

**COMMUNITY OVERVIEW AND SCRUTINY COMMITTEE****THURSDAY 21 NOVEMBER 2002 AT 2.00 PM**

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

ALSO

PRESENT: Councillor Bloxham (Portfolio Holder for Health and Well Being) attended the meeting as an observer.

Mr Ian Tabbron of North West Arts attended the meeting in respect of Agenda item A.6(b) – Theatre/Arts Centre Review/Inquiry.

**COS.144/02 APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf of Councillors Atkinson, Mrs Fisher, Mrs Parsons and Mrs Pattinson.

**COS.145/02 MINUTES OF PREVIOUS MEETINGS**

The Minutes of the Community Overview and Scrutiny Committee meetings held on 29 August, 10 and 18 October 2002 (special) were agreed as a correct record of the meetings and signed by the Chairman.

**COS.146/02 DECLARATIONS OF INTEREST (INCLUDING DECLARATIONS OF 'THE PARTY WHIP')**

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

**COS.147/02 CALL IN OF DECISIONS**

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

**COS.148/02 THE FORWARD PLAN – ITEMS RELEVANT TO COMMUNITY OVERVIEW AND SCRUTINY COMMITTEE**

The Head of Corporate Policy and Strategy presented report TC.227/02 highlighting the Forward Plan (1 November 2002 to 28 February 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 commented that he had previously sought assurances that the Committee would have the opportunity to comment upon the report concerning Advice Agencies prior to a decision being taken by the Executive. He added that consideration of Community Centres Budgets and the Tullie House Savings Proposals were similarly important.

The Head of Corporate Policy and Strategy indicated that he had, prior to the despatch of today's Agenda, raised Members' concerns as regards Advice Agencies, but had not received a positive response. Reports concerning Community Centres Budgets and Tullie House Savings Proposals would be considered by the Corporate Resources Overview and Scrutiny Committee on 28 November 2002, and it would be possible for this Committee to receive the same at its special meeting to be held on 3 December 2002.

Members were of the view that they wished to have sight of the strategic consequences of the Community Centres Budgets and Tullie House Savings Proposals and asked that these items be included on the Agenda for the special meeting of the Committee.

RESOLVED – (1) That the issues contained within the Forward Plan for 1 November 2002 to 28 February 2003 and which fell within the ambit of this Committee be noted.

(2) That items regarding Advice Agencies, Community Centres Budgets and Tullie House Savings Proposals be included on the Agenda for the special meeting of the Committee to be held on 3 December 2002.

#### COS.149/02 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 a report on the Community Safety Best Value Review remained outstanding and invited the Community Safety Co-ordinator to update Members on the position.

The Community Safety Co-ordinator indicated that he would be in a position to submit a draft to the next scheduled meeting of the Committee.

RESOLVED – That the Work Programme be noted.

#### COS.150/02 REFERENCES FROM THE EXECUTIVE

(a) Community Overview and Scrutiny Committee – Views on Tullie House Options for Future Management

A Minute Excerpt (Minute EX.331/02 refers) setting out the Executive's response to report TC.207/02 which detailed this Committee's views on options for the future management of Tullie House was submitted.

The decision of the Executive was that this Committee be informed that the Executive would ensure full consultation with the Committee on that issue, upon which the final decision as to whether to proceed would rest with the full City Council.

RESOLVED – That the response of the Executive be noted.

(b) Performance Indicators – Access for Disabled People

A Minute Excerpt (Minute EX.341/02 refers) setting out the Executive's response to this Committee's recommendations regarding the Action Plan to improve disabled access in Council buildings was submitted. The decision of the Executive was that the reference be noted.

RESOLVED – That the response of the Executive be noted.

## COS.151/02 PERFORMANCE MONITORING

### (a) Performance Indicators - Food Premises Inspections

The Overview and Scrutiny Support Officer presented report TC.226/02 providing background information on the City Council's performance under the Best Value Performance Indicator LP114 defined as "the percentage of food premises inspections that should have been carried out that were carried out".

The inspection regime for food premises was based on risk and, once the risk rating had been established, that determined the planned inspection frequency, details of which were provided. The purpose of such inspections was to ensure that food sold to the public was safe for consumption.

Although that indicator was no longer one of the Best Value Performance Indicators, the Council had a statutory duty to enforce food standards legislation and performance was now reported to the Food Standards Agency.

The City Council's performance for 2001/02 had been 82% (high-risk premises) and 70.3% (other premises) against locally set targets of 85%. In 2000/2001 Carlisle's performance had been 67% (high-risk premises) and 81.3% (other premises) against a similar target. Clearly Carlisle had missed all targets set during these periods. It was stressed, however, that that performance had been against the background of the Foot and Mouth Disease crisis which inevitably took priority from February 2001.

Comparative data showing Carlisle's performance (for 2000/2001) against the Council's Audit Commission Family Group of Local Authorities was provided which showed that Carlisle did not compare well in either category and was in the bottom quartile for 'high-risk' premises.

There had been a marked improvement in performance during the first two quarters of 2002/2003 and continued performance at that level would mean that the targets for that year were achieved. There were, however, concerns that performance could suffer in the next few months whilst a member of the Food Safety Staff was replaced, and it was worth noting that previous dips in performance had been due to staffing problems.

The Overview and Scrutiny Support Officer indicated that the independent food safety watchdog, the Food Standards Agency, aimed to audit 40 Local Authorities each year and clearly Carlisle would be selected at some point.

As regards inspections, the division into 'high-risk' and 'others' raised the question of the priority assigned to each. It was generally acknowledged that greater priority should be given to inspections of high risk premises. Until 2001/2002 Carlisle's performance was consistently better in the 'other premises' category, with the situation being reversed in 2001/02. The Food Standards Agency had acknowledged that the question of priority for inspections was problematic for many authorities.

He then outlined the current structure of the Food Safety Section, together with difficulties being experienced in the recruitment and retention of Environmental Health Officers. He added that the City Council had operated a student placement scheme until around 3 years ago and Members may wish to explore that as a way of addressing current staffing difficulties.

The Head of Environmental Services was present at the meeting.

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

The Head of Environmental Services then responded to questions from Members of the Committee as follows:

*How confident are you that current performance can be maintained over the next six months?*

The fact that the Council had recently been able to recruit a replacement member of staff showed that Carlisle's geographical location was the prime attraction. Upon the arrival of that person in January the Section would have a full compliment of staff and should be able to perform to normal standards. It was imperative that 4 full-time Officers were available to work towards those targets. The imbalance between performance on "high risk" and "other premises" had arisen as a result of the fact that there had been no Principal Officer leading the Section for approximately 2 years. Retention difficulties were not a reflection on the Section or City Council, but arose as a result of Officers moving on for personal reasons or to further their careers.

*What steps would be taken to ensure that performance of the Food Safety Unit did not slip in the short-term? Was there scope for the provision of short-term cover and was it possible to bring in staff from elsewhere to maintain performance?*

Although there was potentially a necessity for short-term cover, agencies could not provide cover at a high level. It may be possible to extend the workforce within the Section e.g. by making use of Technical Officers (who are less well qualified than Environmental Health Officers) for some of the lower risk inspections, thereby freeing the EHOs to carry out more high risk inspections.

*What sort of premises constituted "high risk"?*

There were six risk categories, the top three of which were classified as high risk and the remainder low risk. Each operation was graded for risk to take into account the size of the operation, the number of consumers served, processes used, etc.

*Do Officers give premises notice that an inspection is to be undertaken?*

We prefer to simply drop in. However, in certain of the larger premises it may prove necessary to speak to a line manager for example and in such circumstances advance notice may be given.

*Would the Christmas period have an impact on performance?*

It should not cause any serious problems, however, resources would be re-directed as necessary.

*How would the Unit fair if it were selected for an audit by the Food Standards Agency?*

Clearly the Council would not be one of the top performing Authorities due to the staffing issues identified above. The Principal Officer was now working hard to ensure that the relevant policies were in place.

*Why did the student placement scheme cease?*

The situation gave cause for concern. Historically the Council was able to place a qualified student each time an Environmental Health Officer vacancy arose. The loss of the scheme contributed to what was now a national problem, that Universities could not find placements for students. In Carlisle the scheme ceased because the budget was taken as a saving and if that were reinstated we would be able to sponsor a student, which would be very effective in the office.

*How much staff time was devoted to the preparation of statistical information?*

Not a huge amount since computer systems assist greatly. The Government allocated additional resources to Local Authorities, as a result of which the City Council had recruited a part-time Administrative Officer to undertake such tasks.

*The Press had recently reported on a prosecution instigated by the City Council. How much work was generated as a result of follow-up inspections to achieve a deterrent effect?*

The statistics did not pick up that particular aspect and therefore did not accurately reflect the Section's workload. If necessary following an inspection a letter was sent outlining work required to be undertaken prior to the next inspection. Repeat inspections have to be carried out more quickly than usual.

*Were the targets set realistic?*

Yes, the 85% target had been achieved for both "high-risk" and "other premises" so far in the current year and therefor the target for next year was 87%. It would be pleasing to see targets rise in future, which would be achievable were it not for difficulties such as staffing and the foot and mouth crisis.

*How many Improvement Notices were issued?*

Not a great many. The Section had a good working relationship with premises and offered advice and support.

The Chairman thanked the Head of Environmental Services for his input. He suggested that greater use of Technical Officers to undertake the lower risk inspections should be investigated and that a bid be put forward to the Executive for the reinstatement of the Student Placement Scheme. In addition, a methodology and Action Plan be drawn together in time for the next meeting, which course of action was agreed.

RESOLVED – (1) That the Head of Environmental Services investigate making greater use of Technical Officers to undertake the lower risk inspections, and submit a bid to the Executive for the reinstatement of the Student Placement Scheme.

(2) That the Head of Environmental Services 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) Crime and Disorder Draft Action Plan

Pursuant to Minute COS.134/02(a), the Community Safety Co-ordinator presented report TC.231/02 concerning the City Council's performance as regards Crime and Disorder.

The Community Safety Co-ordinator reminded Members of the background to the matter and drew attention to a draft Action Plan, attached at Appendix 1 to the report, which provided details of planned and ongoing partnership activity. He commented that estimated performance contained within the report for 2002/03 had been based on statistics from April to June 2002. However, recent Police statistics (received that morning) had enabled a more realistic estimate to be made in respect of Domestic Burglary and Violent Crime and a new estimate to be made in respect of total numbers of offences, details of which were tabled. Unfortunately no new figures were available for Disorder and the estimate contained within the report stood.

In addition to the overall Action Plan, the specific Action Plan for Anti-Social Behaviour, as agreed by the Carlisle and Eden Crime and Disorder Reduction Partnership (CDRP), was attached at Appendix 2 to the report.

There were no additional funding implications at that stage, since all elements of the Action Plan would be funded through existing or anticipated partnership funding.

As part of the Action Plan, the CDRP had begun investigating the performance of other CDRPs in the upper quartiles of the Council's family groups. That information was intended to add value to the Action Plan and provide guidance as to the achievement of success in other similar areas. A report on that exercise would be submitted to a future meeting of the Committee.

The Carlisle and Eden CDRP had also offered to pilot a CDRP self-assessment framework and were the only partnership in the North West Region undertaking that exercise which was likely to become compulsory in the near future. Although the document was in the process of being completed, a blank copy had been appended for information at Appendix 3.

In considering the matter, Members raised the following issues:

As regards prolific offenders, it was noted that the CDRP had pledged to apply the problem solving model to those, and had requested assistance from the Youth Offending Team and Probation Service to carry out the problem solving exercise. However, the agencies had yet to provide details of when that could take place.

Members suggested that representatives of the Youth Offending Team and Probation Service be invited to attend a future meeting of this Committee, which course of action was agreed.

As regards violent crime, a Member expressed concern that the figures gave a distorted picture to the general public in that they now included domestic violence. He questioned whether the figures could be split to provide an accurate breakdown.

The Community Safety Co-ordinator commented that for this and future years that

Performance Indicator did split it down so that domestic violence was separate to violence in public areas.

A Member questioned when the self-assessment exercise was likely to be completed. The Community Safety Co-ordinator advised that the GONW had been requested to provide funding to enable an event to be organised (to which all partners would be invited) at which that document would be completed. He also expressed the hope that it would be piloted by the end of the current financial year.

A Member expressed concern at the level of public disorder, commenting that it would be beneficial for the Committee to visit the Control Room at Penrith in the New Year to gain an appreciation of how the system worked. The Community Safety Co-ordinator indicated that he would raise that request with the Police.

A Member thanked the Community Safety Co-ordinator for his report and asked when it might be appropriate for the Committee to look at implementation of the Action Plan.

The Head of Corporate Policy and Strategy suggested that a report be submitted to the March meeting of the Committee, which course of action was agreed.

RESOLVED – (1) That the draft Action Plan appended to report TC.231/02 be approved and the recent estimated performance in the four key performance indicators be noted.

(2) That the Community Safety Co-ordinator be requested to look at arranging a visit to the Police Control Room in the New Year for Members of this Committee.

(3) That the Community Safety Co-ordinator be requested to submit a further report updating Members on the implementation of the Action Plan to the meeting of the Committee scheduled for 27 March 2003.

#### COS.152/02 THEATRE/ARTS CENTRE REVIEW/INQUIRY – PROPOSALS FOR EXPANDING THE STANWIX ARTS THEATRE PROGRAMME

The Arts Development Manager introduced Mr Ian Tabbron, Cumbria Officer – North West Arts who had a professional background in drama, theatre and performing arts.

The Chairman welcomed Mr Tabbron to the meeting.

Pursuant to Minute COS.135/02, the Arts Development Manager presented report LCD.36/02 concerning the possible expansion of The Stanwix Arts Theatre programme in the context of aspirations for improved provision contained within the City Vision.

He outlined the history of the Theatre commenting that, since 1991, the City Council had managed and promoted its programme and had developed a close partnership with the College of Art and Design (now known as Cumbria Institute of the Arts).

Since the refurbishment of the Theatre (completed in Autumn 2000) the Stanwix Arts Theatre Steering Group had met on a regular basis to ensure that the College's academic

needs were balanced with those of the professional performance programme and external hirers of the venue. Although the refurbishment had reduced the capacity of the auditorium from 290 to 217, it had introduced a new flexibility. The bleacher seating could be retracted and replaced, for example, by cabaret-style seating and technical facilities in terms of lighting and staging had also been significantly improved.

On performance days, the College's technical staff, catering contractor and students provided visiting companies with assistance as necessary.

The Arts Development Manager outlined the professional programme for the current financial year, drawing Members' attention to the spreadsheet appended to the report which showed actual figures for last year's programme, the projected outturn for this year, and an estimated budget for next year based on additional Council expenditure of £30,000.

Additional funding of £10,000 from the Arts Council of England's Drama Review had allowed for an increase in the number of performances from 16 in 2001-02 to 31 in the current year, but had placed a considerable strain on staff time. The investment of an additional £30,000 by the City Council could fund a new post and provide a further £4,320 for programme costs, which would support a programme of at least 40 performances a year. Provision had also been made within the proposed budget for an education programme in the form of workshops led by members of visiting companies with schools, community groups and the College's own students.

The Arts Development Manager highlighted a number of difficulties as regards the Theatre, including programming, its out-of-town location which was a barrier to attendance, and the fact that it was primarily a teaching resource within a College campus rather than a fully fledged public arts venue.

However, it would be sensible and desirable to make the most of the Theatre, and it was reasonable to anticipate that audiences would grow if the number and variety of performances were increased and the venue's profile raised by more vigorous marketing.

A feasibility Study was being undertaken in respect of the Lonsdale Trust, including the Cinema and Gala Bingo next door, which should be complete around Christmas time. The Arts Development Manager suggested that this Committee may wish to have sight of that report.

The Head of Corporate Policy and Strategy further suggested that the feasibility study be submitted to the next meeting of the Committee for consideration prior to conclusion of the Review, which was agreed.

The Chairman thanked the Arts Development Officer for his report. He suggested that, rather than making a recommendation to the Executive at that stage, the Committee's views be presented in a report to the Executive at the conclusion of the Review.

As regards the Stanwix Arts Theatre Booking Schedule, a Member commented that most of the available time was during the week, rather than at weekends when most people were likely to visit a Theatre.



The Arts Development Officer commented that the use of Sundays could be investigated, together with the potential for companies to perform for 2/3 day periods. It was agreed that that aspect be incorporated into the ongoing Review.

Members asked Mr Tabbron for his views regarding Theatre provision in Carlisle and the costs associated with the construction of a new Theatre.

In response Mr Tabbron commented that the view amongst NWA colleagues was that Officers in Carlisle worked hard and were efficiently programming and managing a good deal of activity. However, due to capacity issues they were not necessarily able to take advantage of opportunities (such as funding) and planning strategically for developments. The proposal submitted by the Arts Development Manager sought to address that issue and he supported that. Carlisle had received considerably less than equitable share of RALP monies over the lifetime of the scheme and more time could be devoted to the preparation of RALP and other funding applications.

In the best of all possible worlds Carlisle would have a state of the art Performing Arts Centre, but the capital funding position was such that that was extremely unlikely in the foreseeable future. The cost of a new build would perhaps be £10 - £12 million. It would therefore be sensible to look to maximise the potential of existing facilities within known or realistic resources. However, sufficient Officer time for planning, fund finding and partnership building was essential for Carlisle to "position itself" so it would be able to respond to and take advantage of changes at the Arts Board, at the RDA and in regional and national Government policies.

A Member further asked Mr Tabbron for advice on running such a venue. Mr Tabbron indicated that he would require to look at the Business Plan for any organisation before he could make a recommendation. He had nothing against Trusts which had greater capacity to raise finance.

The Chairman thanked Mr Tabbron for his attendance.

RESOLVED – (1) That the report be received.

(2) That the Arts Development Manager be requested to arrange for the feasibility study on the Lonsdale Trust to be submitted to the next meeting of this Committee.

#### COS.153/02 BEREAVEMENT SERVICES BEST VALUE REVIEW – FINAL REPORT

There was submitted the draft final report in respect of the Bereavement Services Best Value Fundamental Performance Review. The report identified the key service issues arising from the Review and included an Action Plan for improvement.

It was noted that the Director of Leisure and Community Development had submitted apologies, but the Manager, Bereavement Services had been expected to attend.

Members, recognising the significance of the report, were very concerned by the Officers' absence and felt that, in the circumstances, the matter must be deferred for consideration at the special meeting of the Committee to be held on 3 December 2002, at which time the Officers should be present.

Members wished their dissatisfaction to be placed on record.

RESOLVED – That consideration of the Bereavement Services Best Value Review – Final Report be deferred until the special meeting of the Committee to be held on 3 December 2002, at which time the Director of Leisure and Community Development and Manager, Bereavement Services should be in attendance.

#### COS.154/02 STRATEGIC HOUSING BEST VALUE REVIEW

Pursuant to Minute OSM.76/02, the Acting Director of Housing presented report H.69/02 providing details of progress made on the Best Value Review of a Strategic Approach to Housing.

The Best Value Inspectorate had advised that it had no serious concerns about delaying the full Best Value Review. However, the Inspectorate had indicated that Comprehensive Performance Assessments would commence in February 2003, and Carlisle was likely to be in the first tranche of District Authorities to be assessed under the CPA. Two cross-cutting inspections on 'Balancing Housing Markets' and 'Clean, Green and Safe Public Space' would be undertaken. In addition, there may be an additional specific assessment on the delivery of homelessness services for those District Authorities which had transferred their housing stock.

The Acting Director outlined the CPA process, commenting that Housing had been identified as a critical factor within that.

As part of reviewing the management of Homeless Accommodation and service delivery, consideration had been given to the Council's role and capacity post LSVT.

He had invited expressions of interest from national and local RSLs and voluntary agencies as regards the management of temporary accommodation, and the timetable was set to enable the Executive to make a decision on a preferred partner at its meeting on 19 December 2002.

Details of the key issues facing the Council in relation to Homelessness Service Delivery and which needed to be addressed in preparation for a CPA assessment were provided, the identified actions being divided into immediate/short-term and longer term tasks.

The Acting Director commented that interviews for the new Homeless Services Officer post, identified under the proposed structure post LSVT, were due to be held in early November but the appointed Officer may not be in post in time for the transfer on 9 December 2002. In those circumstances, the Council required to consider the procurement of external assistance. Initial indications suggested that there was a need to secure 26 days of work costing up to £13,000 (excluding VAT) to be spread over 3 months (as 2 days per week) to be funded from the existing Hostels and Homelessness Budgets.

He then explained the content of the Regulatory Reform Order and its implications for the City Council, which included the publication of a revised Housing Renewal Policy by 18 July 2003.

As regards the Housing Strategy, it was noted that both the 2001/02 and 2002/03 documents had received 'above average' ratings from the ODPM. It was recognised, however, that the Strategy would change fundamentally post LSVT and significant challenges lay ahead for the production of the 2004/05 document. The Best Value process had identified key actions to enable the delivery of the Strategy in the future, details of which were provided.

The Corporate Best Value Officer stressed that this was not in fact a full Best Value Review, but rather preparation for it.

A Member commented that the Executive had taken a significant decision as regards the management of temporary accommodation without reference to this Committee. He questioned the position as regards expressions of interest.

The Acting Director indicated that he had written to five organisations and received three responses. All had had the opportunity to look at the Hostels and had until the following Friday to make a proposal for a management arrangement spanning six months. He stressed that the aim was to obtain professional expertise to work with the Council for six months whilst all options were considered.

A Member sought clarity as to the structure, stressing that the Council would still have a responsibility for Housing post LSVT.

The Acting Director advised that the structure was that approved under the Organisational Review, the only changes being the renaming of two posts.

RESOLVED – (1) That progress made as regards the Strategic Housing Best Value Review be noted.

(2) That the Action Plans, as detailed within report H.69/02, be agreed.

(3) That this Committee recommends to the Executive that the procurement of external assistance, as detailed in section 3.4 of the report, be approved.

COS.155/02 ENVIRONMENTAL SERVICES DIVISION  
SERVICE PLAN

The Head of Environmental Services presented report EN.107/02 detailing the targets and work programme for the Environmental Services Division for the current financial year.

Much of the work of the Division related to statutory functions such as planned and re-active inspections in respect of Food Safety or workplace Health and Safety. A significant and increasing element related to re-active work in the investigation of alleged public health nuisances such as noise, abandoned vehicles, drainage and pollution incidents.

The Division was also responsible for ensuring standards in privately rented property, the approval and supervision of home repair and disabled facility grants and the operation of a successful Energy Efficiency Advice Centre. As a client function the Division oversaw and managed the Council's contracts for building cleaning, refuse collection and street cleaning. Services provided included Pest Control, kerbside and bring site recycling facilities, and an accreditation service for student accommodation.

The Head of Environmental Services commented that the Service Plan attempted to cover the major areas of the very diverse functions which were the responsibility of the Division. The respective targets were either set by external agencies or developed and supervised within the Division through the Best Value and Team Improvement Review processes. All targets were scrutinised twice per year as part of Team Improvement Review, whilst those forming part of the Corporate Plan were reported to Members on a quarterly basis.

A Member questioned whether the targets set were in fact challenging. The Head of

Environmental Services responded that there were many variables in the Division's workload which made it difficult to set more challenging targets. He added that targets were looked at annually and he would be happy to take that point on board.

RESOLVED – That the details of the Environmental Services Division Service Plan for 2002/03 be received.

[The meeting ended at 3.47 pm]