

COMMUNITY OVERVIEW AND SCRUTINY COMMITTEE**THURSDAY 10 OCTOBER 2002 AT 2.00 PM**

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

ALSO

PRESENT: Councillors Bloxham (Portfolio Holder for Health and Well Being), Ellis (Portfolio Holder for Community Activities) and Mrs Geddes (Portfolio Holder for Corporate Resources) attended the meeting as observers.

Superintendent B Horn (representing the Carlisle and Eden Crime and Disorder Reduction Partnership) attended the meeting in respect of Agenda item A.5(a) – Crime and Disorder Performance Indicators

COS.125/02 WELCOME

The Chairman welcomed all those present to the meeting and, in particular, Superintendent Horn.

COS.126/02 APOLOGY FOR ABSENCE

An apology for absence was submitted on behalf of Councillor Atkinson.

COS.127/02 AGENDA

It was noted that Agenda item A.9 – The Development of Supported Housing – Homelessness and Special Needs had been withdrawn because the responsible Officer was awaiting the receipt of certain information and was not therefore in a position to report at this time.

COS.128/02 MINUTES OF PREVIOUS MEETINGS

The Minutes of the Community Overview and Scrutiny Committee meetings held on 18 July and 20 August 2002 (special) were agreed as a correct record of the meetings and signed by the Chairman.

The Minutes of the meeting held on 29 August 2002 were received.

COS.129/02 DECLARATIONS OF INTEREST (INCLUDING DECLARATIONS OF 'THE PARTY WHIP')

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

COS.130/02 CALL IN OF DECISIONS

The Chairman made reference to the fact that Minute EX.302/02 of the Executive meeting of 30 September 2002 dealing with the Raffles Area Strategy had been called in for scrutiny. Arrangements had been made for a special meeting of this Committee to be held on Friday 18 October 2002 at 10.00 am to deal with the matter.

RESOLVED – That the position be noted.

COS.131/02 MONITORING OF THE FORWARD PLAN

The Head of Corporate Policy and Strategy presented report TC.199/02 highlighting the Forward Plan (1 October 2002 to 31 January 2003) issues which fell within the ambit of this Committee. He drew attention to those items which may be of particular interest to Members.

A Member questioned the position as regards the Bereavement Services Best Value Review, and the Director of Leisure and Community Development indicated that there had been some slippage on the timetable.

With regard to Advice Agencies, a Member reiterated the point which he had made at the last meeting of the Committee, stressing that it was important that this Committee had the opportunity to comment prior to the Executive making a decision.

At the invitation of the Chairman, the Portfolio Holder for Community Activities indicated that the matter would not be going to the next meeting of the Executive because it had not been possible to compile a report in time.

The Chairman drew attention to the One-Stop Advice Shop which had opened on the Raffles Estate. He indicated that he had attended an Open Day and had been particularly impressed by the enthusiasm shown by Officers, the various organisations involved and local people.

RESOLVED – That the issues contained within the Forward Plan for 1 October 2002 to 31 January 2003 and which fell within the ambit of this Committee be noted.

COS.132/02 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 indicated that, with the agreement of the Chairman, consideration of the Environmental Services Division Service Plan had been deferred due to the volume of business scheduled to be dealt with today.

RESOLVED – That the Work Programme be noted.

COS.133/02 REFERENCE FROM THE EXECUTIVE – SMART CARD SCHEMES

A Minute Excerpt setting out the Executive's response to the report from this Committee on the outcome of a subject matter inquiry into the possible development of a multiple use Smart Card in Carlisle was submitted, the decision being:

"That the report from the Community Overview and Scrutiny Committee into Smart Cards be noted and the recommendation to keep a 'watching brief' on the potential for more

extensive use of Smart Cards in Carlisle be approved. In particular, the various pilot schemes which were being undertaken by Local Authorities be monitored carefully and their implications for Carlisle assessed."

RESOLVED – That the response of the Executive be noted.

COS.134/02 PERFORMANCE MONITORING

(a) CRIME AND DISORDER PERFORMANCE INDICATORS

The Head of Corporate Policy and Strategy presented report TC.173/02 providing background information on the City Council's performance under the following Best Value Performance Indicators:

BV126 Domestic Burglaries - Domestic burglaries per 1,000 households;

BV127 Violent Crime – Violent crimes per 1,000 population, broken down to show:

- a) violent offences committed by a stranger per 1,000 population
- b) violent offences committed in a public place per 1,000 population
- c) violent offences committed in connection with licensed premises per 1,000 population
- d) violent offences committed under the influence per 1,000 population

LP134 Public Disorder – Number of public disorder incidents per 1,000 population

CV4 Recorded Crimes – Number of recorded crimes per 1,000 population.

Details of the City Council's performance against locally set targets were provided. Comparative data against the Council's Audit Commission Family Group of Authorities and Cumbrian Districts, together with details of the District Authority Average were detailed as regards Domestic Burglary and Violent Crime, which showed:

Domestic Burglary

Carlisle was below mid-table in the family group and worse than all Cumbrian Districts and the District Average.

Violent Crimes

Carlisle was exactly in the middle of the family group, second worst in Cumbria and significantly above the District Average.

As regards Public Disorder and Recorded Crime, it was noted that these were not national indicators and therefore national comparative data was not available. However, data for Cumbrian Districts was included in the report as follows:

Public Disorder

Carlisle had the worst figure by a considerable margin

Recorded Crimes

Again Carlisle was worst in the County by a significant margin

Cumbria Police provided all Cumbrian partnership areas with recorded crime figures on a monthly basis, and that information was in turn used by the partnership to direct activity towards initiatives where increases were being recorded.

A system of Ethical Crime Recording had been introduced force-wide within Cumbria Police in April 2001 in preparation for adherence to National Crime Recording Standards in April 2002. As expected, that had significantly increased the number of crimes recorded in all areas and, in particular, violent crimes, disorder and burglary. In addition, the system had a direct effect on increasing the total number of offences recorded for 2001-02.

The latest local figures allowed comparison between two similar periods and the early signs showed downward trends in all these indicators.

The Head of Corporate Policy and Strategy stressed the importance of improving performance in relation to Crime and Disorder, which was a high national priority and consistently rated as a top concern in both national and local surveys. The Carlisle and Eden Crime and Disorder Reduction Partnership worked with various organisations and agencies to reduce crime and disorder and to promote community safety across both Districts.

Copies of the Carlisle and Eden Crime and Disorder Reduction Partnership Strategy document for 2002-05 were also tabled for Members' information.

The Community Safety Co-ordinator and Superintendent B Horn (representing the Crime and Disorder Partnership) were present at the meeting.

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

During discussion, Members raised the following points:

The reliability of the statistical information, given that Carlisle's performance in respect of the 4 BVIs was in the lower quartile, which was a major concern.

The Community Safety Co-ordinator advised that the previous recording system had an error rating of 33%. By August 2002 that rating had reduced to 1.35% and therefore a better standard of data was now available from which to work. He reiterated the fact that the new recording system had been adopted by Cumbria Police as a pilot before most other force areas, and had significantly increased the number of crimes recorded.

Superintendent Horn provided an explanation of the manner by which incidents were now recorded.

What were the positive effects for Carlisle of this, the first joint Carlisle and Eden Crime and Disorder Reduction Strategy?

The Community Safety Co-ordinator commented that the benefits would not necessarily be

apparent as far as the average person was concerned, since they related to the manner by which work was structured.

He explained that the delivery of actions identified in each of the Strategies was dependent upon a number of agencies that already had responsibility for service delivery across the two Districts. Task Groups had been set up to progress actions and Leadership Groups oversaw the whole process. Since that process was mirrored in each District, many participants had been struggling to attend meetings.

The merger had secured improved attendance, reduced duplication and allowed for greater focus and dedication. In addition, partnership space was being developed within the Civic Centre.

Superintendent Horn added that collective working allowed for the appointment of Neighbourhood Watch Co-ordinators, for example, which may not otherwise have been possible.

What action was being taken by the Partnership to make Carlisle a better and safer place to live and to improve upon the current crime figures?

Superintendent Horn commented that the Partnership was now working on the second three year Strategy. A lot of good work had been carried out as part of the first Strategy and that was ongoing. As part of the joint Strategy, a post audit consultation had been undertaken which had identified theme areas of concern to the public, and these were being developed through problem solving workshops. He added that the Strategy document provided details of the current position.

Carlisle's performance as regards Public Disorder was the worst in the County by a significant margin – did that relate to the fact that Carlisle was the regional capital?

Superintendent Horn commented that it was a complicated situation and cautioned against making direct comparisons. For example, the North Cumbria Police area family group was different to the Council's family group of Authorities and the social and demographic structures were not necessarily the same.

The Community Safety Co-ordinator added that the figures were based on 1,000 of population. The Castle Ward had been identified as a hot spot in the audit, but it should be noted that its population was artificially inflated by shoppers during the day and people visiting public houses/clubs by night.

The Head of Corporate Policy and Strategy agreed with that health warning, but stressed that the City Council was judged on the basis of those comparisons.

The Partnership comprised of numerous co-operating bodies and invitees. Did those organisations contribute fully, bearing in mind that the Police were on the front line as regards crime and disorder?

Superintendent Horn indicated that he did not have such figures to hand, but certain bodies were more reticent with their time and resources than others. He added that it was everyone's responsibility at the end of the day.

The Community Safety Co-ordinator stressed that good attendance was achieved at problem solving exercises and that participants required to take on board that work in

addition to their own workloads.

From a public perception an increased presence on the streets (not necessarily the Police) would be welcomed. Would the Partnership consider a Neighbourhood Warden Service e.g. as a way of addressing that point?

Superintendent Horn indicated that the Government's proposal was for Community Safety Officers which had not been ruled out by the Chief Constable. He could take that point back to the Partnership for investigation.

Attention was drawn to page 16 of the Strategy document, in particular, the achievement of a reduction in fear of crime by the implementation of a Partnership Media Strategy. How would that work?

The Community Safety Co-ordinator indicated that it was about the management of good news stories through the media and including a website. In addition, a hard to reach network would be developed to ensure intelligence from such sources was used effectively, Consultation and Review Forums would also be held in each District every six months and the Youth Development Officer would be involved.

Was it felt that the City Council was adequately fulfilling its role and, if not, what else could be done?

Superintendent Horn commented that the causes of crime and solutions to it were extremely complex. The challenge was to get everyone in every Department and discipline thinking about crime and disorder.

Although the situation was much better now than say three years ago, there was still room for improvement. However, tremendous commitment had been demonstrated by those who were involved.

Was it fair to say that the Partnership was being hampered by the amount of statistical information which had to be produced and should the judicial system be reviewed?

Superintendent Horn advised that there was a lot of bureaucracy in place and the judicial system was under review within the County and also at a national level.

As regards the way forward, the Head of Corporate Policy and Strategy commented that performance in those 4 BVIs must improve in order that the Council's assessment was as good as it could be. He suggested that the Community Safety Co-ordinator and Superintendent Horn be requested to draw together a methodology and action plan in time for the next meeting, which course of action was agreed.

The Chairman then thanked Superintendent Horn for his attendance at the meeting.

RESOLVED – That the Community Safety Co-ordinator, in conjunction with Superintendent Horn, be requested to submit a report to the next meeting of this Committee with a draft Action Plan aimed at improving the Council's performance, the Plan to include timescales, targets, responsibilities, any costs involved and proposals for funding the same.

(b) PERFORMANCE INDICATORS – ACCESS FOR DISABLED PEOPLE

Pursuant to Minute COS.122/02, the Director of Environment and Development presented

report EN.102/02 which defined a draft Action Plan designed to improve the Authority's performance in respect of Disabled Access to Council buildings.

The Director then outlined the proposed actions in turn:

Action 1

A key issue appeared to be the confusion between the standards required to meet the BV Indicator (i.e. Part M of the Building Regulations) and those required to meet the assessed requirements of the Disability Discrimination Act (DDA). A Schedule was in the process of being prepared (Appendix A to the report) which began to show the works required to meet the two different standards in key Council buildings, together with associated costs. It was emphasised, however, that the completion of that work could not on its own guarantee compliance fully with the DDA.

Whilst the Council could define the appropriate standard it wished to achieve, it was apparent that some buildings, such as the Guildhall, would never meet the Building Regulation standard.

It was therefore suggested that the Building Control Manager contact the District Audit Inspectorate with a view to drawing such buildings to their attention to review the validity of retaining these in the assessment for Carlisle, and report back within six months.

Action 2

The focus in the current year had been to seek compliance with DDA standards. A review of the requirements and forecast outturn expenditure suggested that, for a relatively modest level of investment, a number of buildings could quite quickly be brought up to the BVI standard. These included Denton Holme Community Centre, Greystone Community Centre and the Irthing Centre and, once completed, that would increase the Indicator to 70%.

It was proposed that priority given to bringing the above three buildings to Part M standards in 2002/03 be endorsed and the Building Surveying Manager report back on progress.

Action 3

Whilst the Access Officer and Building Surveying Manager could provide expert advice to the Service Operation Managers in each building, it was the latter who were responsible for service delivery. It may well be that modifying how services were delivered or accepting that some buildings may be unsuitable for a type of service was the most appropriate solution.

It was suggested that the Committee may wish to undertake a field trip to selected buildings to more fully understand compliance issues. Further the future suitability of service delivery in some assets be considered by the Property Services Manager as part of the Asset Management Plan.

Action 4

Within the context of the earlier issues the ability of the Council to set challenging targets to improve BV 156 was in many respects dictated by the availability of funding.

It was suggested that the Committee set out investment priorities for funding bids to the

Executive for 2003/04 from the works detailed in Appendix A.

The Director then responded to Members' questions.

In considering the matter, a Member commented that it was pleasing to see that relatively inexpensive modifications may result in a number of buildings being brought up to the BVI standard, with an ensuing increase in the Indicator.

RESOLVED – (1) That this Committee recommends to the Executive:

(i) That a high priority be assigned to the works on Denton Holme Community Centre, Greystone Community Centre and the Irthing Centre and that funds be found, if at all possible, in the 2002/2003 budgets to bring these buildings up to the Performance Indicator standard.

(ii) That priorities for the 2003/2004 work should focus on those buildings which were most used by disabled people, and those properties where the greatest improvement could be made at the least cost.

(2) That the Access Officer and Building Surveying Manager should explore the potential for improving performance on the Indicator by modifying how services were delivered in particular buildings.

(3) That progress be reported back to this Committee in six months time.

COS.135/02 THEATRE/ARTS CENTRE REVIEW/INQUIRY – BACKGROUND REPORT

Pursuant to Minute COS.123/02, the Director of Leisure and Community Development and the Arts Development Manager had been invited to attend the meeting to present their views, based on their detailed knowledge and experience of such matters, and respond to Members' questions.

The Director of Leisure and Community Development commented that, in his experience, it was unlikely that an outside body would be forthcoming who was prepared to provide funding to build a Theatre or, indeed, to run it and stressed that those costs would fall upon the City Council. The Committee must therefore ask itself 2 questions:

- What could the Council afford to build? and
- What could it afford to run?

He acknowledged that certain of the baseline information compiled previously would still be valid and significant demand existed within the area for the provision of a Theatre.

The Director drew attention to the Stanwix Arts Theatre which provided a varied programme, with direct programming and promotional input through the Arts Development Manager. He suggested that it would be possible to provide additional programming and staffing at Stanwix for a modest cost.

The Arts Development Manager stated that, in the event that funding became available, the Council would require to show that it had done everything possible with the resources currently available, and that Carlisle required that type of improved facility. He commented that a small capital fund had recently become available from the Northern Rock Foundation, stressing that the Council needed to be in a position to make a bid should such resources be forthcoming in the future. He felt that the continued development of the Stanwix Arts Theatre would be a significant step in that direction.

At the invitation of the Chairman, the Portfolio Holder for Health and Well Being commented that the City already had a number of venues e.g. the Sands Centre, Stanwix Arts Theatre and the Green Room that delivered excellent performances. He believed that the Council needed to talk to people to make things happen which would not necessarily involve a purpose built venue.

A Member stated that there was a gap in provision in Carlisle, particularly as regards larger scale events. He believed that revenue costs was an issue and cautioned against raising public expectation that a Theatre would be provided. He added that if demand existed then the option of developing Stanwix Arts Theatre for slightly larger scale productions should be investigated.

The Arts Development Manager confirmed that he could investigate possible options and report back.

A Member questioned whether potential existed for an Arts Centre to be linked to the Lonsdale Trust.

The Arts Development Manager commented that the Trust now had funding to undertake an initial feasibility study, the outcome of which was as yet unknown, and suggested that it would be sensible to await the outcome of that study.

A Member questioned how many people from Carlisle visited other venues e.g. The Theatre by the Lake and asked that the Head of Corporate Policy and Strategy obtain that information. The Arts Development Manager added that it may be worthwhile contacting the Queens Hall in Haxham on that point.

The Chairman then thanked the Officers for their input to the meeting.

RESOLVED – (1) That the Head of Corporate Policy and Strategy be requested to obtain the statistical information outlined above and report back to this Committee.

(2) That the Arts Development Manager be requested to investigate options for and implications of the provision of additional programming at Stanwix Arts Theatre and report back to this Committee.

COS.136/02 LEISURETIME EXTERNALISATION

(a) SET-UP COSTS

There was submitted a report from the City Treasurer (Financial Memo 2002/03 No.43) detailing the set up costs anticipated in the successful tender submitted by Carlisle Leisure Limited as follows:

Formation of IPS and legal/finance

Support by Leisure Partners - £15,000

Staff recruitment - £ 5,000

Equipment and systems - £51,320

Business administration - £ 2,000

Total £73,320 (excluding VAT)

A budget provision of £80,000 had been provided to meet the tender and externalisation process. There was presently a balance of £43,000 unspent and from which the set up costs could be partially met. In addition, the Council would expect to make some savings against equipment costs, say £1,320, reducing the costs to £72,000 and the additional funding required to £29,000. The balance of funding (£29,000) could be met from the anticipated savings which would accrue between the date of transfer and 31 March 2003, providing the transfer took place no later than 1 February 2003.

RESOLVED – That the City Treasurer's report be noted.

(b) FINAL REPORT

The Director of Leisure and Community Development presented report LCD.30/02 concerning the externalisation of the Leisuretime facilities.

The Director reminded Members of the background to the matter, commenting that the purpose of his report was to advise the Executive of the final terms and arrangements which had been negotiated for the operation of the contract.

When the Executive considered the evaluation of the tenders on 8 July a number of details within the bid from Carlisle Leisure Ltd (CLL) remained to be resolved and the Director outlined the same for the benefit of Members.

With one exception, finalising details of the pension scheme, all of the outstanding matters had now been resolved, though some decisions remained for the Executive, details of which were provided.

As regards the contract term, the Chairman proposed that the Committee should recommend to the Executive that the term of 15 years, as originally proposed, be endorsed.

At the invitation of the Chairman, the Portfolio Holder for Health and Well Being commented that the Executive had decided that it was in the best interests of the Council for it to provide the necessary capital finance thereby benefiting from improved revenue savings. In those circumstances, the City Treasurer had suggested that it may wish to consider a reduced contract period. The Portfolio Holder's view was that it would be unfair to reduce the term of the contract at this stage.

As regards the Pensions Admitted Body Status and Guarantee, the City Treasurer drew Members' attention to his note attached at Appendix 7 to the report. He commented that he had now had the opportunity to consult the Regulations on Pension Fund transfers, from which he understood that a separate Admissions Agreement to the Pensions Fund would be required for each contract awarded under a Best Value regime. The Pensions Fund Actuary had been supplied with information on all staff to be included, and the City Treasurer had written further to the County Treasurer for clarification on the matter.

The City Treasurer added that it would be possible, by agreement, to have a scenario whereby the Admissions Agreement was extended to include replacement staff and such issues would require to be addressed over the next three to four weeks.

The Director added that the above impacted on the start date for the contract. The aim was to commence on 1 November, however, it would be possible to defer it until 1 December 2002 if necessary. In those circumstances he would be recommending that the Executive delegate authority to the City Treasurer to reach an agreement in conjunction with relative Portfolio Holders.

As regards the Capital Investment Programme, a Member noted that estimates had been provided, together with anticipated completion dates. However, no detailed assessment of the Council's capacity to manage capital works on that scale had been provided. He believed that it was vital to have a clear statement of how it would proceed to avoid slippage on costs and time.

The City Treasurer stated that it was a critical issue, since if the Programme was not delivered it might give scope for the contractor to claim against the Council for increased costs.

The Director commented that that point should be conveyed to the Executive.

RESOLVED – (1) That this Committee recommends to the Executive:

- (i) That a detailed assessment of the City Council's capacity to manage the Capital Investment Programme be undertaken to protect its position.
- (ii) That the contract term of 15 years as originally proposed be endorsed.
- (iii) That the position, as updated by the City Treasurer, in relation to separate Admissions Agreements for each contract should be accepted and that provision should be made to include replacement staff.

(2) That this Committee recognises the importance of the agreement reached between the Communications Unit and CLL on arrangements for ensuring that the continued support of the City Council for the services was fully acknowledged in promotional materials.

COS.137/02 TULLIE HOUSE SAVINGS AND OPTIONS FOR FUTURE MANAGEMENT

There was submitted a copy of Minute EX.218/02, together with copy report from the Director of Leisure and Community Development (LCD.22/02) which detailed potential cost reductions in respect of Tullie House for 2003/04 onwards and explained the option of managing the facilities through a Trust. The Executive had asked that the report be referred to this Committee for consideration in order that Members' views could be reported back.

The Director of Leisure and Community Development tabled copies of a draft timetable for the possible transfer to Trust status which showed a projected transfer date of November 2003.

A Member questioned the present position as regards the formation of an Initiating Body.

The Director advised that it was a well established process and expressions of interest had been received. It should be noted, however, that the Initiating Body would not necessarily form the Board of the Trust, rather it was a mechanism to get the process started.

A Member commented that the Friends of Tullie House were an extremely capable body and were enthusiastic as regards the possible transfer to Trust status. In those circumstances she believed that everyone should work together to try to achieve that goal sooner rather than later.

Another Member expressed serious concerns at the proposal. He did not feel assured that this was the best option for Tullie House nor, indeed, the right time to do it. He believed that the whole issue required to be investigated much more thoroughly.

A Member responded by stating that initially similar reservations had been expressed with regard to the Leisuretime, but now people could see the benefits. The transfer could only benefit the people of Carlisle and should proceed.

At the invitation of the Chairman, the Portfolio Holder for Health and Well Being commented that he shared the Member's concerns. Tullie House absorbed considerable central administration charges and central services would face the challenge of further reductions in costs. However, he felt that Tullie House should be given the freedom to manage its own budget and this was one way of doing that. He therefore believed that the principle was correct and expressed the hope that the Committee would agree that the proposal should be investigated fully.

RESOLVED – That as the creation of an independent Trust to manage Tullie House represented a significant change in Council policy it was noted that the approval of the full Council would be required, and that there should be full consideration by Overview and Scrutiny at all stages.

COS.138/02 COMPREHENSIVE PERFORMANCE ASSESSMENTS

The Head of Corporate Policy and Strategy presented Report TC.136/02 containing details of a development of Best Value policy in which the Government, supported by the Audit Commission, had introduced a new inspection regime entitled "Comprehensive Performance Assessments" (CPA). The aim of CPA was to remove a perceived weakness of Best Value where inspections were at a service level, and introduce a corporate governance aspect to the inspections where political and managerial effectiveness were measured also. The report provided an introduction to the CPA and described its intentions and methodology, as well as recommending practical actions which would help the organisation prepare for its inspection.

The Executive had appointed Councillor Firth as lead Member and the Town Clerk and Chief Executive lead Officer for the CPA process.

In addition, the Town Clerk and Chief Executive and Corporate Best Value Officer were acting as 'critical friends' to Allerdale District Council who were currently going through the CPA process.

A Member commented that it would have been useful if an update had also been provided.

RESOLVED – That the report be noted and the Corporate Best Value Officer be requested to provide an update to a future meeting of this Committee.

[The meeting ended at 4.12 pm]