version of the work programme and Key Decisions of the Executive which related to the Panel.
- The Scrutiny Officer reported that the Notice of Key Executive Decisions had been published on 16 December 2013. The items which fell within the remit of this Panel were both included on the agenda for this meeting:  
KD.029/13 – Carlisle Sports Strategy 2013-23  
KD.033/13 – Private Sector Housing Enforcement

- The following minute excerpt was from the Executive's meeting held on 17 December 2012:

EX.150/13 – Budget 2014/15 – Feedback from the Overview and Scrutiny Panels on the Draft Budget Reports. The Executive had decided:

“That the Overview and Scrutiny Panels be thanked for their consideration of the draft Budget reports; and their comments, as detailed within the Minutes submitted, would be taken into account as part of the Executive's deliberations on the 2014/15 Budget.”

- The minutes of the Scrutiny Chairs Group held on 12 December had been included in the report. The Overview and Scrutiny Officer informed the Panel that it was intended to increase public awareness of Overview and Scrutiny by using social media such as Twitter and Facebook.

The Chairman of the Group had suggested that it was his view that it was timely to review the structure of the Scrutiny Panels. Members of the Scrutiny Chairs Group agreed to discuss the matter with their relevant political Groups for feedback on reviewing the structure. The Overview and Scrutiny Officer asked that any other suggestions could also be made to the Chair of the Group or herself. All feedback would be discussed at the next Scrutiny Chairs Group in February.

- The Scrutiny Officer drew Members attention to the Work Programme and the reports which were scheduled for the February meeting. A Member stated that, in the past, the Community Safety Partnership Strategic Assessment and Partnership Plan had been received by the Panel and comments made in November/December. Those comments were then fed into the plan. By receiving the plan in February did not give the Panel the opportunity to provide input into the plan. The Member suggested that in future the Plan be brought before the Panel in November/December as in past years.

RESOLVED – 1) That, subject to the issues raised above, the Overview Report incorporating the Work Programme and Forward Plan items relevant to this Panel be noted.

2) That the decision of the Executive (EX.150/13) be received.

3) That the minutes of the Scrutiny Chairs Group held on 12 December 2013 be noted.

4) That the Community Safety Partnership Strategic Assessment and Partnership Plan be brought to the Panel in November/December in future.

## **COSP.06/14 CARLISLE SPORTS AND PHYSICAL ACTIVITY STRATEGY**

The Deputy Chief Executive submitted report SD.11/13 presenting the City Council's overall Sports and Physical Activity Strategy for 2013-17.

The Deputy Chief Executive informed Members that the Sports and Physical Activity Strategy, attached at Appendix A, proposed the City Council's vision for Carlisle to become more active, healthy and successful by creating opportunities and overcoming barriers to the taking part in sport and physical activity. The Strategy was underpinned by and dependent upon specific work around the provision of indoor and outdoor facilities and pitches.

Turning to the Carlisle Sports Facilities Strategy 2013-23, attached at Appendix B, the Director explained that it proposed a framework for the development of indoor facilities across the City to successfully support and enable the Sport and Physical Activity Strategy. The Carlisle Sports Facilities Strategy 2013-23 was therefore also included for approval and adoption by the Executive.

Whilst the two documents were stand alone texts, they were co-dependent and together formed a platform for an integrated sports development, participation and investment programme in future years. There was a third element to the Sports Development Strategic Framework, namely a Playing Pitch Strategy, which outlined the development needs and provision of outdoor pitches and facilities across Carlisle over the same period. The Playing Pitch Strategy was in draft format, but was currently subject to final consultation with Sport England (who had offered some strategic planning related lessons learned from other authorities and were keen to offer that advice in direct relation to Carlisle's playing pitch strategy). The finalised Playing Pitch Strategy would be brought before the Executive as soon as that advice had been reviewed.

The Deputy Chief Executive emphasised that the Sports and Physical Activity Strategy had been developed following a considerable amount of partnership working across the City. The associated health benefits and need to focus existing Council resources on areas of greatest need; bring partners together; and align resources towards shared and explicit resources were particularly important.

The Executive had on 18 November 2013 (EX.141/13) considered the report and decided:

"That the Executive had considered the proposals arising from both the Carlisle Sports and Physical Activity Strategy and the Sports Facility Strategy, appended to Report SD.08/13, and sought the views of the Community Overview and Scrutiny Panel on those plans."

The Sports Development Officer explained the reason for three strategies. The Sports and Physical Activity Strategy was an overarching strategy that would maintain participation in sports and recreation. The Sports Facilities Strategy and the Playing Pitch Strategy focussed more on the sport, recreation and activity but all were linked. Sport England had recommended that the Council had those documents in place as they gave greater confidence when applying for grants and/or funding.

In considering the report Members raised the following comments and questions:

- *The Council had to ensure that the standard of facilities matched those expected by Sport England.*

The Deputy Chief Executive explained that the Sports and Physical Activity Strategy provided a vision of how the Council could support people who took part in sports or who volunteered at and ran sports clubs. The Sports Facilities Strategy looked at facilities across the City including those in the private sector. Sport England tried to order how local authorities saw facility development to make it easier to see how funding could be allocated. Sport England had recently changed how funding would be administered in future.

- *Did the consultants, KKP, look at the condition of playing pitches as part of their review?*

The Sports Development Officer explained that the Playing Pitch Strategy looked at the condition of each site. The strategy looked at the area of grass, the condition of the grass and the drainage of the site, how many pitches were available and the standard of those pitches. The Officers also liaised with governing bodies in respect of the pitches as well as working with the Council's Green Spaces team and individual clubs who use the sites. The information from the strategy would be discussed with the Green Spaces team and national bodies to see how best to take the strategy forward.

- *The report stated that Sport England regarded Carlisle as a priority area. Would that open doors to funding from Sport England?*

The Contracts and Community Services Manager advised that Sport England now looked at larger scale projects. There was no bidding process. Instead Sport England approached the authority and invited them to bid for funding for projects. Informal discussions had been held with Sport England and once the strategies were approved more formal discussions would take place. Sport England had been consulted on the strategies and had provided positive feedback. That would be critical in the next round of funding.

In response to a query from a Member the Sports Development Officer informed Members that Sport England had a strategy to look at voluntary organisations and club development as well as playing pitch development and therefore different pots of money would be available at different times. Funding would help to deliver the Sports and Physical Activity Strategy the aim of which was to deliver sports provision in hard to reach groups in deprived areas. That would be a three year programme starting in June 2014.

The Contracts and Community Services Manager explained that Sport England provided a larger scale funding stream between £0.5 million and £2 million.

- *There was a lack of reference to rural areas in the Sports and Physical Activity Strategy. Many people in rural areas could not afford the costs of coming into Carlisle for activities such as holiday programmes.*

The Sports Development Officer explained that the strategies did not go into that level of detail but was overarching. Events were held in William Howard School and in Longtown and summer schemes were delivered by Parish Councils. They would not be included in the report but were part of the monitoring process.

- *The report stated that a firm commitment and vision was needed from all partners. Was the City Council giving that same commitment and vision?*

Resources had been allocated in the current and previous budgets and in the Medium Term financial Plan. The Council was working with partners on the redevelopment of the Sands Centre as a hub. The partners would then go through their own mechanisms to gain funding.

- *Voluntary clubs would have limited opportunities and finances.*

The Deputy Chief Executive advised that if voluntary clubs wished to develop their own facilities Carlisle City Council would continue to do what it could to support them. They would be welcome to consult with the Contracts and Community Services Manager and the Sports Development Officer to explore how those strategies could support an individual club's development. Direct support would also be provided through the Sports

Development Officer and the Carlisle and District Sport and Physical Activity Alliance Foundation (SPAAF).

- *Was the dedicated arts and entertainment hall, part of the upgrade to the Sands Centre, still required in light of the Council's intention to develop the Arts Centre in the former fire station?*

The Deputy Chief Executive explained that the proposed arts centre would be a smaller dedicated venue for events that would be too small for the Sands Centre. A dedicated entertainment hall would still be desirable to hold larger events without having an impact on sporting provision. Carlisle Leisure Limited were looking at the possibility of expanding their entertainment programme over the coming years.

- *The report talked about access yet stated that charges for sports facilities would increase.*

The Sports Development Officer advised that that applied only to Council owned sport pitches. Pitches were still cheap to hire and season tickets were available for junior teams. Balanced against the cost of maintenance and running of the pitches the Council were providing a subsidy for their pitches. Clubs were a major part of the delivery of the strategy and many clubs had several teams which used the pitches.

The Deputy Chief Executive informed Members that there was ongoing debate in respect of fees and charges. In respect of playing pitches the Council were trying to recover some of the costs of maintenance and running of the facilities. However Councillors were aware of the issues in deprived areas. Fees were set according to the standard of the pitches so if a pitch had been available for some years it was difficult for clubs to accept increases. Newly constructed pitches had better drainage and were therefore charged a higher fee. The council try to ensure that there was a good spread of facilities across the district but acknowledged that some were of a better quality than others.

- *When would the Playing Pitch Strategy be finalised?*

The Sports Development Officer explained that it was currently in the process of being finalised and that it was essential that the strategy was right before being taken through any funding streams.

- *The report stated that £5 million would be borrowed to finance the redevelopment of the Sands Centre. With current interest rates at around 5% that would have a revenue implication of £250,000 per annum to the Council. The Council had not borrowed for the last 20 years. How could borrowing be avoided?*

The Deputy Chief Executive advised that there would be more detailed debate before any settlement. The proposals for redevelopment were considered an Invest to Save opportunity. Discussions were taking place with the current provider of the Sands Centre and if the Council borrowed to redevelop and improve the Sands Centre a net revenue saving would yield sufficient savings to cover the loan. However that theory remained to be tested, discussed and debated before a final decision was made.

- *Current savings from Tullie House and the Community Centres were put into the pot to cover the Council's current revenue situation. A Member asked for clarification that any savings as a result of the redevelopment of the Sands Centre would cover the cost of the loan.*

The Deputy Chief Executive stated that the idea of redevelopment of the Sands Centre had been thought of as part of the budget plans. Whether there would be additional savings would need to be tested as circumstances around savings may change in the future. More work on the proposal was needed as well as more discussion.

- *The KKP report recommended a new eight lane pool with a smaller teaching pool. Where were talented swimmers currently training?*

The Sports Development Officer advised that if a person showed to be talented in a particular field, that person would be part of the systems in place by the governing body of that sport and may have to travel outside of the City. Part of the new strategy would provide free training for talented and gifted people. Sports clubs and coaches were vital to that training as well as training coaches for the future.

- *National governing bodies have strategies that have to be adhered to and people have to travel outside of the County for additional training. Could the training not be provided in the City?*

As partners with other organisations the Council provided training regarding first aid and safeguarding. Higher qualifications required more qualified coaches and there were not enough coaches in the area. Courses were not fully subscribed in the area therefore people had to travel to Manchester or Newcastle.

- *The report refers to a 1km closed road for cycling. Where would that be and what other provisions were being considered for cycling?*

The Sports Development Officer advised that cycling was one of the priorities as it can be undertaken competitively or as an activity with family and/or friends. Funding through the strategy could achieve £100,000. Free family cycle rides led by instructors would be available from April 2014 provided by British Cycling. Ride leaders and route planners would be trained up for the events. That would link to the provision of safer facilities for people to cycle. Some areas would be a closed road which could be a loop around a sports field. Officers were currently considering the options available.

- *Would there be a facility for families to hire bikes?*

The Contracts and Community Services Manager advised that Carlisle Leisure Limited had a cycle hire scheme and issues around subsidised rates and expansion of the scheme could be discussed with Carlisle Leisure Limited. Cycles were also available for hire from Impact Housing.

*Some years ago Morton Academy stated that they would be hosting events. Was there any further information available?*

The Council was working with other partners including Morton Academy. They did have developments planned which were still logged but the Deputy Chief Executive was not sure how they would be progressed.

- *The development of the strategies was a result of ambitious consultation over a number of years. When would the Council get together with partners to realise their commitment to the strategies?*

The Deputy Chief Executive stated that the strategies gave the opportunity to look at partnerships. Following discussions with the Panel there would be a report back to the Executive requesting that they accept the report and the strategies and move forward. The focus would then be on the contractual relationship with Carlisle Leisure Limited which was due to end in 2017. If the Council moved now into an implementation phase there would be contractual implications with Carlisle Leisure Limited.

The Contracts and Community Services Manager explained that subject to comments from the Panel and the Executive Officers would work on the business case and work with Carlisle Leisure Limited without prejudice.

- *The report stated that issues around funding remain to be addressed.*

Officers were clear in the strategy what was required but not clear on how the work would be funded. There were ideas which would be tested as well as the contract with Carlisle Leisure Limited. There would be planning implications, governing body implications and compliance with standards which would be looked at in detail. The higher level strategic issues needed to be dealt with and the Council's Resource Planning Manager was currently re-evaluating previous plans for facilities.

The Contracts and Community Services Manager explained that to deliver the Council's full aspirations would cost more than the £5 million allocated in the budget. Officers were investigating additional funding and would work with operators in respect of savings. The Council would want to test the potential of savings made by partners. As the cost of the scheme increased the amount of money being put into the budget would diminish.

- *There was a changing pattern in women's sport such as football, rugby and cricket. That would have an impact on facilities such as changing rooms. There would also be an impact in respect of people with disabilities using the facilities.*

The Contracts and Community Services Manager stated that it was taken as read that facilities would be used by women and people with disabilities and it was not yet clear whether funding would come from the Council or from Sport England. There would be debate about the size and location of changing facilities.

RESOLVED: 1) That report SD.11/13 – Carlisle Sports and Physical Activity Strategy – be noted

2) That the Panel were concerned about the lack of clarity in respect of financial implications of the strategy.

## **COSP.07/14 PRIVATE SECTOR HOUSING ENFORCMENT**

The Communities, Housing and Health Manager presented Report ED.03/14 and introduced the Private Sector Technical Team Manager. She reminded Members that the City Council had in 2011 commissioned a Private Sector Housing Stock Condition Survey. The results of that survey, in 2012, revealed that 86% of the district's housing stock was in the private sector, with 14.5% of the total stock owned and managed by private sector landlords. That was up from 9.7% in the 2001 census.

There was estimated to be a total of 7160 private rented dwellings in the district, with around 21% of those properties containing a Category 1 hazard under the Housing Health

and Safety Rating System, and 34.3% classed as non Decent under the Decent Homes Standard revised 2006.

The Communities, Housing and Health Manager reported that the Housing Act 2004 introduced the Housing Health and Safety Rating System (HHSRS) as a statutory system for assessing housing conditions in England and Wales. The system placed a duty on the Council to take statutory action where any Category 1 hazard was identified in a property.

The Government was actively encouraging Local Authorities to look more to the private rented sector to fulfil their housing obligations, and meeting Carlisle's housing needs was a key priority within the Carlisle Plan. The 2011 Housing Need and Demand Survey noted that part of the gap between the likely future need for affordable housing and future supply was likely to be met by the Private Rented Sector. The study also noted that in 2009 and 2010, the Private Rented Sector housed 463 households in housing need per annum, supported by Local Housing Allowance (LHA). As that pattern looked set to continue, there was a clear role for the Council to engage private sector landlords and institutions to ensure that the standard of housing met legal obligations and the supply continued to be available to meet housing need.

Members' attention was then drawn to the draft Enforcement Policy attached at Appendix 1, in addition to which Appendix 1a outlined how the Council proposed to utilise fairly and consistently all the powers contained within the Housing Act 2004 to achieve improvements to housing, health and the environment in the City. The policy would ensure that the authority protected vulnerable occupants and provided the foundation for strategic targeted enforcement.

The Executive had on 16 December 2013 (EX.160/13) approved the draft Enforcement Policy for Private Sector Housing comprising Appendix one of Report ED.42/13

The Communities, Housing and Health Manager advised that the policy consolidated what Officers were already doing. The Council recognised the contribution made by the private sector housing within the City and the growth in private sector housing. There were many good landlords in the City and the policy would ensure those standards continued which would reduce the amount of enforcement required.

In considering the report Members raised the following comments and questions:

- *Could the Council determine discretion in respect of Houses in Multiple Occupancy (HMO) or was the service mandatory?*

The Communities, Housing and Health Manager explained that the Council had a mandatory duty to licence certain types of HMOs and stressed that it was the landlord that was licensed and not the property. The Council also had the powers to be selective over which licenses were granted. The Communities, Housing and Health Manager described the various types of HMO.

The Private Sector Technical Team Manager advised that there would not be many licenses granted in an area where demand was low. All landlords were compliant with the guidance and accredited. Some providers such as the University were exempt from being licensed.

In response to a query from a Member the Private Sector Technical Team Manager advised that the cost for a new license was £330 with a cost of £25 for each additional



unit, over 5 units. The cost of re-licensing was £191, every additional unit over 5 incurring a charge of £12.50. The Communities, Housing and Health Manager further advised that the Council could set the license fee and they were reviewed and based on work undertaken.

- *As the license was linked to the landlord rather than the property there could be difficulties if the property changed hands. Was there any data sharing between the Housing department and Revenues and Benefits?*

The Communities, Housing and Health Manager informed Members that Officers could request and use a list of private sector housing properties but that would only advise who paid the Council Tax and not who owned the property. The Council were looking at an accreditation scheme which would be common across all districts in Cumbria. Officers had attended a meeting in Lancashire regarding such schemes. However it would be resource intensive to inspect all private sector properties as there were presently 100 licensable properties with a minimum of five households in each. Officers were focussing on larger properties where standards were likely to be poorer.

- *Would it not be possible to increase the license fee to fund that work?*

That was being looked at as part of the annual charging review and Officers were looking at charges across other districts. The Deputy Chief Executive advised that Officers had looked at directing some work to other teams/agencies to raised standards in the worst affected places. Enforcement was generally a supportive mechanism.

The Communities, Housing and Health Manager advised that a review of a landlord accreditation scheme was underway. There were currently 132 accredited landlords with 500 properties. Surveys had been carried out across the county which indicated that nineteen landlords were currently members of the national Landlords Association. They had been asked to assess the benefits of an accreditation scheme.

The Private Sector Technical Team Manager explained that the main reason for having an accreditation scheme was to recognise good landlords. As an example she stated that the University would only use accredited landlords.

The Deputy Chief Executive explained that the Council were able to set fees for provider services but could not make a profit to fund other services. The cost of fees would be monitored and if it was necessary to increase the fees that would be brought back into the budget process.

- *How easy was it for tenants to find out information about standards, etc? Was there any information on the Council's website?*

The Communities, Housing and Health Manager explained that the Government was about to launch consultation and develop a form of Tenants' Charter which would provide that information. The response of the Government Select Committee on the Private Rented Sector had been positive. That information was not linked to the policy but Officers were aware of it.

The Deputy Chief Executive advised that the information contained on the Council's website was detailed and helpful but may be complicated to new tenants. A Member had looked on the website for information about hazards but found that the 29 hazards that

constituted Category 1 were not listed in the information regarding the two Categories. The Deputy Chief Executive agreed to check the information that was available.

- *A leaflet would be better than the internet as not all tenants had access to the internet. It would also be useful for the leaflet to be available to letting agents.*
- *Fire regulations were high priority. Did the Council work with other agencies such as the Fire Service and Police?*

The Private Sector Technical Team Manager explained that it was the Council's duty under the Housing Act to liaise with those authorities but the Council would consult with them even if it was not part of the Act. If a fire occurred in a rented property the Council would again liaise with the Fire Service to determine whether regulations had been breached.

- *Who provided the funding to bring properties to the required standard? Was it the landlord or through grants?*

The Communities, Housing and Health Manager explained that the investment in the property was the responsibility of the owner and that the Council did not provide such grants. Assistance was available through Disabled Facilities Grants as well as grants for certain types of properties in certain areas.

The Private Sector Technical Team Manager advised that the Council worked in partnership with the Home Improvement Agency and would look at energy efficient improvements for tenants on benefits. Advice on Green Deal was also available.

- *The report indicated that 21% of rented properties contained a Category 1 hazard. Was that figure similar to other authorities?*

The figures were obtained from the 2012 House Conditions Survey. The Communities, Housing and Health Manager advised that she could circulate information on the county wide figures and advised that Carlisle's stock was better than other districts.

- *Had the survey contacted all landlords?*

The Communities, Housing and Health Manager explained that she did not have the data to the level of areas/streets but was a measure of conditions overall of the housing stock.

- *A Member was encouraged by the number of landlords approved by the Council and hoped that the standards would continue.*
- *What human resources were available to undertake the current work and that in the future?*

The Private Sector Technical Team Manager advised that there were seven people in her team who dealt with housing enforcement 70% of their time and Disabled Facilities Grants the remaining 30%.

The Communities and Housing Portfolio Holder stated how much she valued the hard work undertaken by Officers in that section. The Portfolio Holder also expressed appreciation for the work of the Panel who had highlighted issues and gaps. She believed

that the strength of scrutiny was that it was non-political and that scrutiny would be difficult if the non-political nature was lost.

RESOLVED – 1) That Report ED.03/14 – Private Sector Housing Enforcement – be noted.

2) That the Executive be requested to re-examine the current charges for HOM registration fees to ensure enough income was generated to enable Officer to carry out the necessary functions.

(The meeting ended at 11.30 am)