

COMMUNITY OVERVIEW AND SCRUTINY PANEL

THURSDAY 1 SEPTEMBER 2011 AT 10.00 AM

PRESENT: Councillor Mrs Luckley (Chairman) Councillors Mrs Bradley, Glover, Nedved, Mrs Parsons, Mrs Prest and Scarborough

ALSO

PRESENT: Councillor Mrs Geddes, Community Engagement Portfolio Holder
Councillor Ellis, Performance and Development Portfolio Holder
Councillor Bloxham, Environment and Housing Portfolio Holder
Mr Barker, Secretary of the Carlisle Rural Tenants' Federation
Councillor Earp, Observer

COSP.58/11 APOLOGIES FOR ABSENCE

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

COSP.59/11 DECLARATIONS OF INTEREST

The following Councillors declared a personal interest in accordance with the Council's Code of Conduct in respect of Agenda Item A.4 Discretionary Rate Relief. Their interest related to the fact that they were Council appointed representatives on the following bodies:

Councillor Mrs Bradley – Currock Community Centre
Councillor Nedved – Stanwix Community Association
Councillor Scarborough – Botcherby Community Centre Management Committee
Councillor Glover – Currock Community Centre Management Committee
Councillor Mrs Parsons – Downagate Community Centre

Councillor Mrs Luckley declared a personal interest in accordance with the Council's Code of Conduct in respect of Agenda Item A.6 – Play Strategy. Her interest related to the fact that she was a member of the Healthy Community Group and the Healthy Cities Strategic Group.

COSP.60/11 MINUTES OF PREVIOUS MEETINGS

RESOLVED - That the minutes of the meeting held on 14 July 2011 be noted.

COSP.61/11 CALL-IN OF DECISIONS

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

COSP.62/11 QUESTIONS BY MEMBERS OF THE PUBLIC

The Chairman welcomed Mr Barker, Secretary of the Carlisle and Rural Tenants' Federation to the meeting.

Riverside Carlisle

Pursuant to Procedure Rule 10.1, the Assistant Director (Governance) reported the receipt of the following questions to the Chairman which had been submitted on notice by Mr Barker, Secretary of the Carlisle and Rural Tenants' Federation:

- 1) "Given the frequent use of the phrase "working together" by Mr. Mally Irving, the Development and Leasehold Manager of Riverside Carlisle in his presentation to the Panel meeting on July 14 2011, and given Mr Irving's emphasis on the importance of this exhortation in describing what he considered to be Riverside's co-operation with others in its current housing developments, how does the Panel explain the serious criticisms of Riverside's operations which expressed a completely contrary view and were made by members of the Panel earlier in the same meeting?
- 2) Is it not the truth, that while Mr Irving may consider that Riverside is committed to co-operation and working together, in reality Riverside's working together and co-operation outlined by Panel members at that meeting, is a completely different story and illustrates the true situation in Carlisle and district, particularly as it relates to Riverside's current dispute with its leaseholders, and that the reality outlined by the Panel members clearly illustrates that Riverside is in serious need of being properly held to account?
- 3) Given this need for Riverside to be properly held to account, will the Panel now express support for the Housing Minister Mr Grant Shapps who recently told the Chartered Institute of Housing conference that the government is shortly to consult with Riverside and other housing associations on whether to extend the scope of the Freedom of Information Act to include housing associations in order to make it easier for tenants and members of the public to find out more about how Riverside and other associations work and also find out more about what Riverside and other associations do with the money they get from taxation?"

The Chairman answered Mr Barker's questions as follows:

"1) At the meeting of this Panel on 14th July 2011, Members did not voice serious criticism of Riverside's operations. The Panel have a responsibility to

hold Riverside to account and are required to ask questions which may be difficult or challenging. This should not be misinterpreted as seriously criticising an organisation which is subject to scrutiny.

2) This Panel will continue to scrutinise the Partnership Agreement on a 6 monthly basis and will continue to hold Riverside to account. This is the agreed method of scrutiny by Members of this Panel.

3) This is a national policy issue and not within the remit of this Panel”

The Chairman gave Mr Barker the opportunity to ask a supplementary question and Mr Barker responded that, whilst he respected the Panel and the work they undertook, he could not fully accept the response from the Panel to the questions and he had no further questions for the Panel at this time.

COSP.63/11 OVERVIEW REPORT AND WORK PROGRAMME

The Scrutiny Officer (Mrs Edwards) presented report OS.24/11 which provided an overview of matters relating to the Community Overview and Scrutiny Panel’s work and included the latest version of the work programme and Forward Plan items which related to the Panel.

Mrs Edwards reported that:

- the Forward Plan of Executive Key Decisions, covering the period 1 September to 31 December 2011 had been published on 18 August 2011 and the following issues fell into the remit of this Panel:

KD.021/11 (Carlisle and Eden Crime and Disorder Reduction Partnership Plan 2011-12) and KD.025/11 (Discretionary Rate Relief Policy) – were scheduled for consideration later on the Agenda for this meeting;

KD.023/11 (Housing Strategy and Action Plan 2011-15) and KD.024/11 (Budget Process 2012-12) – reports would be available for consideration by this Panel on 24 November 2011.

- the Panel had agreed to undertake two reviews by Task and Finish Groups in relation to Housing Issues and Disabled Facilities Grants.

Members had been appointed to the Groups as follows:

Housing

Councillor Riddle
Councillor Bradley
Councillor Nedved
Councillor Bainbridge

Disabled Facilities Grants

Councillor Glover
Councillor Luckley
Councillor Prest
Councillor Layden (representing the
Resources Overview and
Scrutiny Panel)

Initial meetings were scheduled to take place on 13 and 15 September for the Task Groups to scope their respective areas, and Members would be appraised of the updated position at their next meeting on 6 October 2011.

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

COSP.64/11 DISCRETIONARY RATE RELIEF

The Assistant Director (Community Engagement) (Mr Gerrard) submitted report CD.09/11 concerning the Council's Discretionary Rate Relief Policy. He outlined the background to the matter, reminding Members that the Council had on 11 January 2011 approved the Policy which phased in the capping of rate relief at 80% over two financial years from April 2011 in line with approved budget provision.

Mr Gerrard indicated that, from 2012/13 and subject to approval by Council, it was proposed to award 20% discretionary 'top up' rate relief to all local charities and non profit making enterprises with a rateable value of below £18,000 (ie the ceiling applied by central government for small business rate relief). If approved, the proposed policy changes would apply to all enterprises that met the definition of 'small and local':

"Charities/non profit making enterprises with a property portfolio of below £18,000 rateable value that have their Head Office or Registered Office in Carlisle and District, as evidenced by records published on the Charities Commission or Companies House website. Where there is no information on the website the billing address will be deemed to be their Head Office or Regional Office."

He emphasised that the above policy change would mean that 111 out of 153 local enterprises would receive 100% rate relief, including most community centres, village halls, sports clubs and local charities. By focussing on small and local enterprises, the proposed policy changes were intended to target the available budget for rate relief as effectively as possible. Larger local charities and non profit making organisations would not, however, benefit from the proposal and would receive a maximum of 80% relief from 2012/13 onwards.

Mr Gerrard reported that in the 2011/12 financial year relief for all local and national charities (irrespective of their rateable value) had been capped at 80%, and that so far six local charities had appealed that decision.

Recovery action was on hold pending consideration of the appeals. Within the overall budget allocation, £18,000 was available to fund appeals through additional relief in the current financial year. In line with the principle of targeting relief at local charities and local non profit making organisations it

was proposed, for this financial year only, to award up to 10% top up to the six charities that had appealed, irrespective of their rateable value.

He added that, in the interests of consistency and fairness, it was proposed that any further appeals received in 2011/12 would also be assessed against the criteria of local (not including rateable value) and if they met the definition they too would be awarded additional relief of up to 10%.

The Executive had, on 30 August 2011 (EX.102/11) considered the matter and resolved:

“That the Executive:

1. Approved the amendment to the Discretionary Rate relief Policy in order for it to proceed for consideration by the Community Overview and Scrutiny Panel and thereafter full Council.
2. Authorised Officers to agree up to 10% top up for those local charities that had successfully appealed against the decision to cap their rate relief at 80% in 2011/12.
3. Agreed that further appeals from charities against the decision to cap rate relief at 80% in 2011/12 shall be assessed against the definition of local set out in Report CD.09/11, and authorised Officers to award up to 10% top up to successful appellants.”

In considering the matter, Members raised the following issues and concerns:

- The Panel had understood that there would be an opportunity for Overview and Scrutiny to provide their input into the development of the criteria, was that opportunity still available?

The Community Engagement Portfolio Holder responded that Overview and Scrutiny had the opportunity to scrutinise the proposed criteria and make recommendations to the Executive before it went to full Council for approval.

- A Member commented that it would have been useful, for scrutiny purposes, if the report had included a list of the 153 charities or not for profit organisations that would have benefited from the criteria and a reason why each charity or organisation would not fit the criteria where applicable.
- A Member made reference to an article that had appeared in the local press which highlighted the concerns raised by Eden Valley Hospice regarding the rate relief. She asked if the Hospice qualified for the rate relief.

The Community Engagement Portfolio Holder explained that Eden Valley Hospice had been brought into the rating system in April 2011 and would have received the 80% rate relief. Because the rateable value of the Hospice was above £18,000 it would be exempt from the additional 20% rate relief available under the proposed criteria.

- The Panel felt that the proposed criteria was only based on financial information and no consideration had been given to the contribution that particular charities or organisations made to the local community

The Community Engagement Portfolio Holder responded that a great deal of work had gone into preparing the criteria to ensure the budget would provide help to the highest number of charities and organisations as possible. 111 out of 153 charities and not for profit organisations could be helped using the proposed criteria. She added that consideration had been given to the contribution that charities or organisation gave to delivering the Corporate Plan but it had been felt that the Council should provide help to as many charities or organisations as they could.

The Community Engagement Portfolio Holder clarified that the 10% top up was available to any charity or not for profit organisations that submitted an appeal that met the relevant criteria.

The Communities, Housing and Health Manager (Ms Miller) informed the Panel that the charities and organisations had been informed of the changes via a letter. The letter explained what the changes were, how to view the relevant report and informed them that they would be kept informed of the changes and how it would affect them.

Mr Gerrard added that the appeal process criteria would not be a change to the Council's policy and would not have to be approved by full Council. He reminded Members of the changes to the Policy in January 2011 and stated that if the proposed changes were not agreed by Council then the Policy would remain as agreed in January 2011.

- Was there any information regarding the cost of the appeals to the Council?

Mr Gerrard explained that the Council had set aside a budget that would cover the appeals process.

- Was there a cost breakdown of the difference between the charities and the not for profit organisations to inform the Panel of the cost to the Council? There was serious concerns that the Council was asking third sector organisations to take on some of the Council's non statutory tasks and at the same time removing some of their financial support.

The Environment and Housing Portfolio Holder acknowledged the situation and believed that the proposed policy was the fairest way of ensuring the majority of organisations received support. He assured the Panel that a lot of work had been carried out to produce the criteria and a number of options had been considered.

The Performance and Development Portfolio Holder reminded Members that other support was available to organisations in the form of grants from the Council.

The Community Engagement Portfolio Holder suggested that a further report be submitted to the Panel at its meeting on 6 October 2011 which contained the additional information requested. It would also give the Panel Members the opportunity to discuss the criteria proposals and the options that had been rejected with the relevant officers or Portfolio Holder.

- Had the Council received any appeals from organisations that were outside of the District and did officers think that the current number of appeals received was low?

Ms Miller responded that 6 appeals had been received but it was not easy to determine if this was a low figure. One appeal had been received from an organisation outside of the District but within the County.

RESOLVED – 1) That a further Discretionary Rate Relief Policy report, including a full breakdown of the charities and not for profit organisations and a breakdown of costs, be submitted to the Panel on 6 October 2011.

2) That the same report be submitted to the Resources Overview and Scrutiny Panel on 13 October 2011.

COSP.65/11 PLAY STRATEGY

The Communities, Housing and Health Manager (Ms Miller) submitted report CD.12/11 which updated the Panel on the Play Strategy.

Ms Miller drew Members' attention to the Big Lottery End of Grant report, appended to her report, which set out the outcomes that had been achieved by the Face2Face programme and the City Play Trail. It also made reference to a revised Play Strategy and Delivery Plan to take the work forward.

She added that the Play Strategy monitoring report showed how the actions and outcomes in the strategy had met the play and engagement needs of children and young people across Carlisle and District. Information about ongoing projects, their funding sources and partners was also included. It was proposed that, in future, co-ordination and monitoring of future activities and identification of children and young people's needs be undertaken in collaboration with the Carlisle and Eden District Delivery Group that reported to the Carlisle Partnership Executive.

The Wellbeing Team's Wellbeing Manager (due to commence in post on 3 October 2011) and the Community Development Officer (Young People's Champion) would liaise with the District Delivery Group.

In conclusion, Ms Miller reported that opportunities for children and young people to engage in healthy, positive activities and recreation would also be developed through implementation of the new Green Infrastructure Strategy.

Ms Miller introduced Sarah Moss-Luffram, Young Person's Champion, to the Panel.

In considering the matter, Members raised the following questions and issues:

- What resources were required to maintain the current level of activities following the end of the BIG Lottery Funding?

Ms Miller referred Members to the Monitoring Play Strategy Action Plan which gave a figure of £57,639 which would be required to maintain the Face2Face outreach service.

- The Panel was keen to establish links with the Youth Council so they could provide input into policy development for the future. Would there be a mechanism for the Youth Council's work programme to feed into the Panel's work programme.

Miss Moss-Luffram agreed that it would be beneficial for the Youth Council to work in partnership with Overview and Scrutiny to influence future policies and she welcomed any suggestions the Panel had to encourage this. She added that she had been in discussions with the Mayor of Carlisle regarding the introduction of a Young Mayor. In response to a further question Miss Moss-Luffram confirmed that the Youth Council had a good cross section of representatives including children with disabilities.

A Member felt it would be beneficial for the Council to receive a presentation on the Youth Council, how it worked and what support and interaction the Council could provide.

- The report stated that there was no provision for play area refurbishment within the Council's capital programme, how would the refurbishment and maintenance programme be continued? What would happen to the condition of existing play areas and was there any budget for the removal of unsafe equipment? Could Section 106 money be used for refurbishment?

In response to the questions the Neighbourhoods and Green Spaces Manager (Mr Gray) explained that Section 106 money could be used to provide new play areas or renovate existing play areas but only in the location of the development. The maintenance schedule was still in use but priority had been given to areas that were in most need of the work due to the small maintenance budget. He explained that the team had started to concentrate on the provision of larger areas with better equipment as they would be easy to provide maintenance for but consideration had to be given to the needs of the local area and the resources available. Inevitably the future of play areas would be fewer individual locations but better quality equipment in the remaining areas. He added that some local communities had been successful

in raising the finances for play equipment in their area and had worked in partnership with the Council.

In response to a further question Mr Gray explained that the play area maintenance programme was determined by the areas that need repaired the most. The Planning Section held a list of play area provision and space allocation for the City.

Mr Gray informed the Panel that he could provide an update on play areas at a future meeting if they Panel so wished.

- There appeared to be fewer play areas within rural areas; had the consultation with Young People included rural areas?

Mr Gray responded that the rural areas had been included in the consultation for the play strategy but play areas worked differently in rural areas. The provision of play areas in rural areas were provided by either Parish Councils or Local Committees. The City Council provided inspections of the areas and advice and support with insurance costs.

The Environment and Housing portfolio Holder also had concerns regarding the lack of provision for play area refurbishment. He understood that Section 106 money could provide new play areas and that the developers only maintained new areas for 10 years then they became the responsibility of the Council. He understood the financial situation but felt strongly that the position regarding play areas needed to be investigated further. He added that he felt that the way forward would be more community participation and empowerment.

The Community Engagement Portfolio Holder reminded the Panel that the Carlisle and Eden Crime and Disorder Reduction Partnership provided money towards the refurbishment and maintenance of the Multi Use Games Areas.

- Members provisionally supported the proposal set out in the report for Alley Play but asked officers to give serious consideration to the implications and Ward Members and residents should be consulted with to gauge their opinion. Investigation should be undertaken into the various issues that had occurred following the gating of various alleys and consideration should be given to a pilot scheme.

The Environment and Housing Portfolio Holder agreed that a pilot scheme of the proposal would be worthwhile. He understood the concerns of the Panel and agreed that the proposal would need serious consideration before it could move forward.

RESOLVED – 1) That the Play Strategy continue to be monitored by the Community Overview and Scrutiny Panel on a 6 monthly basis;

2) That an update on play areas be brought to a future meeting of the Panel;

3) That a presentation on the Youth Council, its priorities and how it would work in partnership with the Council be given at a future meeting of the Panel.

COSP.66/11 PERFORMANCE MONITORING REPORTS

The Policy and Performance Officer (Mr Oliver) submitted report PPP.13/11 being the first report of the revised 2011/12 Corporate Plan.

He informed Members that the report constituted the first quarterly report presented in the new style agreed by the Executive on 22 November 2010, adding that progress made in the delivery of each of the Corporate Plan Key Actions was documented along with any risks associated with the delivery of the action and relevant performance indicators.

Mr Oliver explained that each of the Key Actions had been assessed, in conjunction with Assistant Directors and Service Managers, and awarded a red, amber or green rating. He added that the majority of the Key Actions had shown good progress and would be green if the risks were mitigated.

Members' attention was also drawn to the summary of recent consultation findings, update on Transformation and key achievements provided within his report.

In considering the matter, Members raised the following comments and questions:

- How would Ward Member views be used to monitor the Corporate Plan?

Mr Oliver reminded the Panel that a ward survey had been circulated to Members; key issues from the surveys would be used in conjunction with key issues from the Carlisle Focus questionnaire and the Citizens Panel. The issues would provide a baseline to determine how views changed as the Corporate Plan was delivered.

A Member added that the Customer Contact Centre should also be used to gauge the opinions of local communities. Areas of concerns could be identified by the number and type of complaints recorded in particular areas.

The Performance and Development Portfolio Holder agreed that the Customer Contact Centre was a valuable source of information and urged all Members to increase their use of the Customer Contact Centre.

- A Member informed the Panel that he had visited the refurbished Homeless Men's Hostel in John Street and a key issue for staff was the difficulty in locating suitable moving on accommodation.

Mr Gerrard responded that more work was needed in partnership with Social Registered Landlords on the provision of accommodation. The YMCA had also highlighted the lack of accommodation for young people as a key

concern for them. This issue of ensuring that the Youth Foyer could deliver on the provision of accommodation needed was also a key risk in the Council's Corporate Plan.

Councillor Mrs Luckley requested that it be noted that although the Panel was not scrutinising the decision of the Executive regarding the Community Resource Centre and Foyer she had been a Member of the Executive when the decision had been made and therefore declared a personal interest in accordance with the Council's Code of Conduct.

RESOLVED – That Corporate Plan Performance report be welcomed.

COSP.67/11 CARLISLE AND EDEN CRIME AND DISORDER REDUCTION PARTNERSHIP PLAN 2011-12

The Chairman reported the submission of the Minutes of the meeting of the Carlisle and Eden Community Safety Partnership Joint Scrutiny Panel held on 4 August 2011.

She outlined the issues raised by the Joint Panel and drew Members attention to the issue regarding future contributions provided by Eden District Council to the Partnership and the resolution of the Joint Scrutiny Panel.

The Executive had on 26 July 2011 considered the Carlisle and Eden Crime and Disorder Reduction Partnership's Plan for 2011/12 and made it available for consideration by this Panel (Minute EX.088/11).

Members were requested to note, agree outcomes and submit recommendations to the Executive.

The Panel raised serious concerns regarding the level of contribution made by Eden District Council and the future of the Partnership.

The Community Engagement Portfolio Holder shared the Panel's concerns and informed the Panel that she had proposed to rationalise the two support posts in the current financial year, this proposal had not been successful but it was hoped it would be successful next year and it would highlight the lack of contribution made by Eden District Council.

RESOLVED – That the minutes of the Carlisle and Eden Community Safety Partnership Joint Scrutiny Panel be approved and forwarded to the Executive for their consideration.

COSP.68/11 TRANSFORMATION PROGRAMME FOR CARLISLE CITY COUNCIL

The Assistant Director (Community Engagement) (Mr Gerrard) provided a verbal update on the Transformation Programme being undertaken in the Community Engagement Directorate.

Mr Gerrard reported that the Transformation of the Directorate was almost operationally complete. The new Wellbeing Manager would take up post on 3 October 2011 and they would work on delivering the recommendations of the Locality Working Task and Finish Group.

He informed the Panel that there was one temporary vacancy still to be filled and this would be done soon. There was ongoing work on the Transformation within the Directorate to ensure that the work of the Directorate was being undertaken as effectively and efficiently as possible.

Mr Gerrard informed the Panel that a floor layout, contact details and officer roles would be included in the document that the Policy and Performance Team were preparing.

RESOLVED – That the Assistant Director (Community Engagement) be thanked for the update on the Transformation Programme.

(The meeting ended at 12.20pm)